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COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1937. 132d of the General Assembly.

Vol. 21. HARRISBURG, PA., WEDNESDAY, MAY 19, 1937. No. 61.

SENATE

WEDNESDAY, MAY 19, 1937.

The Senate met at 12:00 o'clock noon.

The President Pro Tempore (Mr. HARVEY HUFFMAN) in the Chair.

PRAYER

The Rev. FRANK W. RUTH offered the following prayer:

Our heavenly Father, we come into Thy presence this morning in this new day of labor. We pray for the guidance of Thy Spirit that we may do this work to which Thou hast assigned us, that Thou and Thy people may have the comforting things necessary for the maintenance of spirit and life. We pray Thy guidance in the deliberations and decisions that we may here make, that we may do those things which will mean the most for the happiness and complete contentment of Thy people. Forgive us our sins and shortcomings, and in the many temptations that come to us may Thy Spirit guide us safely through, and when we finally shall attain for the honor of Thy presence, we may come knowing that we have done our best. We ask it in the Master's name. Amen.

JOURNAL APPROVED

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. REED, the further reading was dispensed with, and the Journal was approved.

PETITIONS AND REMONSTRANCES

The Chair cleared his table and laid before the Senate the following communications:

OPPOSING PASSAGE OF HOUSE BILL NO. 1792.

Telegrams from members of the International Workers Order protesting against provisions of House Bill No. 1792, which prevent candidates from running on more than one party ticket in the final elections.

Which were referred to the Committee on Elections.

ENDORSING PASSAGE OF THE PERRY-ROGERS BILLS

Resolution from H. A. Thompson, Chairman of Conference of Allied Local Officials of Pennsylvania endorsing the passage of the Perry-Rogers Bills, which would appropriate $68,000,000 from the Motor Fund.

Which was referred to the Committee on Highways.

PROTESTING AGAINST HOUSE BILL NO. 1393 AND SENATE BILL NO. 1075.

Communication from Glenn A. Moore, Business Agent of the Amalgamated Association of Street Electric Railway and Motor Coach Employees of America, protesting against House Bill No. 1393 and Senate Bill No. 1075 which proposes to limit the number of hours that an organization be permitted to work in any one day or week.

Which was referred to the Committee on Labor and Industry.

FAVORING PASSAGE OF SENATE BILL 1267

Communication from George G. Meade favoring Senate Bill No. 1267 which clarifies the osteopathic law and increases the educational qualifications of the osteopathic physician to the equivalence of medical doctors.

Which was referred to the Committee on Public Health.

COMMUNICATIONS FROM THE GOVERNOR

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILLS NO. 366, 640, 775, 671.

May 18, 1937.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 366, Printer's No. 386, entitled, "An Act To amend sections three four six and seven of and to add section 9.1 to the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (Pamphlet Laws four hundred fifty-two) entitled 'An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve and operate projects, and to lease the same, and to fix and collect fees, rentals and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by providing for additional projects; removing the date by which projects must be commenced removing certain restrictions against the construction of projects; making such Authority perpetual fixing the quorum of the Authority providing for the leasing of projects by the Authority to the Commonwealth clarifying the powers of a receiver appointed pursuant to such act so as to prohibit such receiver from selling, assigning, mortgaging, or otherwise disposing of

any of the assets belonging to the Authority; and clarifying certain provisions of said act.

Senate Bill No. 640, Printer's No. 384, entitled, "An Act to encourage the making and maintaining of agreements concerning wages, hours and conditions of employment between employers and employes by their representatives and the settlement of controversies concerning the same by mediation and voluntary arbitration conferring powers of mediation and arbitration of such controversies on the Department of Labor and Industry.

Senate Bill No. 775, Printer's No. 224, entitled, "A Supplement to an act approved the twentieth day of July, one thousand nine hundred thirty-five (One thousand nine hundred thirty-five Appropriation Acts, page seventy-one), entitled "An act to provide for the ordinary expenses of the Executive Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-five; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-five," by making the current appropriation to the Department of Military Affairs for the use of the Soldiers' and Sailors' Memorial Home at Erie, available for the purchase of land to be available for the burial of deceased members of the home.

Senate Bill No. 671, Printer's No. 319, entitled "An Act To provide for the safety and to protect the health and morals of persons while employed prescribing certain regulations and restrictions concerning places where persons are employed and the equipment apparatus devices and machinery used therein prescribing certain powers and duties of the Department of Labor and Industry relative to the enforcement of this act and fixing penalties.

GEORGE H. EARLE.

The Secretary to the Governor being introduced, presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 425.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg.

To the Honorable, the Senate of the Commonwealth of Pennsylvania

I have the honor to inform you that I have this day approved and signed a Resolution of the Senate and House recalling from the Governor Senate Bill No. 425 for the purpose of amendment.

Accordingly the original bill is herewith returned.

GEORGE H. EARLE.

NOMINATIONS BY THE GOVERNOR

The Secretary of the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1937.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Catherine E. Connolly, 1208 Berger Bldg., Pittsburgh.

Walter M. Kelsey, 3380 Boulevard of the Allies, Pittsburgh.

Eardley T. Manby, Colonial Trust Co., Pittsburgh.

CAMBRIA COUNTY

Mrs. Margaret C. Wilson, Nanty-Glo.

DELAWARE COUNTY

Thomas H. Young, Upper Darby, Upper Darby Townchip.

FAYETTE COUNTY

D. W. Smiley, Uniontown.

MONTGOMERY COUNTY

Lewis E. Miller, Willow Grove, Upper Moreland Townchip.

William E. Reading, Hatboro.

Raymond Walker, Greenlane.

NORTHAMPTON COUNTY

Anton Wolst, Bethlehem.

PHILADELPHIA COUNTY

D. Bernard Heffernan, Finance Bldg., Philadelphia.

Miss Katherine G. Reilly, 1421 Chestnut St., Philadelphia.

Walter Schwartz, 1201 Chestnut St., Philadelphia.

GEORGE H. EARLE.

ALDERMAN

JUSTICES OF THE PEACE

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 19, 1937.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

George Kucik Jr., of Monessen, Westmoreland County, for appointment as Alderman of the First Ward in the City of Monessen, Westmoreland County, vice Mrs. Beatrice Conway, deceased, until the first Monday of January, 1938.

Russell W. Brown, of DuBoistown, Lycoming County, for appointment as Justice of the Peace in the Borough of DuBoistown, Lycoming County, to fill a vacancy, until the first Monday of January, 1938.

James D. Wheal, of Laporte, Sullivan County, for appointment as Justice of the Peace in the Borough of Laporte, Sullivan County, to fill a vacancy, until the first Monday of January, 1938.

GEORGE H. EARLE.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives as follows:

House Bill No. 362, (Senate Bill No. 1336), entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania, located at East Falls, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

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House Bill No. 611, (Senate Bill No. 1337), entitled:

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 756, (Senate Bill No. 1338), entitled:

An Act to amend section one of the act, approved the thirteenth day of June, one thousand eight hundred and eighty-three (P. L. 89), entitled "An act granting authority to the courts of common pleas, in the several counties of this Commonwealth, to issue writs of estrepement to stay waste upon lands sold for taxes, during the time provided for redemption;" by extending the provisions thereof to seated lands sold by county treasurers and to lands sold at sheriffs' sales under tax or municipal claims.

Which was committed to the Committee on Judiciary General.

House Bill No. 1020 (Senate Bill No. 1339), entitled:

An Act to amend the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "Banking Code" by further providing for the powers and limitations upon powers of corporations with fiduciary powers.

Which was committed to the Committee on Banking.

House Bill No. 1147, (Senate Bill No. 1340), entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries.

Which was committed to the Committee on Appropriations.

House Bill No. 1163, (Senate Bill No. 1341), entitled:

An Act to amend section two thousand five hundred and fifty-six of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," as amended providing for the sharing by the city, county and school district of the cost of equipment needed by the tax collector.

Which was committed to the Committee on Municipal Government.

House Bill No. 1434, (Senate Bill No. 1342), entitled:

An Act to amend sections two hundred and eleven, three hundred and twelve, seven hundred and seven and eight hundred and seven of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 289), entitled "Nonprofit Corporation Law," by placing the incorporation and regulation of non-profit corporations with power to confer degrees in law under the exclusive jurisdiction and supervision of the judicial department of this Commonwealth; and conferring discretionary powers upon the courts.

Which was committed to the Committee on Appropriations.

House Bill No. 1563, (Senate Bill No. 1343), entitled:

An Act making an appropriation to the Department of Revenue to defray the expenses of investigation and litigation in the Estate of Henrietta E. Garrett, deceased.

Which was committed to the Committee on Appropriations.

House Bill No. 1566, (Senate Bill No. 1344), entitled:

An Act making an appropriation to the Department of Welfare for the purchase of materials to be used in making articles required at the State institutions in connection with sewing projects established in Pennsylvania by the Federal Works Progress Administration.

Which was committed to the Committee on Appropriations.

House Bill No. 1633, (Senate Bill No. 1345), entitled:

An Act relating to the recovery of taxes against a registered owner by mortgages.

Which was committed to the Committee on Judiciary General.

House Bill No. 1636, (Senate Bill No. 1346), entitled:

An Act to amend section six hundred one of the act approved the twenty-fifth day of May, one thousand nine hundred thirty-three (P. L. 1001), entitled "Aeronautical Code," by prohibiting the carrying of passengers under the influence of liquor or drugs in aircraft, and extending certain penalties to owners of aircraft.

Which was committed to the Committee on Aeronautics.

House Bill No. 1832, (Senate Bill No. 1347), entitled:

An Act to amend section three of the act approved the eighteenth day of April, one thousand nine hundred and nineteen (P. L. 70), entitled "Fraudulent Check Law" by providing for the admission in evidence of the protest of nonpayment of checks, drafts and orders.

Which was committed to the Committee on Judiciary General.

House Bill No. 1858, (Senate Bill No. 1348), entitled:

An Act to amend section two thousand five hundred fifty-three, as amended, of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law," permitting city treasurers to give fidelity bonds as tax collectors of school districts of the second class, and regulating the premiums thereof.

Which was committed to the Committee on Municipal Government.

House Bill No. 1983, (Senate Bill No. 1349), entitled:

An Act making an appropriation to the Department of Public Health to carry on the work of sealing abandoned coal mine openings.

Which was committed to the Committee on Appropriations.

House Bill No. 2038, (Senate Bill No. 1350), entitled:

An Act to further amend the second paragraph of section one of article one of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "Second Class City Law," by providing that the mayor shall receive no compensation other than his salary for acting as justice of the peace.

Which was committed to the Committee on Municipal Government.

House Bill No. 2119, (Senate Bill No. 1351), entitled:

An Act making an appropriation to the Department of Welfare for the payment of claims, charges, court costs and other expenses against the Commonwealth for the

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erection and construction of a reservoir at the State industrial Home for Women at Muncy, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 2136, (Senate Bill No. 1352), entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" requiring medical inspectors to make eye and ear tests annually; providing for the use of scientific apparatus furnished by the school districts, and providing for certain instruction in State teachers' colleges, for the appointment of certain experts in the Department of Public Instruction; and making an appropriation.

Which was committed to the Committee on Appropriations.

House Bill No. 1214, (Senate Bill No. 1353), entitled:

An Act to further amend the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 242), entitled "Beauty Culture Law," by further defining beauty culture; making certain changes regarding the examination and registration of those who desire to engage in the occupation of beauty culture; modifying and increasing the regulations and requirements to be met and complied with by beauty culture schools, shops, students, apprentices, teachers, managers, operators and demonstrators; prescribing certain qualifications for examiners, inspectors and supervisors; making certain changes in the powers and duties of the Department of Public Instruction and in the procedures to be followed in the enforcement of the Act.

Which was committed to the Committee on State Boards.

House Bill No. 2261, (Senate Bill No. 1354), entitled:

An Act empowering cities of the third class to liquidate certain indebtedness of volunteer fire companies incurred for the purchase of fire engines or fire apparatus.

Which was committed to the Committee on City Government.

HOUSE CONCURS IN SENATE BILL NO. 99.

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 99 entitled:

An Act to amend sections thirty-two and thirty-eight of the act approved the nineteenth day of May, one thousands nine hundred and fifteen (P. L. 543) entitled, as amended, "An act relating to the sale of goods and choses in action," by providing for the negotiation of documents of title.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 219.

He also returned to the Senate, Senate Bill No. 219 entitled:

An Act to amend section two hundred and seventy-eight of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1273), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," as amended; providing for the appointment and compensation of a detective to the district attorney in counties of the fifth class.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 421.

He also returned to the Senate, Senate Bill No. 421 entitled:

An Act to validate indebtedness incurred by cities of the third class for the extension, enlargement and improvement of the water-works of such city.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 945.

He also returned to the Senate, Senate Bill No. 945 entitled:

An Act to provide for a Sinking Fund in cities of the first class in this Commonwealth requiring the Sinking Fund Commission to estimate the amount annually needed for such Sinking Fund and to transmit such estimate, or copy thereof, to the City Council, the Mayor and the City Controller; making it the duty of the Council to appropriate and provide the sum so estimated to be required, and repealing inconsistent legislation.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 946.

He also returned to the Senate, Senate Bill No. 946 entitled:

An Act to amend section two of an act approved the sixteenth day of May, one thousand nine hundred and twenty-nine (P. L. 1773), entitled "An act to supplement an act approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65) entitled 'An act to regulate the manner of increasing the indebtedness of municipalities; to provide for the redemption of the same; and to impose penalties for illegal increase thereof,' by authorizing the sale of property purchased by a public corporation out of funds provided by increase of indebtedness of such corporation ;and providing for the disposition of the funds realized from such sale" by eliminating the sale of property acquired in fee simple with funds raised by a public corporation through an increase of its indebtedness in an amount exceeding two (2) per centum of the last preceding assessed valuation of the taxable property therein, shall be deposited in the funds of such corporations for the redemption of bonds of said corporation, when the said bonds issued for the acquisition of such property or bonds refunding such original issue, shall have been redeemed and paid.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 1021

He also returned to the Senate, Senate Bill No. 1021 entitled:

An Act providing for the creation of sewer districts in cities of the first class for the construction of sewers and sewer systems; and providing the method of assessing the expenses of such construction upon properties abutting such sewer or served and accommodated thereby.

with the information that the House has passed the same without amendment.

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HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS TO HOUSE BILL NO. 1769 AND APPOINTS COMMITTEE OF CONFERENCE

He also informed the Senate that the House insists upon its non-concurrence in the amendments made by the Senate to House Bill No. 1769, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appontees of registration commissions county election boards election officers municipal officers department and bureaus police officers courts judges prothonotaries sheriffs county commissionsers peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties

and has appointed Messrs. O'Keefe, Coleman and Habbyshaw as a Committee of Conference to confer with a similar committee of the Senate (if the Senate shall appoint such committee) to consider the differences exisiting between the two houses in relation to said bill.

APPOINTMENT OF COMMITTEE OF CONFERENCE.

Mr. LAW. Mr. President, I move that the Senate insist upon its amendments and that a conference committee be appointed on the part of the Senate.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

Ordered, That Messrs. Law, Rankin, and Howell be said committee on the part of the Senate, and that the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL NO. 753.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 753, entitled:

An Act to promote public health, safety, morals, and welfare, by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects, to provide dwelling accommodations for persons of low income: providing for the organization of such housing authorities; defining their powers and duties; providing for the exercises of such powers including the acquisition of property by purchase, gift, or eminent domain, the renting and selling of property, and including borrowing money, issuing bonds and other obligations and giving security therefor; prescribing the remedies of obligees of housing authorities, authorizing housing authorities to enter into agreements including agreements with the United States, the Commonwealth and political sub-divisions and municipalities thereof; defining the application of zoning, sanitary and building laws and regulations to projects built or maintained by such housing authorities; exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL NO. 16?

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1639, entitled:

An Act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment and training of defective delinquents; providing for the commitment and transfer of such persons to such institutions and discharge therefrom; conferring powers and imposing duties on the Department of Welfare and courts; and imposing certain charges on counties.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL NO. 1715.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1715, entitled:

An Act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL NO. 2154.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 2154, entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes secured by, and payable from, current revenues, levied, assessed, colectible and accruing during such two fiscal years; defining the powers and duties of the Governor, the Auditor General, and the State Treasurer in relation thereto; providing for the payment of interest on, and the repayment of, such loans; and making an appropriation.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Mr. Harvey Huffman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 915 entitled:

An Act authorizing the Department of Public Instruction to fix the annual expiration date for licenses and registration certificates for professions, trades and occupations.

House Bill No. 1358 entitled:

An Act abolishing the Municipal Court of Philadelphia, and transferring actions, books, records, documents and papers in the possession of said court to other courts of the County of Philadelphia.

House Bill No. 753 entitled:

An Act to promote public health safety morals and welfare by declaring the necessity of creating public bodies corporate and politic to be known as housing authorities to engage in slum clearance and to undertake projects to

provide dwelling accommodations for persons of low income providing for the organization of such housing authorities defining their powers and duties providing for the exercise of such powers including the acquisition of property by purchase gift or eminent domain the renting and selling of property and including borrowing money issuing bonds and other obligations and giving security therefor prescribing the remedies of obligees of housing authorities authorizing housing authorities to enter into agreements including agreements with the United States, the Commonwealth and political subdivisions and municipalities thereof defining the application of zoning sanitary and building laws and regulations to projects built or maintained by such housing authorities exempting the property and securities of such housing authorities from taxation and imposing duties and conferring powers upon the State Board of Housing and certain other State officers and departments

House Bill No. 1639 entitled:

An Act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception, care, maintenance, detention, employment and training of defective delinquents; providing for the commitment and transfer of such persons to such institutions and discharge therefrom; conferring powers and imposing duties on the Department of Welfare and courts; and imposing certain charges on counties.

House Bill No. 1715 entitled:

An Act to prevent fraud and deception regulating the weights and measures in the sale or offering for sale of fruits and vegetables in this Commonwealth regulating sales of fruits and vegetables in original unbroken standard containers imposing certain powers and duties on the Department of Internal Affairs and county and city inspectors of weights and measures and prescribing penalties.

House Bill No. 2154 entitled:

An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June, one thousand nine hundred thirty-seven, evidenced by tax anticipation notes secured by, and payable from, current revenues, levied, assessed, collectible and accruing during such two fiscal years; defining the powers and duties of the Governor, the Auditor General, and the State Treasurer in relation thereto; providing for the payment of interest on, and the repayment of, such loans; and making an appropriation.

Senate Bill No. 99 entitled:

An Act to amend sections thirty-two and thirty-eight of the act approved the nineteenth day of May, one thousand nine hundred and fifteen (P. L. 543) entitled, as amended, "An act relating to the sale of goods and choses in action," by providing for the negotiation of documents of title.

Senate Bill No. 219 entitled:

An Act to amend section two hundred and seventy-eight of the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," as amended; providing for the appointment and compensation of a detective to the district attorney in counties of the fifth class.

Senate Bill No. 421, entitled:

An Act to validate indebtedness incurred by cities of the third class for the extension, enlargement and improvement of the water-works of such city.

Senate Bill No. 945, entitled:

An Act to provide for a Sinking Fund in cities of the first class in this Commonwealth; requiring the Sinking Fund Commission to estimate the amount annually needed for such Sinking Fund and to transmit such estimate, or copy thereof, to the City Council, the Mayor and the City Controller; making it the duty of the Council to appropriate and provide the sum so estimated to be required, and repealing inconsistent legislation.

Senate Bill No. 946, entitled:

An Act to amend section two of an act approved the sixteenth day of May, one thousand nine hundred and twenty-nine, Pamphlet Laws seventeen hundred and seventy-three, entitled "An act to supplement an act approved the twentieth day of April, one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled 'An act to regulate the manner of increasing the indebtedness of municipalities; to provide for the redemption of the same; and to impose penalties for illegal increase thereof,' by authorizing the sale of property purchased by a public corporation out of funds provided by increase of indebtedness of such corporation; and providing for the disposition of the funds realized from such sale" by eliminating the sale of property acquired in fee simple with funds raised by a public corporation through an increase of its indebtedness in an amount exceeding two (2) per centum of the last preceding assessed valuation of the taxable property therein, shall be deposited in the funds of such corporations for the redemption of bonds of said corporation, when the said bonds issued for the acquisition of such property or bonds refunding such original issue, shall have been redeemed and paid.

Senate Bill No. 1021, entitled:

An Act providing for the creation of sewer districts in cities of the first class for the construction of sewers and sewer systems; and providing the method of assessing the expenses of such construction upon properties abutting such sewer or served and accommodated thereby.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. Harvey Huffman) in the presence of the Senate signed the same.

HOUSE MESSAGES

CHANGING UNITED STATES HIGHWAY ROUTE No. 6 TO GRAND ARMY OF THE REPUBLIC HIGHWAY

He also informed the Senate that the House has concurred in resolution from the Senate, as follows:

Whereas, There is a National Movement to name a transcontinental highway as the Grand Army of the Republic Highway, and

Whereas, Several other states have already designated in their states such a highway which connects up with United States Route Number six in Pennsylvania, therefore be it

Resolved, (if the House of Representatives concur) that the General Assembly requests the Secretary of Highways in the exercise of the powers conferred upon him by law to change the name of the Highway known as United States Route Number six to the Grand Army of the Republic Highway.

Resolved, That a copy of this resolution be transmitted to the Secretary of Highways by the Chief Clerk of the Senate.

REPORTS FROM COMMITTEES

Mr. FREY, from the Committee on State Government, reported as committed, Senate Bill No. 1179, (House Bill No. 718), entitled:

An Act to describe define and officially adopt a system of coordinates for designating the positions of points on

the surface of the earth within the Commonwealth of Pennsylvania.

Also, from the Committee on State Government, reported as committed, Senate Bill No. 1180, (House Bill No. 729), entitled:

An Act to permit the entry of engineers and surveyors and their representatives on to private property for the purpose of using survey stations established by or under the direction of the United States Coast and Geodetic Survey, or as a part of the Pennsylvania Coordinate System, and providing a penalty for the injuring, defacing and destruction of marks and monuments.

Mr. EROE, from the Committee on State Government, reported as amended, Senate Bill No. 1240, (House Bill No. 947), entitled:

An Act to amend section three of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed, housed or assembled in certain buildings and structures not in cities of the first class, second class and second class A, by requiring certain construction and ways of egress, equipment and maintenance; providing for the licensing of projectionists requiring the submission of plans for examination and approval, providing for the promulgation providing for the enforcement of this act by the Department of Labor and Industry, and in certain cases by the chiefs of fire departments in cities of the third class; providing penalties for violations of the provisions of this act, and repealing certain acts;" as amended requiring buildings to be equipped with certain equipment in connection with gas meters to prevent or retard the escape of gas.

Also, from the Committee on State Government, reported as amended, Senate Bill No. 1194, (House Bill No. 1433), entitled:

An Act to amend section five hundred and fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended permitting State institutions and sanatoria to supply water to individuals.

Also, from the Committee on State Government, reported as committed, Senate Bill No. 1315, entitled:

An Act requiring collectors of city, county, borough, town, township, school, and poor district taxes to file certain reports with the Quarter Sessions Court and the Department of Internal Affairs; directing such Department to prepare and furnish forms for such reports; making such reports available for public inspection; requiring all payments to such collectors for compensation and expenses to be by warrant or order; prohibiting such collectors from deducting their compensation and expenses from public funds in their possession; and making violation of the act a misdemeanor.

Mr. JASPAN, from the Committee on Public Health, reported as committed, Senate Bill No. 1206, (House Bill No. 1997), entitled:

An Act to amend sections one and two of the act, approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven (P. L. 450), entitled "An act relating to fires and fire prevention; imposing duties and conferring powers upon the State Police; authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police, and defining their powers and duties; providing for the investigation of the cause, origin, and circumstance of fires and the inspection of all, and the removal or change of, certain buildings; imposing duties on school authorities and on certain corporations, associations, and fire rating agencies; providing for the attendance of witnesses before the said State Police, and the enforcement of its orders; and prescribing penalties." conferring police and building inspection powers on assistants appointed by the superintendent of State Police.

With the understanding that it be recommitted after second reading.

Mr. SALUS, from the Committee on State Government, reported as committed, Senate Bill No. 1311, entitled:

An Act providing for the erection, construction and equipment of buildings for a new State sanatorium or new buildings at existing sanatoria; designating the manner of acquiring or setting aside of land for the erection and construction of such buildings by The General State Authority; authorizing the Commonwealth to lease such new sanatorium or building or buildings and the grounds connected therewith from The General State Authority upon their completion, and the Department of Health to manage and operate the same; and conferring powers and imposing duties upon certain State departments.

Also (for Mr. Woodward), from the Committee on Public Health, reported as committed, Senate Bill No. 1258, entitled:

An Act to further amend sections five and eight of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred eight) entitled, "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drugs' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law, and providing for the purchase of samples of drugs for determining their quality, strength, and purity," by providing for annual renewals of the registration of pharmacists and assistant pharmacists.

Mr. WOLFENDEN, from the Committee on Insurance, reported as committed, Senate Bill No. 1313, entitled:

An Act to add section five hundred and fifty-three to the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled, "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties, and repealing existing laws," providing additional penalties.

Also, from the Committee on Insurance, reported as committed, Senate Bill No. 1314, entitled:

An Act to amend sections two hundred fifteen, and two hundred seventeen of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties and repealing existing laws;" by providing for supervision over fire rating bureaus; and prescribing penalties.

Mr. REED, from the Committee on Education, re-reported as amended, Senate Bill No. 545, entitled:

An Act to amend subsection seven of section one thousand two hundred and ten of the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," as amended, changing the minimum salaries and providing for increments of teachers in school districts of the fourth class.

Mr. HOMSHER, from the Committee on State Boards, reported as committed, Senate Bill No. 1226, entitled:

An Act authorizing the Joint Commission having jurisdiction over bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New York to sell and dispose of certain real and personal property, to lease real estate and to license Public Utility Companies to occupy with their facilities parts of such bridges as are within the jurisdiction of the Commission and providing for the disposal of the proceeds thereof.

Mr. RUTH, from the Committee on Education, reported as amended, Senate Bill No. 869, (House Bill No. 1978), entitled:

A Supplement to the act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for certain additions to minimum annual salaries for members of the teaching staffs of schools in fourth class school districts; and authorizing the suspension of this supplement in certain cases.

Also, from the Committee on Education, reported as amended, Senate Bill No. 178, entitled:

An Act to further amend section two of the act approved the eighteenth day of June, one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled, "An act defining consolidation of schools; providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools," by requiring the recommendation of the county board of school directors before the approval of consolidated and joint consolidated schools in certain cases.

Also, from the Committee on Education, reported as amended, Senate Bill No. 191, entitled:

An Act to further amend sections four hundred and one and two thousand nine of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing school districts to establish nursery schools and junior colleges,

Mr. HOWELL, from the Committee on Corporations, reported as Committed, Senate Bill No. 1224, entitled:

An Act to amend Article Nine of the act approved the fifth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws three hundred sixty-four) entitled, "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties and repealing certain acts and parts of acts relating to corporations," providing that a domestic business corporation formed by merger of one or more domestic business corporations and one or more foreign business corporations shall be entitled to a credit on the bonds due the Commonwealth equal to the amount of the bonus paid under existing laws by the corporations so merging.

Mr. RICE, from the Committee on Education reported as amended, Senate Bill No. 1102, House Bill No. 1504, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred thirty-eight) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" by further defining and extending the scope of vocational education and enlarging the provisions for State subsidies under certain conditions.

Mr. McCREESH, from the Committee on Agriculture, reported as committed, Senate Bill No. 1282, (House Bill No. 1499), entitled:

An Act prohibiting certain persons from selling, taking orders for, delivering, or being interested in the manufacture or sale of machinery, equipment, materials, feed supplies or other things used by milk producers and prescribing penalties.

Also, from the Committee on Agriculture, reported as committed, Senate Bill No. 915, entitled:

An Act to amend the act approved the twenty-fifth

day of July, one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred ninety-five) entitled, "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agriculture associations; and regulating the payment thereof;" as amended, providing for aid to counties holding agricultural exhibitions.

Also, from the Committee on Agriculture, reported as committed, Senate Bill No. 1289, (House Bill No. 1820), entitled:

An Act to amend section three of the act, approved the twenty-fifth day of July, one thousand nine hundred and seventeen (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, and regulating the payment thereof," reducing the number of days during which exhibitions need be held.

Also, from the Committee on Agriculture, reported as committed, Senate Bill No. 1228, entitled:

An Act authorizing county commissioners of any county to hold in trust for the inhabitants and citizens of the county, any real estate and property appropriate for agriculture fairs or exhibits, and to lease the same without expense or liability to the county, to any incorporated agriculture association; to operate and conduct an annual fair within the county.

Mr. SONES, from the Committee on Highways, reported as committed, Senate Bill No. 1216, entitled:

An Act to further amend subsection (e) of section eight hundred and one of the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof owners of vehicles, and garage keepers; providing that records are admissible as evidence imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," requiring all motor vehicles, trailers and semi-trailers to have red reflectors at the rear.

Mr. JASPAN, from the Committee on City Government, reported as committed, Senate Bill No. 1077, (House Bill No. 812), entitled:

An Act relating to cities of the first class authorizing the issuance of non-debt revenue bonds to finance sewer improvements.

Also, from the Committee on City Government, reported as committed, Senate Bill No. 952, entitled:

An Act to amend section twenty-four of the act approved the sixteenth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws two hundred seven) as amended, entitled, "An act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates, sewer rates and lighting rates for the procedure upon claims filed therefor, the methods for preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened, the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," as amended, by and increasing the term for which sequestrators may lease sequestrated property.

Mr. STIEFEL, from the Committee on City Government, reported as committed, Senate Bill No. 1261, entitled:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-nine) entitled, "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county, city, borough, or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines, providing rules and regulations for the conduct of elections held with voting machines, prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used, placing for redivision of ward of cities and boroughs into election districts and the consolidation of election districts, providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act," by adding a new section thereto 11-A providing that in counties of the first class all appointments shall be equally divided between majority and minority commissioners.

Also, from the Committee on City Government, reported as committed, Senate Bill No. 1193 (House Bill No. 1355), entitled:

An Act to amend paragraphs one, three and five of section one of the act, approved the twelfth day of June, one thousand eight hundred and ninety-three, (P. L. 457), entitled "An act to provide for the erection, maintenance and regulation of public morgues in the several counties of this Commonwealth, for the care and disposal of bodies removed thereto, and providing for the payment of certain expenses of the same by the proper county or district, or by the estate of the deceased person, and providing for the disposal of the personal effects of unclaimed dead," as amended, by transferring certain powers from the county commissioners to the coroner in counties of the first class.

Also, from the Committee on City Government reported as amended, Senate Bill No. 1089, entitled:

An Act to supplement the Act, approved the twenty-fifth day of June, one thousand nine hundred nineteen (Pamphlet Laws, five hundred eight-one) entitled "An act for the better government of cities of the first class of this Commonwealth"; supplying a new Article XIX, providing for the better government of such cities by regulating and improving the civil service of such cities; establishing and regulating the powers and duties of Civil Service Commissions; providing for the appointment of Civil Service Commissioners; regulating the duties and powers of Civil Service Directors; defining certain crimes and imposing penalties.

Mr. THOMPSON, from the Committee on City Government, reported as committed, Senate Bill No. 1301, entitled:

An Act providing for the erection, construction and

equipment of armories for the use of the Pennsylvania National Guard; designating the manner of acquiring or setting aside of land for the erection and construction of armories thereon by The General State Authority; authorizing the Commonwealth to lease such armories and their grounds from The General State Authority upon their completion and the Armory Board of the State of Pennsylvania to manage and operate the same; and conferring powers and imposing duties upon certain State departments and boards.

Mr. HENNEY, from the Committee on State Boards reported as committed, Senate Bill No. 899, (House Bill No. 1761), entitled:

An Act creating a commission to study certain conditions relating to municipal ordinances, defining its powers and duties and making an appropriation.

Also, from the Committee on State Boards, reported as committed, Senate Bill No. 536, entitled:

An Act to prevent fraud and deception by defining and regulating cemetery memorial dealers and cemetery memorial salesmen; providing for the service of process in certain cases; vesting certain powers and duties in the State Board of Examiners of Cemetery Memorial dealers of the Department of Public Instruction, in the Department of Public Instruction and in the Court of Common Pleas of Dauphin County; and providing penalties.

Also, from the Committee on State Boards, reported as committed, Senate Bill No. 537, entitled:

An Act to amend section two hundred two of and to add section four hundred twenty-five and one-tenth to, the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments boards commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating and providing for the appointment of the State Board of Examiners of Cemetery Memorial Dealers in the Department of Public Instruction, and prescribing the powers and duties of such board.

Mr. SIPE, from the Committee on State Government reported as committed, Senate Bill No. 1262, entitled:

An Act providing for the sale of Fort Necessity Park, in Wharton Township, to the government of the United States, for National Military Park purposes, and giving consent to the purchase of said park, other lands of historical importance; and, with certain reservations, ceding jurisdiction over such lands.

Also, from the Committee on Agriculture, reported as amended, Senate Bill No. 1026, (House Bill No. 563), entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws nine hundred twelve) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" requiring licenses for all bakeries further regulating bakeries and the importation of bakery products providing for injunctions in certain cases and changing the penalties prescribed.

Mr. LANIUS, from the Committee on Public Health, reported as committed, Senate Bill No. 1048, entitled:

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children.

Mr. MUNDY, from the Committee on Education re-reported as amended, Senate Bill No. 660, (House Bill No. 793), entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general, special or local, or any parts thereof that are or may be inconsistent therewith," by changing the requirements for free transportation of pupils, removing certain exemptions from the compulsory attendance act, providing for standards for vehicles used, requiring public liability insurance coverage and authorizing the withholding of reimbursement in certain cases.

Mr. JASPAN from the Committee on City Government reported as committed, Senate Bill No. 947, entitled:

An Act authorizing the Department of Public Instruction and its departmental administrative boards to post notices of suspensions and revocations of licenses and registrations of persons engaged in professions or working at trades or occupations requiring licensing or registration by such department or boards, on premises occupied by such persons as their offices or places of business; and prescribing penalties.

Mr. JASPAN from the Committee on Public Health reported as committed, Senate Bill No. 988, entitled:

An Act to amend section twenty-one of the act approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900) entitled, "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits, requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births, marriages, deaths and diseases, practitioners of medicine and surgery of midwives, nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages and diseases throughout the State as provided in section ten of an act entitled, 'An act creating the Department of Health and defining its powers and duties approved the twenty-seventh day of April, nineteen hundred and five and providing penalties for violations of this act," as amended, providing that certified copies of birth certificates shall omit certain information.

BILLS INTRODUCED

Mr. RUTH read in his place and presented to the Chair Senate Bill No. 1355 entitled:

An Act to amend section twenty-seven of the act, ap-

proved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1143), entitled "An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance and regulation, and for the maintenance and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property, and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects", by exempting from collateral inheritance tax all gifts, devises, grants or endowments made to national libraries.

Which was committed to the Committee on Education.

Mr. FREY read in his place and presented to the Chair Senate Bill No. 1356 entitled:

An Act exempting beauty shop and barber shop equipment and furniture leased, hired, or conditionally sold from levy and sale on execution or distress for rent, under certain conditions.

Which was committed to the Committee on Judiciary General.

Mr. RANKIN read in his place and presented to the Chair Senate Bill No. 1357, entitled:

An Act creating a commission to study the practice of chiropractice; defining the powers and duties of said commission; providing for the temporary licensing of chiropractors; and making an appropriation.

Which was committed to the Committee on Finance

Mr. SHAPIRO read in his place and presented to the Chair Senate Bill No. 1358 entitled

An Act to amend section six of the act approved the thirty-first day of March, one thousand eight hundred and seventy-six (P.L.13), entitled "An act to carry into effect section five, of Article Fourteen of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or County Treasury, and in Counties containing over one hundred and fifty thousand inhabitants;" by providing that in counties of the first class, salaries of respective county officers shall not exceed the amount fixed by the tax levying body of such county for such officers.

Which was committed to the Committee on City Government.

REPORT FROM COMMITTEE

Mr. MUNDY from the Committee on Public Health reported as amended, Senate Bill No. 534 entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May, one thousand nine hundred and seventeen, (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," as amended; naming medicinal agents which may be sold by storekeepers, and removing intestinal enzymes and all liver products from the exception to the provision which prohibits the sale of medicines containing substances of glandular origin except by registered pharmacists and assistant pharmacists.

RESOLUTION

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 756

Mr. STIEFEL offered the following resolution which was twice read considered and agreed to:

In the Senate, May 19, 1937.

Resolved (if the House of Representatives concur), that Senate Bill No. 756, Printer's No. 422, entitled "An act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by providing penalties for any insurance company association or exchange which exceeds the powers granted under a certificate of authority", be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

REPORT OF JOINT LEGISLATIVE COMMISSION INVESTIGATING CRIMINAL PROCEDURE IN COMMON PLEAS COURT OF THE COMMONWEALTH AND IN MUNICIPAL COURT OF PHILADELPHIA

Mr. RUTH. Mr. President, I am presenting the first partial report of the Commission appointed under a joint resolution of the House and Senate to investigate criminal procedure in the Courts of Common Pleas throughout the counties of our State, as well as the Municipal Court of Philadelphia. We have asked the counsel for the Commission to prepare a summary of the work accomplished to date, and he has prepared a Progress Report, which reads as follows

May 17, 1937.

Hon. Frank W. Ruth
Senate Chamber
Harrisburg, Penna.

Dear Senator Ruth:

This is a PROGRESS REPORT in connection with the commission's work in making an investigation of the "general practice and procedure" in the criminal courts with reference to the "prosecution,, trial and disposition" of all criminal cases and the PROBATION AND PAROLE of persons guilty of crime.

In checking our files, we note 453 specific cases of alleged abuse or irregularity. Those consist mainly of cases referred to us by the Philadelphia Record, a newspaper. Of these we have completed the investigation in ninety-six. The Philadelphia Office of the Commission has received approximately seventy-five cases of "complaint" which consist of a letter or interviews or both coming from the public at large in which the informant makes charges of court corruption both political and financial. Such complaints are investigated currently as they are received so that less than five are usually of unfinished business. Voluminous records and documents often accompany the complainant's charges. These required careful analysis. In all instances, a careful investigation has either failed to support these charges or have related to matters outside the Commission's jurisdiction. A number of cases are of aggrieved individuals and without public interest.

We deem it inadvisable at this stage of the investiga-

tion to arrive at any individual conclusions and can make no statement except in its broadest sense. There appears to be practices in the matters of paroling prisoners without notice as provided by statute, the imposing of suspended sentences and probation for crimes excepted by statute or where the authority did not exist; the matters of reconsidering sentences after the term of court for the discharge of prisoners after the authority to do so had expired and the reconsideration of sentences in private shortly after a public imposition of the greater sentence.

It is our intention to complete the work in the remaining cases and to make further investigation of complaints being made daily at our office. In addition, work is being undertaken in two other counties. The Alexander Meyers case, which involves the State parole system, has been partially investigated and will be pushed to completion.

Current matters of public interest having a relation to criminal cases such as "cold storage" or the maintaining of prisoners incommunicate, the substitution of jurors and the release of prisoners on "copies of the charge" without the entry of bail, have been looked into. The matter of the clerk of the court giving notice of conviction for violation of the Motor Vehicle Code is being examined with a view to determining the cause of failure to notify in a number of instances. In this regard, suggestions for regulations to make the present system more efficient is in the course of preparation.

A careful study is being made of police records and the system of keeping files, reports, dockets and statistics of criminal cases, made, held or discharged, indicted or not indicted, tried or untried, in connection with their prosecution, trial and disposition as ultimately bearing on the general practice and procedure in the criminal courts. So far we have had full cooperation by the police department and other officials. The method of keeping dockets, and original papers by the various clerks and deputy clerks of the criminal courts is being looked into with a view to making recommendations for such revision as will make these public records readily accessible.

The practice and procedure with regard to the probation and parole of prisoners is being analyzed as well as the prison systems of records and release of prisoners. A comparison is being made between the local probation and parole system and that used in other jurisdictions. Similar comparison will be undertaken of other pertinent laws as time permits.

Other phases of the investigation are confidential and would be prejudicial to the public good to disclose. The cumbersome manner of maintaining records, the lack of a central statistical section, plus the thousands of criminal cases handled annually, makes our investigation a huge task.

Sincerely yours,

Chet A. Keyes, Counsel
For the Commission.

Mr. President, a bill on the second reading calendar which will come before the Senate today would give the Commission a right to complete its work after adjournment of the session, and make its final report to the Governor. In that bill we ask for an additional appropriation for the Commission to carry this work to its completion, and this is merely the first partial report of the Commission.

The PRESIDENT. The partial report of the Senator from Berks, Mr. Ruth, will be made a matter of record in the Journal.

RECONSIDERATION OF SENATE BILL No. 425, RECALLED FROM THE GOVERNOR

Mr. THOMPSON. Mr. President, I move the Senate proceed to the consideration of Senate Bill No. 425, recalled from the Governor, entitled:

An Act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers; providing for wage boards, and defining the powers and duties of such boards and of the Department of Labor and Industry; imposing duties on employers; providing for directory and mandatory orders on employers and the publication of the names of employers who do not comply with such orders; exempting certain persons from the provisions of this act and providing penalties.

Mr. KUNKEL. Mr. President, I second the motion.

The motion was agreed to.

Mr. THOMPSON. Mr. President, I move to reconsider the vote by which this bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. THOMPSON. Mr. President, I voted "aye".

Mr. McCREESH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. McCREESH. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring.

Shall the bill pass finally?

Mr. THOMPSON. Mr. President, I move that the vote by which the bill passed third reading be reconsidered.

The PRESIDENT. How did the Senator vote?

Mr. THOMPSON. Mr. President, I voted "aye".

Mr. McCREESH. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. McCREESH. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. THOMPSON. Mr. President, I ask unanimous consent to amend section 13, page 14, line 3 by inserting after the word "of" and before the word "order" the word: "the"; amend section 14, page 14, line 29 by inserting after the word "shall" and before the word "upon" the following: "be guilty of a misdemeanor and"; amend section 14, page 14, line 29 by inserting after the word "thereof" and before the word "be" the word: "shall"; amend section 15, page 15, line 20 by striking out after the word "her" and before the word "less" the word: "(employe)" and inserting in lieu thereof the word: "employer".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

COMMUNICATION FROM THE GOVERNOR

The Chair cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

REPORT OF ANTHRACITE COAL INDUSTRY COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1937.

To the Honorable, the General Assembly of the Commonwealth of Pennsylvania:

I am presenting herewith, for the study and consideration of your honorable body, the findings of the Anthracite Commission. This Commission was established at

the present Session to investigate coal "bootlegging" in the anthracite regions and to make appropriate recommendations.

I have not waited to study these findings before presenting them to you. Because of the nearness of adjournment I felt it would be more advisable to forward the reports immediately. Not having made the necessary study, I am not prepared to comment or to make any recommendations at this time.

I do wish, however, to call your attention to some salient points upon which all members of the Commission are in agreement.

1. Intervention of armed forces to end "bootlegging" is not recommended by any member of the Commission.

2. All are agreed that the price of coal must be reduced to meet the competition of laborless fuels, through better merchandising methods and a reduction in the present freight rates for anthracite coal.

I am sure your honorable body will find these reports most valuable in demonstrating the evils which exist in our anthracite regions, and in pointing out possible ways and means of ending the desperate conflict between property rights and human rights which exists in our so-called "bootleg" areas.

GEORGE H. EARLE.

(For report see Appendix.)

RECONSIDERATION OF SENATE BILL No. 377, RECALLED FROM THE GOVERNOR

Mr. KILGALLEN. Mr. President, I move that the Senate proceed to the consideration of Senate Bill No. 377, recalled from the Governor, entitled:

An Act to re-enact and further amend the title and the act approved the first day of June one thousand nine hundred and thirty-three (P. L. 1409) entitled "An act authorizing the Secretary of Highways to enter into agreements relating to support for State highways right of ways underlaid by coal and for the ascertainment and assessment of damages sustained by reason of the obligation to furnish such support whether the damages are payable by the Commonwealth or a county" by extending said act to all counties of this Commonwealth and further clarifying the provisions of the act.

Mr. DANDO. Mr. President, I second the motion.

The motion was agreed to.

Mr. KILGALLEN. Mr. President, I move to reconsider the vote by which this bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. KILGALLEN. Mr. President, I voted "aye".

Mr. JASPAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. JASPAN. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. KILGALLEN. Mr. President, I move that the vote by which the bill passed third reading be reconsidered.

The PRESIDENT. How did the Senator vote?

Mr. KILGALLEN. Mr. President, I voted "aye".

Mr. JASPAN. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. JASPAN. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. KILGALLEN. Mr. President, I ask unanimous consent to amend page 1, line 1 of the title, by inserting after the word "the" and before the word "act" the following: "title and the"; amend page 1, line 10 of the title, by inserting after the word "county" and before the word "extending" the word: "by"; amend page 1, line 10 of the title, by inserting after the word "act" and before the word "to" the words: "as amended"; amend page 1, line 11 of the title, by inserting at the end of the line the following: "and further clarifying the provisions of the act"; amend section 1, page 2, line 3 by inserting at the end of the line the following: "the title and"; amend section 1, page 2, line 12 by striking out after the word "amended" and before the word "by" the following: "(in part)"; amend section 1, page 2, line 14 by striking out after "1306" and before the word "hereby" the word: "(is)" and inserting in lieu thereof the word: "are"; amend section 1, page 2, by striking out lines 17 to 22, inclusive, and inserting in lieu thereof the following: "Creating the Highway Mining Commission with judicial powers to have exclusive jurisdiction over the mining of coal within or under the right of ways of State highways and the assessment and award of benefits improvements and damages for coal required to be left in place by reason of the obligation to furnish support for State highway routes whether payable by the Commonwealth or a county authorizing counties to enter into agreements to indemnify or reimburse the Commonwealth for damages to highways caused by the removal of coal under or adjacent thereto"; amend section 2, page 4, line 20 by inserting after the word "agreement" and before the word "authorized" the following: "decision order or decree".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

QUESTION OF PERSONAL PRIVILEGE

Mr. OWLETT. Mr. President, I rise to the question of personal privilege.

The PRESIDENT. The Senator from Tioga, Mr. Owlett, will state his question of personal privilege.

Mr. OWLETT. Mr. President may I call the Senate's attention to the enlightening preliminary report just made to the Governor by his Anthracite Coal Industry Commission.

I think the Senate's attention should be called to the great amount of new information that has been acquired by the State from these men burning the midnight oil at $1,000 per month each, plus expenses. After several months of effort, they have discovered and all have agreed that it is illegal to steal other people's property.

The discovery of this fact alone certainly warranted the Governor in bringing in from Columbia University and Washington, D. C., these high priced investigators. As was to be expected, only the two appointed from Pennsylvania have any idea whatever of the serious problems facing the Anthracite Coal Industry.

May I call particular attention to the report of the Chairman of this Commission and Mr. James W. Angell. After spending their salary and paying their expenses,

they came to the astounding and far-reaching conclusion that if the men who were bootlegging coal spent their time on other employment, they would not be engaged in the bootlegging coal industry, they propose that the State give each and every bootlegger a job. It is strange that no one ever thought of this before. Why should it not be extended to all law violators? I think we should at once propose a bill providing that every man found guilty of stealing other people's property should immediately be put on the State payroll, thus giving him employment and making it unnecessary for him to violate the law.

I wonder whose brilliant scheme it was to tax all legitimate operators five cents a ton to pay the expense of mining coal to be sold in competition with lawful coal industry. That certainly as a most helpful suggestion to the sick anthracite industry.

One member of the Commission has not had time enough yet to make any specific recommendations at all, and the two Pennsylvania members who, of course, do not concur with Mr. Lauck and Mr. Angell, recognize the serious problem facing that section of our State.

I urge the members of the Senate to examine carefully these reports, for it appears from them that at least the gentleman from Columbia University and the gentleman from Washington, D. C., agree that their salaries of $1,000 a month should be continued and that we appropriate an additional $50,000.

BILLS ON THIRD READING AND FINAL PASSAGE

Mr. WOODWARD. Mr President, I move that the Senate resume the consideration of Senate Bill No. 1149, House Bill No. 1557), on third reading postponed, on page 24 of today's calendar.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring.

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, these two joint resolutions of Mr. Cavalcante and Mr. Skale aim at the same objectives in two different ways. The Skale resolution which I have now called up, No. 1149, and the Cavalcante resolution have the same purposes. The first purpose of the two resolutions is to separate the base for the borrowing capacities of municipalities, the personal property tax from the tax on real estate. The Skale joint resolution proposes to fill the void created by the taking away of the personal property item, by increasing from the borrowing capacity 7% to 10% in municipalities outside of Philadelphia County, but in Philadelphia County from 10% to 15%. It was necessary to supply a greater base for borrowing when we subtracted these personal property items. We have a joint agreement on the personal income tax in the Simon and my own resolution that both would go through the two Houses and be advertised by the Secretary of the Commonwealth for the voters to decide. The Simon resolution probably has not had the famous or infamous "Homestead" exemption. My own resolution is a straight-forward resolution to establish a personal income tax, but somebody in authority decided that it should be the policy of the legislature to place these two bills before the voters, so I am following in the footsteps of somebody proposing that we put the two joint resolutions before the people, the Skale resolution and the Cavalcante resolution. The Skale resolution, or what was identical to it, has been voted down by the people twice, in 1928 and 1933, for the reason that it put the borrowing unit up from 7% to 10%, and the Cavalcante resolution does not do that, but the idea is to get a resolution through the legislature of some kind, so that the matter may be put before the people for a vote, with the thought in mind that we say: "O Lord, deliver me from my friends," and I think they are two dangerous men, one is the Senator from Philadelphia, Mr. Shapiro, and the other the Senator from Fayette, Mr. Cavalcante. I do not know exactly why yet I do know one thing, that Senator Shapiro is a man who knows everything about something and something about everything, and I do not pretend to be that well qualified, but I think in this instance he is wrong. His objection to the Cavalcante joint resolution is that if you are to separate the personal property tax from the real estate you are going to invalidate and jeopardize certain bonds. Now, it is with the same modesty and trepidation that I, as a layman, refer the Senator from Philadelphia, Mr. Shapiro, to the case brought by a taxpayer in Philadelphia County, Mr. Russel Duane, (Duane vs. City of Philadelphia) on an issue of bonds. They sold one-half the issue immediately, and when it came to the time for selling the other half, Mr. Duane intervened as a taxpayer to prevent them. The Supreme Court decided unanimously that the value back of the bonds upon which they have been based when they were issued, had fallen in value, it did not affect the sale of the other half of this authorized issue. I think this decision in the Duane case is a complete answer to the objection that Senator Shapiro has made to the Cavalcante resolution. I therefore ask, in the interest of the personal income tax, which we cannot have unless you open the door by giving us a chance to repeal the tax on intangible personal property, and hope the Senate will vote for this resolution, No. 1149.

Mr. LAW. Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. Woodward.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Woodward permit himself to be interrogated?

Mr. WOODWARD. Mr. President, I will.

Mr. LAW. Mr. President, will the Senator from Philadelphia, Mr. Woodward, state whether this will increase the original bonded indebtedness which may be placed on real estate in the future?

Mr. WOODWARD. Mr. President, yes, this will. The bonded indebtedness will be based entirely on the value of real estate, over a period of the immediately preceding nine years, and this is the reason, of course, for raising the limit from 7% to 10% in the municipalities, and from 10% to 15% in Philadelphia.

Mr. LAW. Mr. President, will the Senator from Philadelphia, Mr. Woodward, say that the owners of personal property are entitled to a special privilege over the owners of real estate and that their property should be exempt from liability for the indebtedness of the City of Philadelphia, or the other counties of the State.

Mr. WOODWARD. Mr. President, my purpose is to repeal this iniquitous tax on personal property, that is on intangible personal property, and, if I might just say one other thing, and I might have said it before, the interest on money is a sure thing, it is a certainty, but the value

of principal is a matter of uncertainty, and any tax based on principal cannot be a tax to a certainty.

Mr. LAW. Mr. President, is that not true in regard to the income on real estate?

Mr. WOODWARD. Mr. President, does the Senator mean that it fluctuates?

Mr. LAW. Mr. President, yes.

Mr. WOODWARD. Mr. President, that is the reason we are putting in the provision for a nine year period. carrying it for the nine years so that we could establish a fair appraisal.

Mr. LAW. Mr. President, does the Senator from Philadelphia feel that it is fair to put an additional burden upon the real estate in order that personal property may go scot free?

Mr. WOODWARD. Mr. President, I do not know any other way of doing it, sir.

Mr. LAW. Mr. President, in other words, the only way that you can free personal property is by putting the burden upon real estate that is already over-burdened.

Mr. WOODWARD. Mr. President, well, you are between the devil and the deep blue sea as far as I can see.

Mr. LAW. Mr. President, and members of the Senate, it seems to me that if there is any distinction to be made between real estate and personal property in the obligation for the indebtedness of the State of Pennsylvania or its various municipalities, that the preference should be given to the home owner, to the man who has a solid investment. He has always been considered the best citizen. We know there is a fluctuation in personal property and that some of the personal property may be easily taken out of the state, but that is simply an inconvenience in the operation of the law; but here we are asked by these gentlemen for these various constitutional amendments to relieve from liability, for future bond issues, at least if not for past ones, the personal property, the intangibles, the mortgages and similar property of the people of Pennsylvania, and to levy upon and subject to a heavier burden the real estate of the people of Pennsylvania.

It seems to me that for years we have been adding burdens on real estate and breaking down that great middle class that is the bulwark of our democratic form of government, and I think this would be only another step to break down that great middle class, the small real estate owner, and for that reason I ask my colleagues on both sides of the Senate to vote down this resolution.

Mr. CAVALCANTE. Mr. President, this resolution is on the calendar, and on the same postponed calendar there is another resolution Senate No. 684, which is practically the same, the two of them relate to the same subject, and it has appeared to me that we ought not disregard the consideration of this subject by the State planning Board that we have here established in the Capital. I have a letter from the State Planning Board that states the fact that they would rather have Joint Resolution No. 684 passed, than the one called up now.

In a letter they state:

"The Constitutional Amendment on municipal borrowing power, which has been endorsed by the State Planning Board and the Administration, seems to meet the approval of everyone except a few individuals. They have approved of the major feature of this bill, which is the basing of borrowing upon a nine-year moving average of assessed value, but they are opposed to the elimination of personal property from the counties' borrowing power.

At the State Planning Board meeting of May 11, the Board reaffirmed its belief that the elimination of personal property from the county borrowing base is a very important feature of this bill. The Board's position on this matter is based on the following facts:

(1) Personal property, which now forms a portion of the counties' borrowing base (but which is not part of the borrowing base of cities, boroughs, townships and school districts) is subject to much wider fluctuations than is real property. Wide fluctuations in the borrowing base are obviously undesirable. A comparison in fluctuations in real and personal property from Philadelphia is already shown on chart 7, which I am attaching.

(2) Personal property should be removed from the counties' borrowing base at this time, since it is probable that eventually a State Income Tax will replace the Personal Property Tax. If personal property is not removed from the borrowing base by this Constitutional Amendment, it is probable that, another Constitutional Amendment on the same subject will have to be introduced within a comparatively short period of time.

In considering this question of personal property as part of the counties' borrowing base, it should be remembered that—

(1) There is no direct connection between borrowing power and taxing power. A County tax on personal property could still be collected, even after this proposed Constitutional Amendment is effective.

(2) The validity of the bonds already outstanding would not in any way be impaired by the passage of this Constitutional Amendment. The legal borrowing power of the city and county of Philadelphia is at present less than the amount of outstanding bonds, whereas, under the suggested Constitutional Amendment, the legal borrowing power just about equals the amount of existing bonds.

(3) Unless there is a change in tax laws, which is an entirely different question from that of this proposed Constitutional Amendment, exactly the same sources of revenue would be available for the retirement of present existing bonds.

Such people as Otto T. Mallery, Colonel J. Hale Steinman, Francis Biddle and Dr. Karl Scholz, who have studied this subject exhaustively feel that both the nine-year moving average, which will insure a reserve of borrowing power during bad times and the elimination of personal property from the counties' borrowing base are very important and that this Constitutional Amendment, which is a scientific solution to a very troublesome problem, can be used to great political advantage by all concerned.

If a compromise is absolutely necessary, it is, of course, desirable to pass the amendment to insure the nine-year moving average, even if the personal property elimination cannot be included. This compromise, however, is not recommended by the State Planning Board."

Now, Mr. President, there seems to be a difference of opinion on these two resolutions. There is sort of a confusion between the taxing power and the borrowing base in this matter. Some contend that by removing the personal property as a base of borrowing, that it necessarily means additional taxes on real estate. Now, that argument is not altogether sound nor applicable to the subject before us, because the amendment does not deal with the question of taxation at all, but it deals with a borrowing base, to establish a base by which the measure of borrowing powers of these municipalities, and the passage

of a resolution of this kind in no way increases the taxes on real estate, but makes the borrowing base firmer, and the municipalities can move with greater degree of safety in borrowing money when they need it. I feel that I would like to go along with the Planning Board, which favors the resolution introduced by myself on the same subject and I would ask that this resolution No. 1149 be voted down, so that we may, if the Members of this Senate are agreeable, pass the resolution that is favored by that body, the State Planning Board, who has studied the matter thoroughly and know whereof they are speaking.

Mr. SHAPIRO. Mr. President, I should like to interrogate the Senator from Philadelphia, Mr. Woodward.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Woodward, permit himself to be interrogated?

Mr. WOODWARD. Mr. President, always.

Mr. SHAPIRO. Mr. President, does the Senator from Philadelphia know what is the extent of the personal property assessment in Philadelphia?

Mr. WOODWARD. Mr. President, I do not know those figures, but I know not many years ago that personal property was not considered at all in determining the borrowing capacity of Philadelphia, it was only some real Republican politician that studied it, in order to get more contacts.

Mr. SHAPIRO. Mr. President, does the Senator from Philadelphia, know how much is the assessed valuation of real estate in Philadelphia?

Mr. WOODWARD. Mr. President, I am sorry to say I do not have the figures at my fingers end.

Mr. SHAPIRO. Mr. President, does the Senator from Philadelphia know that the borrowing capacity by this amendment is increased from 7% to 15%.

Mr. WOODWARD. Mr. President, I certainly know that.

Mr. SHAPIRO. Mr. President, this is supposed to take care of the lapse that would result in borrowing capacity by reason of the elimination of personal property.

Mr. WOODWARD. Mr. President, quite right.

Mr. SHAPIRO. Mr. President, the Senator from Philadelphia has said that I know something about everything and everything about something, but it is apparent that the Senator from Philadelphia is voting on a bill knowing nothing about anything.

The personal property value is $894,000,000, and by the returns for last year the real estate assessment for Philadelphia is two billion, four hundred and some odd million dollars. Now, if you are increasing the borrowing capacity of Philadelphia 50% to take care of the reductions in the borrowing base, which is nearly 33 1-3% we are giving Philadelphia an opportunity to borrow some more money.

In the second place, my objection to this bill is that this is the forerunner of an effort on the part of those people who are paying personal property tax to get out of the payment of the tax. If an income tax is passed by the State, they will not be able to do that as long as the borrowing base of the City of Philadelphia ignores the tax on personal property, because they will be met with the argument that if you remove the tax on personal property you reduce the borrowing base and it will affect the City of Philadelphia. So the first step is, to take that out of the borrowing base, and the second step will then, of course, be to eliminate the tax on personal property.

I should like to call the attention of the Senator from Philadelphia to the fact that when it was discovered by the Commonwealth of Pennsylvania, in collecting tax on the same personal property, assessed the tax valuation of Philadelphia at one billion, two hundred and forty some odd thousand dollars, and against the city assessment of $890,000,000, so that the State of Pennsylvania has collected through tax on its four mills out of the City of Philadelphia and when it was attempted to place the collection of the entire eight mills in the State of Pennsylvania, objection was raised by the City Fathers of Philadelphia and the bond holders of Philadelphia that that they would take away from the City of Philadelphia its borrowing base and would attack the validity of the security of the bonds issued against this borrowing capacity.

The situation in Philadelphia is not one of increasing borrowing capacity but, more important is one of decreasing expenditures and it does not make any difference how you borrow, you must pay back or pay the interest, and if you will increase the borrowing capacity of Philadelphia, or if you decrease the borrowing base, the tax rate on real estate will have to go up, in order to get into the City of Philadelphia sufficient funds to operate the city. The City of Philadelphia today has a assessed valuation of both personal and real which places it at least 150 to 180 million dollars above its borrowing capacity on a base figure at 10% and it seems to me that what they are attempting to do now in one bill is to correct two evils. The evil in Philadelphia was that the borrowing base was figured too high, so these gentlemen of the so-called Planning Board had decided it would be much better to take an average over a period of nine years. I agree with that and have no objections to such constitutional amendments, which is one provision of this bill, but I do say that the increasing of the borrowing capacity is an encouragement to spending where we should be saving, and consequently that if they were right in their contention that the doing away with the collection of a tax would take away from the City of Philadelphia the real estate to protect the real bond issue; then I say we are right now in our contention that this constitutional amendment will have the same effect.

I should like to point out to the Senator from Philadelphia, that if he were in business and in the same situation as the City of Philadelphia, was when it sent to the Supreme Court, or rather if he were a creditor of the City, he would have some worry about the situation, even though the Supreme Court said the City could do it. This was the situation: when the $50,000,000 bond issue was voted by the people at that time they were above the capacity to authorize the issue, but not all of the bonds were sold, and there were some $16,000,000 or $18,000,000 of bonds left unsold. Years later, the Mayor decided to complete the subway after we had three holes in the ground, it begins some place and ends no where else. The Mayor decided to complete the Locust Street subway, which had already cost millions of dollars, and does not have an entrance, and he wanted to get $5,000,000. The question is raised, not having issued the bonds when the voting took place the borrowing capacity being now $180,000,000 less, the issuing of these bonds created a debt beyond the present borrowing capacity in the City of Philadelphia, and the Supreme Court said that these bonds having been authorized, the issuance by them would date as of the date of the voting on the borrowing of the $50,000,000 and as the fact that $18,000,000 remained unsold did not affect the situation, but I venture to say

that if that were a private business industry and have assessed which warranted only the borrowing of $250,000,000, if the Senator from Philadelphia were approached in the rarified atmosphere of the 32d ward, where he lives, free from the troubles that are asked the little fellow in the smaller districts, and were asked to lend $5,000,000 to that business house, with all his money, if he had it free, he would not loan the money, because he would consider the security bad. So it does not make any difference if the Supreme Court on the basis of preference, allowed one to borrow, the fact remains that when the City of Philadelphia borrowed the $50,000,000 and sold the bonds, it had no assets to secure these bonds. Nobody can deny or again say, that, because that is a fact, and those are the figures, and figures do not lie, while liars make figures.

Mr. WOODWARD. Mr. President, those of us that live in the rarified districts of the 32d Ward, in Germantown, Philadelphia, are not in the habit of refusing our opponents in debate. The Senator from Philadelphia, Mr. Shapiro,—I give him credit for a great deal of knowledge—my admiration and respect, and almost affection, but however, I am intelligent enough to know that he is not infallible. Cardinal Gibbons once a visitor of the Pope, in the City of Rome, and when he returned to the City of Baltimore, he said, that he was convinced that the Pope was not infallible, that when he met the Pope, the Pope addressed him as Cardinal 'Jibbons'. So I say our distinguished Senator from Philadelphia, who maybe the receiver of what was once a first-class city, is not infallible, and to show that he is not infallible, I would not put my opinion as a layman, on a legal question against the opinion of the Senator from Philadelphia, but his objection and his version on the collection on the personal income tax, to which we all give little service—he is the man who put all these bills on the postponed calendar, because he doubted the legality and thought our bonds would be jeopardized, namely, by eliminating the personal property tax from the borrowing base. Now, I have no personal opinion on the matter, but I have consulted the Department of Revenue, Mr. Edmonds, who is a trained expert, and also Mr. Fertig on this question, and they all say that Senator Shapiro is 100% wrong.

Mr. SHAPIRO. Mr. President, of course, that 100% wrong does not leave me in the average at all.

What I got up to say was this, I hope the Senator from Philadelphia, has not accepted anything that I said as personal abuse of him. I have great respect for his sincerity, was rather envious, I envy him his position of being able to live in the rarified atmosphere of the 32d Ward.

Mr. WOODWARD. Mr. President, we love each other.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—14

Bean,	Gelder,	Pierson,	Scarlett,
Deitrick,	Homsher,	Ruth,	Wolfenden,
Ealy,	Mallery,	Salus,	Woodward,
Eroe,	Owlett,		

NAYS—31

Barthold,	Heyburn,	McCreesh,	Rupp,
Cavalcante,	Jacobs,	McGinnis,	Shapiro,
Chapman,	Jaspan,	Mundy,	Sipe,
Dando,	Kahle,	Pytko,	Sones,
DiSilvestro,	Kilgallen,	Rankin,	Stiefel,
Frey,	Kunkel,	Reed,	Thompson,
Gilson,	Lanius,	Rice,	Huffman,
Henney,	Law,	Rodgers,	

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Mr. WOODWARD. Mr. President, I move that the Senate resume the consideration of Senate Bill No. 684, on third reading postponed, on page 24 of the calendar.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question

Shall the bill pass finally?

Mr. CAVALCANTE. Mr. President, I do not want to reiterate the statements already made, and again read a letter from the State Planning Board, that I have already read, in support of this bill, but I do want to call attention that this is a very grave subject, it deals with a change in the fundamental law in the state. I do think that, as the sponsor of this bill, entrusted to me ,it is my duty to correct a few misapprehensions as to the bill. I agree with the Senator from Philadelphia, Dr. Woodward, about the infallibility of the human mind, and I at all times agree that I am subject to that same principle, and I also trust that the Senator from Philadelphia, Mr. Shapiro, will also agree that it is possible to get a different view on the same subject.

Now, on this particular bill, it seems to me, that the Senator from Philadelphia, Mr. Shapiro, has a slight confusion in his mind between what constitutes the borrowing base and what constitutes the power to tax. This resolution does not deal with the taxing power of the City of Philadelphia, nor any other municipalities. As stated in the letter of the Planning Board, if we pass this resolution, it does not remove the personal property valuation from the taxing power, that the only way we can remove the tax from the personal property is for us to repeal the act that imposes that tax. This resolution merely deals with the borrowing base that in determining how much a municipality shall be permitted to borrow. The valuation of personal property shall not be considered, but the borrowing limit shall be determined by taking a certain percentage of the real estate valuation which is would be more substantial and does not fluctuate as much as the personal property. Here is the situation that we have now: This borrowing has been made on a base which includes personal property, because of its high fluctuating values, we must borrow today, a certain amount, and four or five years from now that personal property will have so fluctuated in its value that the money we have borrowed may exceed the actual borrowing limit, whereas, if the borrowing power is based upon the real estate, there is less fluctuation there, and the security has nothing to do with the borrowing base, and the personal property is not removed from this bill by the taxing powers, it still remains, and I make this statement because a statement like Dr. Woodward made, I have consulted the Revenue Department, I have consulted with Mr. Fertig, I have consulted the members of the Planning Board, and they are all in accord that it is wrong to take the view that by forcing this bill, that we will implore the security of the most bonded indebtedness or that we remove personal property from the sphere of the taxing power. It still remains, and so my

colleagues of the Senate, I think that this resolution should be favorably adopted, so as to make the borrowing base of the City of Philadelphia, and all other municipalities, firmer and less fluctuating.

Mr. LAW. Mr. President, I would like to interrogate the Senator from Fayette, Mr. Cavalcante.

The PRESIDENT. Will the Senator from Fayette, Mr. Cavalcante permit himself to be interrogated?

Mr. CAVALCANTE. Mr. President, with pleasure.

Mr. LAW. Mr. President, will the Senator from Fayette, state whether or not this proposed amendment does not increase the basic percentage from 10% to 15% for Philadelphia?

Mr. CAVALCANTE. Mr. President, it increases the percentage. The percentage, I think, 5%.

Mr. LAW. Mr. President, 10% to 15%.

Mr. CAVALCANTE. Mr. President, yes. That is to make allowance for the elimination of personal property from the borrowing base.

Mr. LAW. Mr. President, will the Senator from Fayette, state whether or not this changes the base of determination from personal property to reality?

Mr. CAVALCANTE. Mr. President, it does not.

Mr. LAW. Mr. President, does not this substitute the word seven percentum upon the average assessed value of the taxable real estate, instead of taxable property.

Mr. CAVALCANTE. Mr. President, well the taxable property would be the taxable reality.

Mr. LAW. Mr. President, not under the present law, however.

Mr. CAVALCANTE. Mr. President, not under the present law, because it includes personal property.

And I state further in amplifying my answers that I think, it is a mistaken view to argue that the passage of this resolution, will increase taxation on real estate, because the resolution does not deal with the taxing power, but merely with the taxing base and not in any way alter or change the taxing power.

Mr. LAW. Mr. President, having heard the very able answers from the Senator from Fayette, I do maintain that there is still an opening given here to increase taxation, and to increase liabilities. When we issue bonds upon any municipality or upon any county, or upon the Commonwealth of Pennsylvania, we place in a proportion of shares, those bonds as first mortgage upon the property of any citizen in the Commonwealth or within the municipality which you issue the bonds, and what is being asked here is an opening in this respect, that it takes away that mortgage from the personal property, and places a greater mortgage on the real property of the small home owner in Philadelphia, at least, and incidentally, it places a greater proportion of the burden upon the small home owner everywhere, because it makes his property the sole liability upon which you can combat to collect this bond issue. In case of the matter of forcible collection in case there is a default. The property which is the base upon which the bond issues are made is the property which is subject to collection by the Court if there is a default in the payment of the bond and maybe subjected to tax. True, this bill in itself does not lay the fact, but it opens the way to the levying of the tax. I have been talking for several years for an income tax, and I have been talking for that income tax not only as a means of relieving personal property, or substituting it for the personal property tax, I have been talking for an income tax for the purpose of relieving the home owner and the small real estate owner in Pennsylvania, and that is where I want to see the tax plan merely substituted. That man that is mostly entitled to protection, that man as I said before, is the backbone of our American Government, the great middle class, the real small home owners of Philadelphia. For that reason I am going to ask the Senate to take the same action on this resolution as they did on the preceding one and turn it down.

Mr. SHAPIRO. Mr. President, I would like to interrogate the Senator from Fayette, Mr. Cavalcante.

The PRESIDENT. Will the Senator from Fayette, Mr. Cavalcante permit himself to be interrogated?

Mr. CAVALCANTE. Mr. President, I will.

Mr. SHAPIRO. Mr. President, does the Senator from Fayette, contend that there is any difference substantially between this resolution, upon which we are about to vote, and the one which the Senate has defeated?

Mr. CAVALCANTE. Mr. President, yes. Probably, I am not selfish in this matter, the resolution covers the same subject, but whether it covers all the phases of the subject, mine does, I do not know. I have been tempted to ask for my resolution because it has been approved and recommended by the State Planning Board. Now, it may cover the same subjects, I am sincere, I do not know.

Mr. SHAPIRO. Mr. President, that this resolution, upon which we are about to vote does increase the buying capacity in Philadelphia, to 15%, and does eliminate personal property as a tax base.

Mr. CAVALCANTE. Mr. President, no I cannot prescribe to that fact.

Mr. SHAPIRO. Mr. President, I mean as a borrowing capacity base.

Mr. CAVALCANTE. Mr. President, no, I would not say that it increases the borrowing capacity, when we take into consideration that after the personal property has been removed to the borrowing base that it becomes necessary to increase the percentage on the other, in order to balance the borrowing limit.

Mr. SHAPIRO. Mr. President, will the Senator from Fayette, admit that that is what happened to the assessed idea of real estate, and the 5% increase on the borrowing capacity, instead of 3%, will have the effect of raising the buying capacity of Philadelphia from 10% to 12% as well.

Mr. CAVALCANTE. Mr. President, I shall answer that question by relying on the recommendation of the Planning Board and the other State authorities that I have talked to, that it does not increase the borrowing limit to that extent.

Mr. SHAPIRO. Mr. President, I should like to call the attention of the Senate to the fact that the resolution, upon which we are about to vote is in substantially the same form as the one that the Senate just defeated. It provides for a buying capacity on an average of over a period of nine years instead of three, as now. It provides the borrowing capacity shall never exceed 15% instead of 10%, as it is now, and that is upon the annual assessed value of the taxability instead of 10, as it is now. I think that is upon the annual assessed value of the taxability of the state of taxabliity and it belongs now. It is for this reason that the two bills are practically of the same effect.

Mr. CAVALCANTE. Mr. President, I would like the privilege of correcting the impression given by the Senator from Mercer, Mr. Law. He has argued that this subject here pertains to security of bonded indebtedness

already incurred. I appeal to my colleagues here, that the bonds are issued by a municipality, does not mean that the borrowing base is a security of that bonded indebtedness, but the security for that bonded indebtedness detracts from the power of the municipality, regardless that the owner of that bond does not go into court to invoke a remedy provided by this section of the Constitution, but he goes into court to ask that the taxing power of the municipality be invoked in order to raise sufficient revenues to pay back the recorded bond, and when the taxing power of the municipality is exhausted, that power is applied to all of the taxable property, which includes personal and real estate because of the passage of this resolution does not remove personal property from the sphere of the taxing power of the municipalities.

Mr. REED. Mr. President, I desire to interrogate the Senator from Fayette, Mr. Cavalcante.

The PRESIDENT. Will the Senator from Fayette, Mr. Cavalcante, permit himself to be interrogated?

Mr. CAVALCANTE. Mr. President, I will.

Mr. REED. Mr. President, will the passing of this resolution raise the rate of borrowing from seven to ten per cent?

Mr. CAVALCANTE. Mr. President, it will not, that is not the primary purpose.

Mr. REED. Mr. President, what is the purpose?

Mr. CAVALCANTE. Mr. President, the purpose is to eliminate from the bonds the taxable property that fluctuates greatly over a period of years, and that is personal property.

Mr. LAW. Mr. President, I would like to interrogate the Senator from Fayette, Mr. Cavalcante.

The PRESIDENT. Will the Senator from Fayette, Mr. Cavalcante, permit himself to be interrogated?

Mr. CAVALCANTE. Mr. President, I will.

Mr. LAW. Mr. President, is it not true that this bill does make a basic taxing or a basic bonding limitation in the counties outside of Philadelphia of ten per cent instead of seven and in Philadelphia fifteen per cent instead of ten?

Mr. CAVALCANTE. Mr. President, based on the taxable real estate?

Mr. LAW. Mr. President, instead of the taxable property as before.

Mr. CAVALCANTE. Mr. President, of the two put together, real and personal; I still insist however that the subject has nothing to do with the taxing powers.

Mr. LAW. Mr. President, I admit that directly it does not affect the taxing power, but that taxing power naturally goes to the base of the bond, and there is the question of the eventual obligation in case of a breakdown of the taxing power.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—37

Buckman,	Gilson,	Kilgallen,	Rupp,
Cavalcante,	Haluska,	Kunkel,	Ruth,
Chapman,	Henney,	Lanius,	Salus,
Deitrick,	Heyburn,	Mallery,	Sones,
Dent,	Homsher,	McGinnis,	Sordoni,
DiSilvestro,	Howell,	Mundy,	Stiefel,
Ealy,	Jacobs,	Owlett,	Thompson,
Eroe,	Jaspan,	Pytko,	Wolfenden,
Frey,	Kahle,	Rice,	Woodward,
Gelder,			

NAYS— 8

Barthold,	Rankin,	Rodgers,	Sipe,
Law,	Reed,	Shapiro,	Huffman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Mr. KUNKEL. Mr. President, I move that the Senate resume the consideration of Senate Bill No. 656, (House Bill No. 234,) on page 23 of the calendar.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, I would like to interrogate the sponsor of this bill, or the Senator that called it up, he is apparently familiar with it, Senator Kunkel.

The PRESIDENT. Will the Senator from Dauphin, Mr. Kunkel, permit himself to be interrogated?

Mr. KUNKEL. Mr. President, I will.

Mr. BUCKMAN. Mr. President, will the Senator from Dauphin, Mr. Kunkel, in a very few words, tell the Senate what this bill is? I know it is a very poorly drawn bill, I know that it amends an old act, without giving any indication whatever as to what the amendment is.

Mr. KUNKEL. Mr. President, this bill reenacts the act of 1933. It does not amend any act, but it reenacts the act of 1933, which was passed for the benefit of debtors, who were being sold out at sheriff's sale and their property sacrificed. It is an emergency bill. That Act of 1933, in my estimation, is still applicable, at least to a certain number of people who are threatened with sheriff sales. So far as a large proportion of the population is concerned, the emergency is still on and I think that this bill should be reenacted.

Mr. LAW. Mr. President, I want to second the remarks of the Senator from Dauphin, Mr. Kunkel, in this regard. I may say that in order that I might have an opportunity to further study the bill, I asked to have it put on the postponed calendar the other day, and I am satisfied that there is a need for it, and as far the County of Dauphin is concerned, there is an immediate need because they will have sales there very shortly, and I ask the members to go along with this, which is an additional protection to the real estate owners.

Mr. GILSON. Mr. President, the difficulty with this bill is that it continues in force the Act of 1935, which, unfortunately, has expired. For that reason I was asked to introduce a bill in the exact language as the act which this act was introduced to continue, I did say that that Act has passed the Senate and has gone to the House, so we have already passed the bill which the Senator from Dauphin, Mr. Kunkel, has called up, except that the one that we passed did not continue in force an expired act, but re-enacted the same act, which this Act is supposed to continue in force, so I can see no point in passing this Act, continuing in effect an Act which has expired prior to this time, which cannot be done when we have already done the same thing by reenacting the Act which this Act is continuing in force, and that Act is in the House at the present time.

Mr. BUCKMAN. Mr. President, I desire to interrogate the Senator from Mercer, Mr. Law.

The PRESIDENT. Will the Senator from Mercer, Mr. Law, permit himself to be interrogated?

Mr. LAW. Mr. President, I will.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Mercer, Mr. Law, if I am correct in my understanding of his statement that after five years of Democratic rule the depression is still on?

Mr. LAW. Mr. President, I do not think I made that statement. I did make the statement that there were some people still having some trouble, but of course, it takes some time for the bulwark of Republicanism to get entirely cleared away.

Mr. OWLETT. Mr. President, in view of the statement of the Senator from Erie, I move that this bill be returned to the postponed calendar.

Mr. GILSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. GILSON. Mr. President, it is immaterial to me what the Senate does with this bill, I am just informing the Senate before they vote on this bill, what the situation is.

Mr. KUNKEL. Mr. President, you said, that this very problem does not put forth to continue any existing acts, merely re-enacts the Act of 1933, it does not continue the provision of the Act of 1935, as the Senator from Erie states. Now if the Senate has already expressed its opinion in passing a similar act over to the House, which may die over there in committee. I can see no objection to expressing the same opinion here by voting favorably on this bill.

And the question recurring,

Will the Senate agree to the motion?

The motion was not agreed to.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barthold,	Haluska,	Mallery,	Salus,
Buckman,	Henney,	McCreesh,	Scarlett,
Cavalcante,	Heyburn,	McGinnis,	Shapiro,
Chapman,	Homsher,	Owlett,	Sipe,
Dando,	Howell,	Pytko,	Sones,
Deitrick,	Jacobs,	Rankin,	Sordoni,
DiSilvestro,	Jaspan,	Reed,	Stiefel,
Ealy,	Kahle,	Rice,	Thompson,
Eroe,	Kilgallen,	Rodgers,	Wolfenden,
Frey,	Kunkel,	Rupp,	Woodward,
Gelder,	Lanius,	Ruth,	Huffman,
Gilson,	Law,		

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order.

The Senate resumed the consideration of Senate Bill No. 373. as follows:

An Act to amend the title and sections three four six seven eight nine ten eleven fourteen and eighteen of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred sixty-three) entitled "An act providing for a limited period of time for the incorporation as bodies corporate and politic of 'Authorities' for municipalities defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into the contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by removing the date by which projects must be commenced extending the powers therein granted providing for additional projects and removing certain restrictions against construction of projects extending the life of Authorities providing for the creation of Authodities by joint or single action of municipalities counties and townships providing for the audit of accounts of Authorities regulating contracts by Authorities regulating the number and terms of members of the governing boards of Authorities authorizing the Commonwealth and the political subdivision thereof to transfer certain contracts to the Authorities authorizing Authorities to accept and acquire certain contracts and limiting the powers of receivers appointed therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title and sections three four six seven eight nine ten eleven fourteen and eighteen of the act approved the twenty-eight day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred sixty-three) entitled "An act providing for a limited period of time for the incorporation as bodies corporate and politic of 'Authorities' for municipalities defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" are hereby amended to read as follows

An Act providing for [a limited period of time for] the incorporation as bodies corporate and politic of "Authorities" for municipalities counties and townships defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes

Section 3 Method of Incorporation Whenever the municipal authorities of any municipality singly or of one or more municipalities jointly shall desire to organize an Authority under this act they shall adopt a resolution or ordinance signifying their intention to do so and setting forth in full the proposed articles of incorporation thereof Thereafter the municipal authorities of such municipality or municipalities shall cause a notice of such resolution or ordinance to be published at least one time in the legal periodical of the county in which such Authority is to be organized and at least one time in a newspaper published and of general circulation in such county or counties Said notice shall contain a brief statement of the substance of said resolution or ordinance including the substance of such articles making reference to this act and shall state that on a day certain not less than three days after publication of said notice articles of incorporation of the proposed

Authority will be filed with the Secretary of the Commonwealth of Pennsylvania

On or before the day specified in said notice the municipal authorities shall file with the Secretary of the Commonwealth articles of incorporation together with proof of publication of the notice as aforesaid Said articles of incorporation shall set forth

(a) The name of the "Authority"

(b) A statement that such Authority is formed under this act

(c) A statement that no other Authority organized under this act or under the act approved December twenty-seven one thousand nine hundred and thirty-three (Special Session one thousand nine hundred and thirty-three Pamphlet Laws one hundred fourteen) is in existence in or for the incorporating municipality or municipalities

(d) The name of the incorporating municipality or municipalities together with the names and addresses of its municipal authorities and

(e) The names addresses and terms of office of the first members of the board of said authority

All of which matter shall be determined in accordance with the provisions of this act Said articles of incorporation shall be executed by each incorporating municipality by its proper officers and under its municipal seal

If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specified in the aforesaid notice endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles

Upon the issuance of such certificate of incorporation by the Secretary of the Commonwealth the corporate existence of said Authority shall begin Said certificate of incorporation shall be conclusive evidence of the fact that such Authority has been incorporated but proceedings may be instituted by the Commonwealth to dissolve any Authority which shall have been formed without substantial compliance with the provisions of this section

Any Authority heretofore created under the laws of the Commonwealth of Pennsylvania in addition to powers granted or conferred upon said authority shall possess all the powers provided in this act

Section 4 Purposes and Powers General Every Authority incorporated under this act shall be a body corporate and politic and shall be for the purpose of acquiring holding constructing improving maintaining and operating owning leasing either in the capacity of lessor or lessee buildings to be devoted wholly or partially for public uses and for revenue-producing purposes transportation marketing shopping terminals bridges tunnels streets highways parkways traffic distribution centers traffic circles parking spaces airports hangars [low cost housing] projects parks recreation grounds and facilities sewers sewer systems sewage treatment works water supply works swimming pools playgrounds lakes [low head] dams hospitals motor buses for public use when such motor buses are to be used within any municipality and subways (any and all the foregoing being herein called "projects") [Provided however That no authority shall be created and no project shall be begun after the expiration of two (2) years from the effective date of this act And provided further That the purpose and intent of this act being to benefit the people of the Commonwealth by among other things increasing their commerce and prosperity and not to unnecessarily burden or interfere with existing business by the establishment of competitive enterprises none of the powers granted by this act shall be exercised in the construction improvement maintenance extension or operation of any project or projects which in whole or in part shall duplicate or compete with existing enterprises serving substantially the same purposes] Every Authority is hereby granted and shall have and may exercise all powers necessary or convenient for the carrying out of the aforesaid purposes including but without limiting the generality of the foregoing the following rights and powers

(a) To have existence for a term of [thirty-two] fifty years as a corporation

(b) To sue and be sued implead and be impleaded complain and defend in all courts

(c) To adopt use and alter at will a corporate seal

(d) To acquire purchase hold lease as lessee and use any franchise property real personal or mixed tangible or intangible or any interest therein necessary or desirable for carrying out the purposes of the Authority and to sell lease as lessor transfer and dispose of any property or interest therein at any time acquired by it

(e) To acquire by purchase lease or otherwise and to construct improve maintain repair and operate projects

(f) To make by-laws for the management and regulation of its affairs

(g) To appoint officers agents employes and servants to prescribe their duties and to fix their compensation

(h) To fix alter charge and collect rates and other charges for the use of the facilities of or for the services rendered by the Authority or projects thereof at reasonable rates to be determined by it for the purpose of providing for the payment of the expenses of the Authority the construction improvement repair maintenance and operation of its facilities and properties the payment of the principal of and interest on its obligations and to fulfill the terms and provisions of any agreements made with the purchasers or holders of any such obligations

(i) To borrow money make and issue negotiable notes bonds and other evidences of indebtedness or obligations (herein called "bonds") of the Authority said bonds to have a maturity date not longer than forty years from the date of issue and to secure the payment of such bonds or any part thereof by pledge or deed of trust of all or any of its revenues and receipts and to make such agreements with the purchasers or holders of such bonds or with others in connection with any such bonds whether issued or to be issued as the Authority shall deem advisable and in general to provide for the security for said bonds and the rights of the holders thereof and in respect to any project constructed and operated under agreement with any public authority of any adjoining state to borrow money and issue such notes bonds and other evidences of indebtedness and obligations jointly with any such authority

(j) To make contracts of every name and nature and to execute all instruments necessary or convenient for the carrying on of its business

(k) Without limitation of the foregoing to borrow money and accept grants from and to enter into contracts leases or other transactions with any Federal agency

(l) To have the power of eminent domain

(m) To pledge hypothecate or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority

(n) To do all acts and things necessary or convenient to carry out the powers granted to it by this act or any other acts

(o) To contract with any corporation or any public authority of any adjoining state on such terms as the said authority shall deem proper for the construction and operation of any project which is partly in this Commonwealth and partly in such adjoining state

Provided however [that] That the Authority shall have no power at any time or in any manner to pledge the credits or taxing power of the Commonwealth of Pennsylvania or any political subdivisions nor shall any of its obligations be deemed to be obligations of the Commonwealth of Pennsylvania or of any of its political subdivisions nor shall the Commonwealth of Pennsylvania or any political subdivision thereof be liable for the payment of principal of or interest on such obligations

Section 6 Remedies of Bondholders The rights and the remedies herein conferred upon or granted to the bondholders shall be in addition to and not in limitation of any rights and remedies lawfully granted to such bondholders by the resolution or resolutions providing for the issuance of bonds or by any deed of trust indenture or other agreement under which the same may be issued In the event that the Authority shall default in

the payment of principal of or interest on any of the bonds after the said principal or interest shall become due whether at maturity or upon call for redemption and such default shall continue for a period of thirty days or in the event that the Authority shall fail or refuse to comply with the provisions of this act or shall default in any agreement made with the holders of the bonds the holders of twenty-five per centum in aggregate principal amount of the bonds then outstanding by instrument or instruments filed in the office of the recorder of deeds of the county and proved or acknowledged in the same manner as a deed to be recorded may appoint a trustee to represent the bondholders for the purposes herein provided Such trustee and any trustee under any deed of trust indenture or other agreement may and upon written request of the holders of twenty-five per centum (or such other percentage as may be specified in any deed of trust indenture or other agreement aforesaid) in principal amount of the bonds then outstanding shall in his or its own name

(a) by mandamus or other suit action or proceeding at law or in equity enforce all rights of the bondholders including the right to require the Authority to collect rates rentals and other charges adequate to carry out any agreement as to or pledge of the revenues or receipts of the Authority and to require the Authority to carry out any other agreements with or for the benefit of the bondholders and to perform its and their duties under this act

(b) bring suit upon the bonds

(c) by action or suit in equity require the Authority to account as if it were the trustee of an express trust for the bondholders

(d) by action or suit in equity enjoin any acts or things which may be unlawful or in violation of the rights of the bondholders

(e) by notice in writing to the Authority declare all bonds due and payable and if all defaults shall be made good then with the consent of the holders of twenty-five per centum (or such other percentage as may be specified in any deed of trust indenture or other agreement aforesaid) of the principal amount of the bonds then outstanding to annul such declaration and its consequences

The Court of Common Pleas of the county shall have jurisdiction of any suit action or proceedings by the trustee on behalf of the bondholders Any trustee whether appointed as aforesaid or acting under a deed of trust indenture or other agreement and whether or not all bonds have been declared due and payable shall be entitled as of right to the appointment of a receiver who may enter and take possession of the facilities of the Authority or any part or parts thereof the revenues or receipts from which are or may be applicable to the payment of the bonds so in default and operate and maintain the same and collect and receive all rentals and other revenues thereafter arising therefrom in the same manner as the Authority or the board might do and shall deposit all such moneys in a separate account and apply the same in such manner as the court shall direct In any suit action or proceeding by the trustee the fees counsel fees and expenses of the trustee and of the receiver if any and all costs and disbursements allowed by the court shall be a first charge on any revenues and receipts derived from the facilities of the Authority the revenues or receipts from which are or may be applicable to the payment of the bonds so in default Said trustee shall in addition to the foregoing have and possess all of the powers necessary or appropriate for the exercise of any functions specifically set forth herein or incident to the general representation of the bondholders in the enforcement and protection of their rights Provided however That nothing in this section or any other section of this act shall authorize any receiver appointed pursuant to this act for the purpose of operating and maintaining any facilities of the Authority to sell assign mortgage or otherwise dispose of any of the assets of whatever kind and character belonging to the Authority It is the intention of this act to limit the powers of such receiver to the operation and maintenance of the facilities of the Authority as the court shall direct and no holder of bonds of the Authority nor any trustee shall ever have the right in any suit action or proceedings at law or in equity to compel a receiver nor shall any receiver ever be authorized or any court be empowered to direct the receiver to sell assign mortgage or otherwise dispose of any assets of whatever kind or character belonging to the Authority

Section 7 Governing Body The powers of each Authority shall be exercised by a governing body (herein called the "Board") composed as follows

If the Authority is incorporated by one municipality the board shall consist of five members each of whom shall be a citizen of [the] such municipality [for which the Authority is created] The [municipal authorities] governing body of such [municipalities] municipality shall appoint the members of the board one of whom shall serve for a year one for two years one for three years one for four years and one for five years from the January first next succeeding the date of incorporation Thereafter the [municipal authorities] said governing body shall at a meeting held [at least a] not later than one month prior to January first in each year in which a vacancy occurs appoint as a member of the board a citizen of the municipality for which the Authority is created for a term of five years to succeed the member whose term expires on the January first next succeeding

If the Authority is incorporated by two or more municipalities the Board shall consist of a number of members at least equal to the number of municipalities incorporating the Authority but in no event less than five

The members of the board shall be appointed their terms staggered and vacancies filled and where the number of municipalities joining is less than five shall be apportioned in such manner as the articles of incorporation shall provide No member shall be appointed for a term longer than five years

Members shall hold office until their successors have been appointed and may succeed themselves and shall receive such salaries as may be determined by the [municipal authorities] governing body or bodies of the municipality or municipalities but none of such salaries shall be increased or diminished during the term for which the member receiving the same shall have been appointed A member may be removed for cause by the Court of Quarter Sessions of the county in which the Authority is located after having been provided with a copy of the charges against him for at least ten days and full hearing by the court If a vacancy shall occur by reason of the death disqualification resignation or removal of a member the municipal authorities shall appoint a successor to fill his unexpired term

[Three] A majority of the members shall constitute a quorum of the board for the purpose of organizing the Authority and conducting the business thereof and for all other purposes and all action may be taken by vote of a majority of the members present unless in any case the by-laws shall require a larger number The board shall have full authority to manage the properties and business of the Authority and to prescribe amend and repeal by-laws rules and regulations governing the manner in which the business of the Authority may be conducted and the powers granted to it may be exercised and embodied The board shall fix and determine the number of officers agents and employes of the Authority and their respective compensation and duties and may delegate to one or more of their number or to one or more of said officers agents or employes such powers and duties as it may deem proper

Where any Authority has been created prior to the effective date of these amendments with a board composed of five members such board shall continue as the governing body of such Authority with all the powers conferred by this act The members of any such board shall hold the terms of office for which they were originally appointed and in case of a vacancy for any reason in the office of any member a successor shall be appointed for a full term of five years by the governing body of the municipality for which the Authority was created

Section 8 Moneys of the Authority All moneys of any Authority from whatever source derived shall be paid to the treasurer of the Authority Said moneys shall be deposited in the first instance by the treasurer in one or more banks or trust companies in one or more special accounts and each of such special accounts to the extent the same is not insured shall be continuously secured by a pledge of direct obligations of the United States of America of the Commonwealth or of the municipality or municipalities creating the Authority having an aggregate market value exclusive of accrued interest at all times at least equal to the balance on deposit in such account Such securities shall either be deposited with the treasurer or be held by a trustee or agent satisfactory to the Authority All banks and trust companies are authorized to give such security for such deposits The moneys in said accounts shall be paid out on the warrant or other order of the chairman of the Authority or of such other person or persons as the Authority may authorize to execute such warrants or orders [The Department of Revenue of the Commonwealth and its legally authorized representatives are] The controller auditors or accountant designated by the municipality or municipalities are hereby authorized and empowered from time to time to examine at the expense of the authority the accounts and books of the Authority including its receipts disbursements contracts leases sinking funds investments and any other matters relating to its finances operation and affairs

Section 9 Transfer of Existing Facilities to Authority The Commonwealth the county or any city borough or township in the county may and they are hereby authorized to lease lend grant or convey to the Authority upon such terms and conditions as are mutually satisfactory to the Authority and the corporate authorities of the Commonwealth the county or any such city borough or township any existing bridges tunnels streets highways parkways traffic distribution centers traffic circles parking spaces airports hangars parks recreation grounds and facilities swimming pools sewers sewer systems sewage treatment works lakes or any part or parts thereof or any interest in real or personal property which may be used by the Authority in the construction improvement maintenance or operation of any project The Commonwealth the county or any city borough or township are also authorized to transfer assign and set over to the Authority any contracts which may have been awarded by said Commonwealth county city borough or township for the construction of projects not begun or if begun not completed

Section 10 Competition in Awards of Contracts If any project or any portion thereof or any improvement or repair thereof shall be constructed pursuant to a contract and the estimated cost thereof exceeds five hundred dollars such contract shall be awarded to the lowest responsible bidder after advertisement for bids The board may make rules and regulations for the submission of bids [and] for the construction or improvement or repair of any project or portion thereof no contract shall be entered into for construction or improvement or repair of any project or portion thereof or for the purchase of materials unless the contractor shall give an undertaking with a sufficient surety or sureties approved by the Authority and in an amount fixed by the Authority for the faithful performances of the contract All [construction] such contracts shall provide among other things that the person or corporation entering into such contract with the Authority will pay for all materials furnished and services rendered for the performance of the contract and that any person or corporation furnishing such materials or rendering such services may maintain an action to recover for the same against the obligor in the undertaking as though such person or corporation was named therein provided the action is brought within one year after the time the cause of action accrued Nothing in this section shall be construed to limit the power of the Authority to construct repair or improve any project or portion thereof or any addition betterment or extension thereto directly by the officers agents and employes of the Authority or otherwise than by contract

Subject to the aforesaid any Authority may (but without intending by this provision to limit any powers of such Authority) enter into and carry out such contracts or establish or comply with such rules and regulations concerning labor and materials and other related matters in connection with any project or portion thereof as the Authority may deem desirable or as may be requested by any Federal agency that may assist in the financing of such project or any part thereof Provided however That the provisions of this section shall not apply to any case in which the Authority has taken over by transfer or assignment any contract authorized to be assigned to it under the provisions of section nine of this act nor to any contract in connection with the construction of any project which the Authority may have had transferred to it by any person or private corporation

Section 11 Acquisition of Lands The Authority shall have the power to acquire by purchase or eminent domain proceedings either the fee or such right title interest or easement in such lands as the Authority may deem necessary for any of the purposes mentioned in this act Provided however That no property devoted to a public use nor any property of a public service company property used for burial purposes places of public worship or (except in the case of a housing project) a dwelling house and the reasonable curtilage not to be less than three hundred feet appurtenant thereto shall be taken under the right of eminent domain And provided further That in event of the exercise of eminent domain for the purpose of establishing housing projects the [authorities] Authorities shall first acquire by purchase or option more than sixty-five per centum of the real property or site involved The right of eminent domain shall be exercised by the Authority in the manner provided by law for the exercise of such right by municipalities of the same class as the municipality or one of the municipalities by which such Authority was organized

Section 14 Termination of Authority When any Authority shall have finally paid and discharged all bonds which together with the interest due thereon shall have been secured by a pledge of any of the revenues or receipts of a project it may (subject to any agreements concerning the operation or disposition of such project) convey such project to the municipality or municipalities creating the Authority When any Authority shall have finally paid and discharged all bonds issued and outstanding and the interest due thereon and settled all other claims which may be outstanding against it it may convey all its property to the municipality or municipalities and terminate its existence A certificate requesting the termination of the existence of the Authority shall be filed in the office of the Secretary of the Commonwealth [who if he approve] If the certificate is approved by the municipality or municipalities creating the authority by its ordinance or ordinances the said secretary shall note the termination of existence on the record of incorporation and return the certificate with his approval shown thereon to the board which shall cause the same to be recorded in the office of the recorder of deeds of the county Thereupon the property of said Authority shall pass to the municipality or municipalities and the Authority shall cease to exist

Section 18 If a project shall have been established under this act by a board appointed by a municipality or municipalities which project is of a character which the municipality or municipalities [has] have power to [itself] establish maintain or operate and such municipality [desires] or municipalities desire to acquire the same it or they may by appropriate resolution or ordinance adopted by the proper Authorities signify its or their desire to do so and thereupon the Authorities shall convey by appropriate instrument said project to such municipality or municipalities upon the assumption by the latter of all the obligations incurred by the Authorities with respect to that project

Section 2 This act shall become effective immediately upon its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barthold,	Haluska,	Mallery,	Ruth,
Buckman,	Henney,	McCreesh,	Salus,
Cavalcante,	Heyburn,	McGinnis,	Scarlett,
Dando,	Howell,	Owlett,	Shapiro,
Deitrick,	Jacobs,	Pytko,	Sipe,
DiSilvestro,	Jaspan,	Rankin,	Sones,
Ealy,	Kahle,	Reed,	Stiefel,
Eroe,	Kilgallen,	Rice,	Thompson,
Frey,	Kunkel,	Rodgers,	Wolfenden,
Gelder,	Lanius,	Rupp,	Huffman,
Gilson,	Law,		

NAYS— 2

Chapman,	Homsher,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 652, as follows:

An Act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation

Short Title Citation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Permanent Registration Act in Cities of the Third Class"

Section 2 The provisions of this act insofar as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments and shall not affect the validity of any registrations made prior to the enactment hereof except as herein provided

Section 3 Definitions

(a) The word "Commission" shall mean any board of county commissioners in any county within which is located a city of the third class acting as a registration commission.

(b) "Commissioner" shall mean a member of a board of county commissioners acting as a registration commission

(c) "Oath" shall include affirmation and "Swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidates and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidates or any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any elected candidate in any county containing therein any city of the third class

(j) "Political body" shall mean any political body not recognized as a political party which has filed proper nomination papers as required by law

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the third class

(n) "City" shall mean only a city of the third class

(o) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the third class or to those of any county within which such city is located or to any school district with which such city is coextensive

(p) "Public office" shall mean and include any National State judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(q) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

(s) "County Election Board" or "County Board" shall mean the county board of elections of any county as now or hereafter provided for by the election laws of this Commonwealth

(t) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

Section 4 Registration Commission Membership Actions by Vote of Majority of Members Record of Proceedings

(a) There shall be a registration commission consisting of the county commissioners in each county in which there is located a city of the third class which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

(b) All actions of a commission shall be decided by a majority vote of all members except as may be otherwise provided herein

(c) Each commission shall keep a record in permanent form of all its proceedings

(d) The commissioners shall receive no compensation in addition to their compensation as county commissioners

Section 5 Powers of Commission Regulations Enforcement Correction of Errors or Irregularities Cancellation of Registration Powers of Commissioners

(a) The commission may make regulations not inconsistent with this act or the laws of this Commonwealth (1) to govern the public sessions of such commission and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the Court of Common Pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct any error or any irregularity in registration and to cancel the registration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

(c) The Commission and any commissioner shall have power on its or his own motion (1) to summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses (4) to require the production of any relevant books and papers

(d) Each commissioner shall have power to administer oaths and affirmations Each person testifying before a commission or commissioner shall be first duly sworn or affirmed

Section 6 Employes Registrars Inspectors of Registration Duties Appointment Incompatible Offices

(a) The commission shall have power to appoint such assistants and employes as from time to time it may deem necessary to carry out the provisions of this act and may at any time remove the same The number and compensation of all such assistants and employes shall be fixed by the salary board of the county The commission may appoint employes of the county to act as such for the registration commission without any additional compensation as such

(b) The employes to be appointed by the commission shall include (1) Registrars or clerks who shall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmation and (2) inspectors of registration who shall have any may exercise the powers conferred upon them by this act

(c) Registrars and inspectors of registration shall be qualified electors of the county No person who holds or is a candidate for public or party office shall be appointed to or hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the salary board of the county

(d) No registrar or inspector of registration shall exercise any power of his office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

(e) Each commission may appoint a chief clerk at a compensation not exceeding three thousand dollars ($3000) per annum who shall have authority to administer oaths and to sign vouchers

(f) Any inspector of registration when directed by the commission shall (1) Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building in lodging-house or hotel with such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodging-house in or hotel relating to or affecting the right of any person to vote or to be registered in such city

(3) Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

(4) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest

Section 7 Counsel The county solicitor shall be counsel for the commission and shall receive no compensation in addition to his compensation as county solicitor Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a Court of Common Pleas as herein provided

Section 8 Appropriations by County Commissioners Unexpended Balances of Appropriations Heretofore Made Additional Appropriations

(a) The county commissioners shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the registrars inspectors of registration and other assistants and employes and the fees of witnesses as herein provided and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account book stationery and other supplies which the commission shall consider necessary for the purpose of this act and for all other necessary expenses

(b) The county commissioners shall provide the commission with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

(c) Any unexpended balances of any appropriations heretofore made by the county commissioners for the purpose of carrying out any provision of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the effective date of this act All moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed

Section 9 Acts of Employes Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission by order of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any errors in the doing thereof

Section 10 Commissioners and Chief Clerk May Act as Registrars and Inspectors A commissioner or the chief clerk may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with law upon registrars and inspectors of registration respectively

Section 11 Immunity from Arrest Commissioners registrars and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge thereof for felony for wanton breach of the peace or for a criminal violation of this act

Section 12 Acts to Be Done on Legal Holidays and Sundays No part of any day fixed for the performance

of any duties by any person or official under this act shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof or the right of any person to any compensation herein provided for rendering any service required hereby or so as to relieve any person from doing on such day whatever is necessary for such purposes and such services are hereby declared to be necessary public services

Section 13 Records and Documents to Be Open to Public Inspection The records of such commission and all district registers street lists voting check lists voter's certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the city during ordinary business hours at any time when they are not necessarily being used by the commission or its employes having duties to perform in reference thereto Such public inspection thereof shall only be in the presence of a commissioner or authorized employe of a commission and shall be subject to proper regulation for safekeeping of the records and documents and subject to the further provisions of this act

Section 14 Watchers at Places of Registration Privileges (a) Any party or political body which now is or hereafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three electors of the city to act as watchers without expense to the county at any place of registration during the time when it shall remain open for the registration of electors The commission shall appoint all such persons as watchers and shall provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any placé of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or interrogate or challenge any person regarding his right to be registered and to inspect any papers produced by such person The registrars commission and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided however That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment And provided That not more than one watcher for any party or political body or citizens' organization represented shall be allowed in a place of registration at any one time

Section 15 Watchers or Attorneys at Sessions of Commission Any party or political body or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or political body or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at places of registration but the number who may be present at any one time may be limited by the commission to not more than three for any party or political body

Section 16 Candidates May Be Present at Proceedings Every candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any proceeding before any commission whenever any matters which may affect his candidacy are being heard

Section 17 Days and Hours of Registration Places of Registration Use of Polling Places Payment of Rentals Use of School Buildings Public Notice

(a) From and after the effective date of this act each commission or any commissioner or a registrar or clerk appointed by the commission shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sunday holidays the day of each election and each primary the thirty days next preceding each election and each primary and the thirty days next following each election and the five days next following each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate in accordance with the provisions of subsection (b) herein receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration

(b) Not later than thirty days prior to each primary and election the commission shall cause at least two registrars to sit for at least two separate days at a suitable and centrally located place in each city other than the office of the commission for the purpose of receiving personal applications for registrations applications for change of party enrollment and removal notices from the electors of such city Such registrars shall sit on said days continuously between the hours of 10 a. m. and 3 p. m. and between the hours of 7 p. m. and 10 p. m. Immediately upon the action of the commission which shall be taken in due time to the number of days of such registration and as to the number of registrars to be appointed for such purpose the commission shall notify in writing the county chairman of the political parties enrolling the largest and second largest number of voters within the county at the preceding November election of such action and of the number of registrars the commission will appoint to serve in said cities Not later than the third day after receipt of said notice said chairman shall submit to the commission a list of qualified electors of the county to serve as registrars for said days Of the registrars appointed by the commission for such registration days an equal number shall be appointed from the names on each of the lists so submitted Provided however That if either or both of said chairman shall fail to submit such list within the time herein provided the commission shall appoint an equal number of persons from the list actually submitted and an equal number of any qualified electors of the county or shall appoint as all of such registrars any qualified electors of the county as the case may be

(c) The county Board of Elections shall cause any polling place to be open in proper order for use as a place of registration on each day when such polling place may be desired by the registration commission or required by the provisions of this act for use as a place of registration and the county commissioners shall provide for the payment of all rentals for such polling places upon proper vouchers by the treasurer of the county

(d) The board of public education or school directors of each school district shall furnish suitable space in any public school building under its jurisdiction or control and shall cause the room or space to be open and in proper order for use as a place of registration on each day when such room or space may be desired by the registration commission for use as a place of registration in accordance with the provisions of this act Provided however That such use shall not interfere with instruction for the conduct of which such board of public education or school directors shall be responsible

(e) The proper city authorities shall furnish suitable space in the city hall or other municipal building under their jurisdiction or control and shall cause the room or space to be open and in proper order for use as a place of registration on each day when such room or space may be desired by the commission for use as a place of registration Provided however That such use shall not interfere with the use for which room or space is primarily designed

(f) The commisson shall publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by posting a notice thereof at its office and at least ten placards or notices thereof in conspicuous places throughout said city at least three days prior to the date when the place shall be so open and shall also give notice of such time and place of registration by publication at least once in one newspaper of general circulation published in the city at least

three days prior to the date when the place shall be so open and by such other newspaper publication as it deems desirable

Section 18 Registration Cards Preparation and Distribution

(a) For the purpose of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section eighteen of this act and the following affidavit

REGISTRATION AFFIDAVIT

State of Pennsylvania }
County of } ss

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this .....day of ..... 19.....

.....
Signature of Voter

.....
Signature of Registrar

(b) Subject to the foregoing provisions of this section the Secretary of the Commonwealth shall prescribe the form of such registration cards

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards which binders can be locked The keys of all such binders shall at all times be retained by the commission

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

(e) Before ten o'clock ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the commission at its office all registration cards used or unused in his possession and shall account fully in writing for each missing card

(f) Unused registration cards may be re-issued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 19 Manner of Registration (a) Every person claiming the right to be registered as an elector must appear in person before the commission a commissioner a registrar or a clerk at the office of the commission or at such other place as the commission shall have designated and answer the questions required to be asked in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with other information herein required shall be recorded in his presence by the registrar commissioner or clerk in permanent writing or typewriting in duplicate in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the room or rooms apartment flat or floor which he occupies (6) the date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) if not naturalized personally the name of father mother or husband through whom naturalized (13) whether he is unable by reason of illiteracy to read the names on the ballot or on the voting machine labels (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) the designation of the political party of the elector for the purpose of voting at primaries (16) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar or clerk and dated by him (17) his height in feet and inches (18) the color of his hair (19) the color of his eyes and (20) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (21) the ward and election district in which the elector resides and to which the may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (22) the date of each election and primary at which the elector votes the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (23) the signature or initials of the election officer who enters the record of voting on the card

(d) The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration cards will be known as the General Registers when filed by election districts as the District Registers

(e) If the applicant shall allege inability to sign his name the registrar or clerk shall require him to present the affidavits subscribed in person before a registrar commissioner or clerk of two electors who are personally acquainted with the applicant and who know his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicant's inability to sign his name is not due to some apparent physical infirmity he shall first also be required to make and file with the registrar or clerk an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be filed with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

(f) When the registration of an elector has been completed the registrar commissioner or clerk shall deliver to the registered elector a written or printed statement signed by such registrar commissioner or clerk setting forth the name and address of the elector his ward and district the fact of registration of party enrollment and the date thereof The commission upon request made at its office shall deliver such a written or printed statement to any person who is registered under the provisions of the existing registration law

(g) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from any city of the third class wherein he resided when entering such employment his wife or her husband shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the Auditor General under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the

nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person as registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the Auditor General of this Commonwealth or at the office of the department division or bureau of the Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street and number of his residence in the city

(h) For the purpose of carrying into effect the provisions of subsections (c) (13) and (14) of this section insofar as they relate to persons heretofore registered under the provisions of the act entitled "An Act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors county commissioners registrars inspectors of registration and other appointees of county commissioners election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs peace officers county treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties" approved the first day of July 1935 Pamphlet Laws 478 the commission shall deliver to the election board of the proper county in order that the same may be delivered to the election officers for use at the fall primary and the municipal election to be held in the year one thousand nine hundred and thirty-seven a sufficient number of affidavits for se at each polling place setting forth that the elector is unable by reason of illiteracy to read the names on the ballot or on the voting machine labels also a sufficient number of affidavits setting forth that the elector has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and space for a statement of the exact nature of such disability

Any elector heretofore registered under the provisions of said act and affected by the provisions of subsection (c) (13) or (14) of this section shall subscribe to one of said affidavits by his signature or mark and all of said affidavits thus executed shall be returned by the election officers to the commission after the fall primary and municipal election of 1937 and the commission shall attach each of said affidavits in a permanent manner to the registration card of said voter in the district register and shall make a notation of said information on the registration card contained in the general register Any voter thus affected may also execute one of said affidavits by appearing personally at the office of the commission and the commission shall have on hand a sufficient number of said affidavits for this purpose Any affidavit thus executed shall also be attached to the registration card of said elector contained in the district register and a notation of said information made on the registration card contained in the general register

Section 20 Who May Register Who May Vote Electors Need Register Only Once Exception Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will have obtained such qualifications before the next ensuing election shall be entitled to be registered as herein provided No person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered except by order of a Court of Common Pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by reason of his failure to vote during a period of two years as hereinafter provided

Section 21 Applicants to Register May Be Challenged Procedure Challenge Affidavit

(a) Any person claiming the right to register may be challenged by a registrar or by any commissioner or by any clerk or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them by his signature or mark and swear to their truth

(b) The affidavits of all persons so registered shall be filed with the duplicate registration affidavits and shall be returned with them to the office of the registration commission

(c) The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) Serial number (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family resides (6) if single where his parents reside (7) where applicant actually resided immediately before he took up his present residence (8) his residences for the four months immediately preceding date of execution (9) the name of his present employer (10) the city street and number of his place of business (11) the name of his last employer and the year in which he left his employ (12) the city street and number of said last employer's place of business (13) sex of the applicant (14) his color (15) the date of his birth and (16) such distinguishing marks peculiarities and further information for identification as the commission shall prescribe

(d) The challenged applicant shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his residence in the election district If such challenged applicant shall establish his right to be registered as required by this act he shall be permitted to be registered

(e) Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe to an affidavit that at the last election at which he voted he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempt violation of any law by reason thereof

Section 22 Naturalized Applicants Applicants Whose Fathers Mothers or Husbands Were Naturalized All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certificate under the seal of the court in which his naturalization was effected before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father or mother during his minority may be registered either by the production of his father's or mother's original papers or a certified copy thereof or by making affidavit as to the court in which and time when his father or mother was naturalized and that he the applicant was then less than twenty-one years of age and that he is unable to produce his father's or mother's papers or a certified copy thereof And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one

thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage stating therein the time when and the court in which such naturalization took place and that she is unable to product his original naturalization papers or a certified copy thereof or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 23 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 24 Appeal of Rejected Applicant Any person whose application to be registered has been denied by a registrar commissioner or clerk may file a petition with the commission not later than the fifteenth day prior to an election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar commissioner or clerk who rejected the petitioner's application for registration The commission if satisfied that the petitioner is entitled to be registered shall direct a registrar commissioner or clerk to register him in the usual manner and shall amend accordingly the records affected but any registrar clerk inspector of registration or qualified elector of the city may appear and show cause why the petitioner should not be registered

Section 25 General Register The duplicate registration cards for the entire city shall be placed in exact alphabetical order and shall be indexed and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These cards shall constitute the General Register of such city and shall not be removed from the office of the commission except upon order of a court of record of the county

Section 26 District Registers The original registration cards shall be filed by election districts and within each election district in exact alphabetical order and indexed The cards so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open to public inspection at all times subject to reasonable safeguards rules and regulations

Section 27 Removal Notices

(a) The commission shall provide removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room or rooms apartment flat or floor if his residence is a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present residence and (4) space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date of his removal into the new district Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission as the elector's signature in the general and district register Each removal notice to be effective must be received at the office of the commission at least thirty days prior to any primary or election which warning shall also be contained on the removal notice

(b) Any elector who removes his residence from one place to another within the same election district must notify the commission by filing a removal notice with the commission not later than ten days next preceding the primary or election

Section 28 Transfer of Registration

(a) Upon receipt not later than the thirtieth day next preceding any primary or election of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration card of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration card of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence In any cases the commission shall advise the elector in writing of its action

(b) When a request for transfer believed authentic by the commission is received at the office of the commission and shows thereon a removal within the period of two months next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration card of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any such case the commission shall advise the elector promptly in writing of its action

(c) If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector promptly notify the elector that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration

(d) No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission or before a registrar in any registration place designated by the commission and establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar a commissioner or clerk who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation

(a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next following each election and the first days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before

the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration

(b) At any time not later than the tenth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is no longer a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least twenty-four hours prior to presentation of the same by delivering a copy of the petition to him personally or by leaving it with an adult member of the family with which he resides If at the hearing of any such petition the elector against whom the petition is filed appears and swears or affirms that at the last general or municipal election at which he voted he voted for a majority of the candidates of the party with which he is enrolled at the time of said hearing all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise the party enrollment of such elector shall be forthwith cancelled

(c) Any elector who has since the time of registration suffered a physicial disability which renders him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least ten days prior to the next succeeding primary or election personally make application under oath to the commission or a registrar or a clerk thereof to have such fact entered on his registration card together with the exact nature of his physical disability which entry shall be made accordingly

(d) When the commission shall ascertain that any elector who has declared his need for assistance is no longer illiterate or no longer suffers from the physical disability stated by him or has voted without assistance it shall forthwith cancel on his registration card the entry relating to illiteracy or physical disability which authorized him to have assistance and shall forthwith notify such elector by mail of its action

Section 30 Reports of Deaths from Registrars of Vital Statistics Cancelling Registration Correction if Person is Falsely Reported Deceased Reports of Removals from Municipal Officers Departments and Bureaus certain Public Utility Corporations and Real Estate Brokers and Rental Agents Notice

(a) The registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than twenty years of age Said written report shall contain the full name of the decedent his last residence address the date of his birth if available and the date of his death The commission shall forthwith cancel the registration of each registered elector so reported

(b) Any person falsely reported deceased by any registrar of vital statistics may appear in person before a registrar commissioner or clerk at the office of the commission in such city and prove his identity and the commission thereupon shall correct its records accordingly

(c) All municipal officers departments bureaus and all public utility corporations furnishing electricity gas water or steam to householders in any city shall report in writing at least once a month to the commission upon forms supplied by the commission all cases of discontinuance of their service to residences together with the names of the persons who contracted for such service and the addresses to which such persons have removed if known to them

All real estate brokers and rental agents shall report in writing from time to time to the commission upon the request of the commission all cases of residence property managed by them which have been vacated by the tenants thereof together with the names of such tenants and the addresses to which they have removed if known to them The commission shall forthwith send to each such person who is found to be registered as an elector from the address given in any of the foregoing reports and to all the members of his family and household who are electors registered from the same address the notice provided for by section thirty of this act and shall proceed thereupon in accordance with the provision of that section

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the city by either of the methods provided for in sub-sections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee can not be found there or upon report by the Post Office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-one of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector

Section 32 Canvass of Registered Voters

(a) The commission may at any time by individual commissioners or by inspectors of registration verify the registration in any election district of such city by visiting each building from which an elector is registered and such other buildings as the commission may deem necessary and shall make a record of the name and address of each person registered who shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered and shall leave at the address of each such person a notice requiring him to appear personally at the office of the commission on or before a date and hour which the notice shall appoint and which shall be not later than the tenth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector and the commission shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered the envelope containing such information to be plainly marked that it is not to be forwarded

(b) At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualifications as an elector

(c) For the purpose of facilitating any such canvass the commission may when necessary appoint special inspectors of registration in number not exceeding double the number of election districts which the commission shall determine to canvass

(d) Such special inspectors shall have and may exercise the powers conferred by this act upon inspectors of registration They shall be qualified electors of the city and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs

(e) The commission shall instruct each special inspector in his duties

Section 33 Comparison and Correction of Registers Preliminary Street Lists

(a) Commencing thirty days prior to each election or primary the commission shall compare and correct the general and district registers

(b) Three months after each municipal election and seven months after each general election the commission shall prepare for each election district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers

(c) The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even-numbered year and the first day of July in each odd-numbered year shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties political bodies candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the county committee of each political party or political body upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officers of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 34 Corrected Street Lists Posting Commencing not later than the thirtieth day prior to each primary and election the commission shall prepare for each election district a corrected street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists Said lists shall be distributed in the same manner as required for the distribution of preliminary street lists in section 33 (c) herein Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 35 Petitions to Strike Off Names At any time not later than the tenth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affidavits of at least two adult persons sufficient grounds for such cancellation and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could not be found at the place given in the district register as his residence and that the person in charge thereof to be mentioned by name in said petition had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no person is residing at the address given whereupon the commission shall forthwith cancel registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done

Section 36 Delivery of District Registers to Election Officers

(a) Not later than noon of the third day preceding an election or primary the commission shall have the district register accurately corrected to date for each election district and shall deliver the same to the election officers for use on election day in the manner in which the county election boards now are or hereafter may be required to deliver election material Provided however That the registration commission shall not deliver the registration card for use at the polls on election day of any person who removed from one election district to another within two months of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are so delivered

(b) District registers when so delivered shall be contained in suitable binders so constructed and locked that the name address voting record and other data on each card may be visible and that entries may be made on each card but that the cards can not be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the number of the district and ward Said binders shall be enclosed within a case or container and shall be locked and sealed by the commission before delivery

Section 37 Persons Registered Are Entitled to Vote at General or Municipal Elections if Identified by Signature Proviso Evidence of Registration Discrepancies Persons Registered and Enrolled May vote at Primaries if Identified by Signatures Proviso Persons Not Registered are Not Entitled to Vote Challenging of Persons Registered Voter's Certificates Voting Check List Elections and Primaries Counting Et Cetera of Names Checked as Having Voted Sealing of Registers and Voting Check Lists Return of Voting Check List and Registers

(a) Any person whose name is in the district register of any election district in such city and who upon applying to vote shall have signed his name and address to a voter's certificate in the form hereinafter provided for as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violated any law of this Commonwealth prohibiting bribery at elections provided that if the signature on the voters certificate as compared with the signature as recorded in the district register shall not be deemed authentic by any of the election officers such elector shall not be denied the right to vote for that reason but shall be considered challenged as to identity and required to make the affidavit and produce the evidence as provided in subsection (e) of this section

(b) No elector shall be required to sign a voter's certificate as a means of identification if he shall have been unable to sign his name when registered or of having been able to sign his name when registered he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote but each elector shall establish his identity to the satisfaction of the election officers and in such case a voter's certificate shall be prepared for him by one of the election officers upon which the facts as to such disability shall be noted and attested by the signature of such election officer

(c) No person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate

(d) Any person who is registered and also enrolled

as a member of a political party and who upon applying to vote shall have established his identity by signing his name and address or otherwise as herein required at elections and is otherwise qualified may vote as a member of said party at any primary succeeding such registration without being subject to any challenge regarding his party membership No elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election and any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a non-partisan ballot according to any law providing for same at any primary election

(e) No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth shall be entitled to vote at any election or primary without being personally registered as an elector in the election district in which he offers to vote except by order of the Court of Common Pleas as herein provided regarding appealed cases Any person although personally registered may be challenged by any qualified elector watcher overseer or election officer at any election or primary as to his identity as to his continued residence in the election district or as to any alleged violation of the laws of this Commonwealth prohibiting bribery at elections and if challenged as to identity or residence he shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his identity or continued residence in the election district and if challenged as to bribery he shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received

(f) The county election board shall cause to be printed for each election district in the city a suitable number of Voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

VOTER'S CERTIFICATE

(Primary) (Election) .....19....
I hereby certify that I am qualified to vote at this (primary) (election)
Signature .....
Address .....
..... Pennsylvania
Approved .....
Number of stub of ballot issued (or number of admission to voting machines) .....
(and party at primary) .....

The voter's certificates shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the county election board After a voter's certificate has been presented by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations hereinabove required have been made thereon one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary the votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have printed or written thereon the words "Voting Check List" and the number of the district and ward and date of the primary or election The voter's certificate so bound shall constitute the voting check list of the district All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the voting check list

(g) The district register shall constitute the ballot check list of the district As each voter is found to be qualified and votes the election officer in charge of the district register shall write or stamp the date of the election or primary the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at the primaries a letter or abbreviation designating the party in whose primary he votes and shall sign his name or initial in the proper space on the registration card of such voter contained in the district register After the polls are closed the names of all electors on the district register marked or stamped as having voted shall be immediately counted and the result compared with the number of persons voting shown by the voting check list and numbered lists of voters and announced and the cause of any difference ascertained if possible before the ballot-box or voting machine is opened The district register and the voting check list shall be immediately locked and sealed and shall be returned to the custody of the registration commission by the judge of election immediately upon completion of the count and tabulation of the votes cast in the district

Section 38 Examination of district registers Report of Indications of Fraud to District Attorney

(a) Immediately following each election or primary the commission shall cause each district register to be examined

(b) In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance with the procedure outlined in sections 30 and 31 herein

(c) The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed

(d) Whenever the registration card of any registered elector shall have been entirely filled up so that the entries required to be made thereon by this act can no longer be made the commission shall have prepared and attached to such registration cards in each register a supplemental card Each supplemental card shall be printed in a color different from the registration cards It shall have the same serial number as the registration card followed by the letter "A" "B" etc according to the number of supplemental cards attached to each registration card Each supplemental card shall have space thereon for the entry of the surname of the registered elector his Christian name or names the street and number of his residence the ward and election district in which he resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal the date of each election and primary at which the elector votes and the signature or initials of the election officer who enters the record of voting on the card Each supplemental card shall be attached to the registration card to which it relates by permanent fasteners in such a manner that the contents of the registration card may be examined and the entries required by this act may be made on the supplemental card Whenever supplemental cards are attached to the registration card of any elector the registration card shall be stamped with the words "Supplemental cards attached" together with the date thereof

Section 39 Cancellation of Registration Upon Failure to Vote Within Two Years Request for Re-instatement Within three months after the municipal election held in the year one thousand nine hundred and thirty-seven and within three months after each general and municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each elector who has been registered for a period of at least two years and who is not recorded as having voted at any election or primary within the period of two years immediately preceding the date of said municipal or general election the commission shall send to such elector by mail at his address appearing upon his registration card

a notice setting forth that the records of the commission indicate that he has not voted within a period of two years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for re-instatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for re-instateemnt of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of two years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar or a clerk in the manner provided by this act

Section 40 Cancellation Removal and Preservation of Registration Cards Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration cards of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such card shall be kept for five years after which the commission may destroy it

Section 41 Correction by Commission of Errors in Cancellation of Registrations Whenever the registration of an elector has been cancelled through error such elector may petition the commission for the re-instatement of his registration not later than the tenth day preceding any primary or election and after a hearing on said application if error on the part of the commission is proved the commission shall re-instate the registration of such elector

Section 42 Appeals to Court Time of Hearing Notice Postponement Hearing Decision of Court Costs and Fees

(a) Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of such city whose rights are impaired by any general order made by the commission not including refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper Court of Common Pleas not later than the seventh day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief Thereupon any judge of the court shall fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

(b) Any judge of the court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

(c) If after any such public hearing the court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

(d) The court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the Prothonotary in the usual manner provided however that in all cases where the appeal is sustained by the court the costs advanced by the appellant shall be ordered refunded

Section 43 Production of Documents Et Cetera at Appeals At the written request of any person taking an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obligated to answer any appeal and shall not be obligated by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 44 Subpoenas and Witness Fees

(a) Any Person filing any petition of any kind with the commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner herein provided

(b) The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the county commissioners in courts if necessary to enforce any subpoena issued by such commission are to be provided for

(c) All subponeas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a Court of Common Pleas The commission shall have the benefit of the process of said courts if necessary to enforce any subpoena issued by such commission

(d) No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission No such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it is issued shall have deposited with the commission an additional day's witness fee for each witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commission shall disburse the fees deposited with it by any person among those witnesses who have appeared in response to subpoenas issued and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay like fees to any summoned by the commission taking their receipts therefor so long as there are sufficient funds available for such payments provided however that in all cases where the petition of the elector is sustained all costs advanced by him for witness fees and subpoenas shall be refunded to the elector so petitioning

(e) The commission shall pay over to the county treasurer all fees received for subpoenas The accounts of such commission respecting disbursements of witness fees out of appropriations made to such commission by the county commissioners shall be subject to audit from time to time by the county controller

Section 45 Crimes and Penalties

(a) Any person who wilfully disobeys a lawful order of the commission or of his commissioners or refuses to obey its or his subpoenas duly issued and served under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

(b) Any wilful false statement made under oath by any person regarding any material matter or thing relating to any subject investigated heard or acted upon by any registrar commissioner clerk judge watcher inspector of regisration court or commission by virtue of this act shall be prejury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred

dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(c) Any registrar commissioner or clerk who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to be registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(d) Any person who applies for registration or who notifies the commission of a change of his residence address knowing or having reason to know that he is not entitled to be registered or have his residence address changed or any person who declares as his residence a place or address which he knows is not his legal residence or who falsely personates another in an application for registration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(e) Any registrar commissioner clerk or assistant or employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered either in the office of the commission or before a registrar appointed by the commission at a place properly designated as provided herein or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made except upon an order of the Court of Common Pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(f) Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act (except that of a person in actual military or naval service or a person having an order of court as aforesaid) or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(g) Any commissioner registrar clerk inspector of registration or other officers assistant or employe or any person partnership or corporation upon whom a duty is laid by this act who shall wilfully delay neglect or refuse to perform such duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(h) Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(i) Any person who neglects or refuses to furnish to any commissioner or to any inspector of registration any information which he is herein authorized to obtain or to exhibit any records papers or documents herein authorized to be inspected by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(j) Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand of any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided or who shall wilfully hinder or delay or attempt to hinder or delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(k) Any person who intentionally interfers with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and undergo an imprisonment of not less than three (3) months nor more than two (2) years

(l) Any registrar commissioner clerk assistant or employe of a commission or any other person who knowingly and wilfully prevents a person from being registered or who by coercion threats of bodily injury or intimidation prevents or attempts to prevent any person from being registered or from changing his political enrollment in accordance with the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(m) Any registrar commissioner clerk assistant or employe of a commission or any other person who unlawfully destroys or attempts to destroy and card book paper affidavit or other record of the commission or who unlawfully removes or attempts to remove same from the office of the commission shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

Section 46 Effective Date Partial Invalidity Legislative Intent

(a) Except as otherwise provided therein this act shall become effective immediately upon its final enactment

(b) It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts therefor the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 47 Repeal of Prior Laws Proviso

(a) The act approved the first day of July one thousand nine hundred and thirty-five (P. L. 478) entitled "An act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors county commissioners registrars inspectors of registration and other appointees of county commissioners election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs peace officers treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties" is hereby repealed

(b) All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

(c) The repeal by this act of any act of Assembly

or part thereof shall not revive any act or part thereof heretofore repealed or superseded

(d) The provisions of this act shall not affect any act done or any suit or prosecutions pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such acts so repealed respecting any act done or omitted prior to such repeal

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Henney,	Mallery,	Ruth,
Cavalcante,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Shapiro,
Deitrick,	Howell,	Mundy,	Sipe,
DiSilvestro,	Jacobs,	Owlett,	Sones,
Ealy,	Jaspan,	Pytko,	Sordoni,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Thompson,
Gelder	Kunkel,	Rice,	Wolfenden,
Gilson,	Lanius,	Rodgers,	Woodward,
Haluska,	Law,	Rupp,	Huffman,

NAYS— 2

Chapman, Scarlett,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 672, as follows:

An Act to amend sections one two twelve and twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1260) entitled "An act regulating the business of assisting employers to obtain employes and persons to secure employment providing for the licensing registration bonding and regulation of certain individuals and entities engaged in such business conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties" defining employers and employes providing that the term "employment agent" as therein defined shall not include certain theatrical or entertainment producers and managers further regulating registers of employment agencies and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one two twelve and twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1260) entitled "An act regulating the business of assisting employers to obtain employes and persons to secure employment providing for the licensing registration bonding and regulation of certain individuals and entities engaged in such business conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties" are hereby amended to read as follows

Section 1 Definitions Be it enacted etc That the following terms shall unless the context otherwise indicates have the following respective meaning

(a) The term "employment agent" shall mean every person copartnership association or corporation engaged in the business of or maintaining an agency for assisting employers to secure employes and persons to secure employment of whatever nature or of collecting and furnishing information regarding employers seeking employes and persons seeking employment

(b) The term "secretary" shall mean the Secretary of Labor and Industry of the Department of Labor and Industry of this Commonwealth or his duly authorized deputy or representative

(c) The term "department" shall mean the Department of Labor and Industry of this Commonwealth

(d) The term "fee" means and includes any money or other consideration paid or promised to be paid for services rendered or to be rendered by any employment agent as above defined Such term includes any excess of money received by any such person over what has been paid out by him for the transportation transfer of baggage or board and lodging for any applicant for employment

(e) The term "persons" shall include persons associations copartnerships and corporations

(f) The term "employer" as used in this act means any person employing or seeking to employ any person for hire

(g) The term "employe" as used in this act means any person performing or seeking to perform work or service of any kind or character whatsoever for hire

Section 2 The term "employment agent" as used in this act shall not apply to

(a) Departments associations or bureaus which are maintained solely for persons in this Commonwealth for the purpose of obtaining employes for themselves or their members and which charge no fee to applicants for employment

(b) Theatrical [managers representatives or agents engaging talent for use in their own performances] or entertainment producers and managers assembling managing and directing their own performances at their own expense and who charge no commission or fees directly or indirectly

(c) Bureaus or agencies procuring employment for school teachers without charge

(d) Bureaus or agencies procuring employment for registered nurses without charge

(e) Employment bureaus maintained by this Commonwealth

(f) Employment bureaus maintained by the United States of America within this Commonwealth

(g) Employment bureaus or agencies maintained by any association of manufacturers within the Commonwealth for the purpose of obtaining employes for their members and which charge no fee to applicants for employment Provided however That persons excluded from licensure under this section shall register with the department as hereinafter provided

Section 12 Every employment agent shall keep a register or registers approved by the secretary in which shall be entered in the English language the date of any application for employment the name and address of the the applicant the amount of the fee received and whenever possible the names and addresses of former employers or persons to whom such applicant is known and the final disposition of the applicant's case and in case of applicants under twenty-one years of age for employment the age of the applicants and the names and addresses of parents or guardians a similar record of all applications of persons seeking employes the date of such application the kind of help required the names of the persons sent the record of the ones so sent if any who were employed as a result thereof the amount of the fee received and the rate of wages agreed upon No person shall make any false entry in such register

It shall be the duty of the employment agent whenever possible to communicate orally or in writing with at least one of the persons mentioned as reference by any applicant for work in private families or to be employed in a fiduciary capacity and the result of such investigation shall be kept on file in such agency Provided That if the applicant for help voluntarily waives in writing such investigation of references the employment agent shall not be required so to do

Section 24 Any person who violates any of the provisions of paragraphs (e) (f) (g) or (h) of section [twenty-three] twenty-two of this act shall be guilty of a misdemeanor and upon conviction thereof before a court of competent jurisdiction shall be sentenced to pay a fine of not less than one hundred dollars ($100) or more than one thousand dollars ($1,000) and costs of prosecution or undergo imprisonment in the county jail for a period of not more than one year or both at the discretion of the court

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Heyburn,	McCreesh,	Salus,
Cavalcante,	Homsher,	McGinnis,	Scarlett,
Dando,	Howell,	Mundy,	Shapiro,
Deitrick,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pytko,	Sones,
Ealy,	Kahle,	Rankin,	Sordoni,
Eroe,	Kilgallen,	Reed,	Stiefel,
Frey,	Kunkel,	Rice,	Thompson,
Gelder,	Lanius,	Rodgers,	Wolfenden,
Gilson,	Law,	Rupp,	Woodward,
Haluska,	Mallery,	Ruth,	Huffman,
Henney,			

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 788, as follows:

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by providing for a minimum fee for the valuation of life policies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" as amended by the act approved the seventh day of April one thousand nine hundred twenty-seven (Pamphlet Laws one hundred sixty-one) is hereby further amended to read as follows

Section 211 Fees The Insurance Commissioner shall charge and collect fees as follows For valuation of life-policies not exceeding one cent for each thousand dollars of insurance valuc but in no case shall the minimum fee be less than ten dollars ($10) for filing copy of charter twenty-five dollars for the filing annual or other statement twenty dollars for license to company association or exchange or certified copy or duplicate thereof two dollars for license as excess insurance broker one hundred dollars for license as insurance broker ten dollars for individual and twenty-five dollars for each license in the name of a copartnership or corporation including individual licenses for any duly qualified individuals without extra charge for officers or solicitors not exceeding three for agents' license for each domestic company association and exchange fifty cents for agents' license for each foreign company association and exchange two dollars for each copy of any paper filed in the department twenty cents per folio and one dollar for certifying the same for any other certificate required two dollars for making examinations the expense of the examination All fees collected shall be daily covered into the State Treasury

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz;

YEAS—47

Barthold,	Haluska,	Mallery,	Salus,
Cavalcante,	Henney,	McCreesh,	Scarlett,
Chapman,	Heyburn,	McGinnis,	Shapiro,
Dando,	Homsher,	Mundy,	Sipe,
Deitrick,	Howell,	Owlett,	Sones,
Dent,	Jacobs,	Pytko,	Sordoni,
DiSilvestro,	Jaspan,	Rankin,	Stiefel,
Ealy,	Kahle,	Reed,	Thompson,
Eroe,	Kilgallen,	Rice,	Wolfenden,
Frey,	Kunkel,	Rodgers,	Woodward,
Gelder,	Lanius,	Rupp,	Huffman,
Gilson,	Law,	Ruth,	

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 720, as follows:

An Act to amend sections fifty and seventy-two as amended subsection (b) of section one hundred ninety-one section two hundred twenty-six as amended sections two hundred twenty-eight and two hundred fifty-one and section two hundred eighty-five as amended of and to add sections two hundred eighty-two and two hundred eighty-three to the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by further regulating the taking of fish requiring certain persons to possess fishing licenses providing for and regulating the revocation of fishing licenses providing for the payment over of fines collected and the return of fines erroneously collected vesting certain

additional powers in the Board of Fish Commissioners eliminating certain restrictions on the use of license fees and regulating closed seasons on boundary lakes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section fifty of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the seventeenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1145) is hereby further amended to read as follows

Section 50 Devices to Catch Game-fish Bait-fish and Fish-bait No person shall use any device means or method whatsoever except as in this article otherwise provided for taking fish from the waters within this Commonwealth except the following that is to say for

(a) Game-fish two rods and two lines and one hand line with not more than three hooks attached to either line

(b) Bait-fish and fish-bait two rods and two lines with not more than three hooks attached to each line a dip-net or minnow seine not over four feet square or four feet in diameter a minnow trap with not more than one opening which shall not exceed one inch in diameter The rods hooks and lines must be under the immediate control of the person using the same

(c) Pickerel not more than five tip-ups when fishing only through a hole in the ice

[(c)] (d) It shall be unlawful to take or attempt to take fish of any kind by the methods known as snatch-fishing foul hooking or snag-fishing or the taking or fishing for fish with hook or hooks baited or otherwise attached to rod or line or other device for the taking of or fishing for fish with any device whatsoever which may be used to capture any fish by engaging such device into or with any part of the body of a fish

(e) Eels in rivers of this Commonwealth in addition to such rods and lines eel chutes from the first day of August to the last day of November in each year Sundays excepted but only from four o'clock in the afternoon to eight o'clock in the morning on such days when a special license therefor in addition to the regular fishing license has been first secured Eel chutes to be lawful shall not have any wings of netting of any kind or any cloth or wire netting but shall be constructed of wooden slats or lath which shall not be closer than one-half inch in the bottom Eel chutes shall not be more than five feet long and the width of entrance of an eel chute shall not be more than ten feet A metal tag issued at the time the special license is secured shall be securely fastened to the eel chute in a conspicuous place

No wing walls of stone or other material shall be constructed for more than three-fourths of the distance across any river The heads of no two wing walls when constructed side by side shall be closer together than a distance of twenty feet

All eel chutes must be kept free of rubbish and all game fish found therein must be immediately returned to the water of the river uninjured

During the hours of each day and on Sunday when the operation and use of eel chutes is not legal under this section a portion of the bottoms of such chutes shall be removed to facilitate the unobstructed passage of fishes

(f) It shall be unlawful to take or attempt to take fish of any kind by trolling from a moving boat electrically propelled or propelled by an internal combustion motor

Section 2 That section seventy-two of said act as amended by the act approved the seventeenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1145) is hereby further amended to read as follows

Section 72 Closed Season No person shall catch take or have in possession the same being killed any game-fish from the first day of [November] December to the [twenty-ninth day of May] fourteenth day of June next ensuing both dates inclusive

Provided however That pickerel may be caught and taken not exceeding the daily creel limits fixed by this act during the months of December and January but only when tip-ups are employed while fishing through holes in the ice.

Any person violating the provisions of sections seventy-one or seventy-two of this act shall on conviction in the manner provided in chapter fourteen of this act be subject to a penalty of five dollars for each and every fish caught killed or had in possession

In addition to such penalty the license of such person may be revoked for one year for the first offense and two or more years for the second offense at the discretion of the Board

Section 3 That subsection (b) of section one hundred ninety-one of said act which was added by the act approved the twenty-ninth day of May one thousand nine hundred and thirty-five (Pamphlet Laws 263) is hereby amended to read as follows

(b) Interference with Dams Deflectors and Retards Et Cetera Dams deflectors retards or similar devices placed across or in any [stream] waters inhabited by fish with permission of the owner or owners of the land adjacent thereto or through which such [stream] water flows shall not be destroyed removed breached or disturbed except by written permission first obtained from the board Any person or persons violating the provisions of this subsection shall on conviction as provided in chapter fourteen of this act be sentenced to pay a fine of ten dollars for each dam deflector retard or similar device destroyed or removed or breached or disturbed

Section 4 That section two hundred twenty-six of said act as amended by the act approved the tenth day of June one thousand nine hundred and thirty-five (Pamphlet Laws 296) is hereby further amended to read as follows

Section 226 Unlawful to Fish Without License No person shall angle or fish in any of the waters within or bounding on or adjacent to this Commonwealth unless the license hereinbefore provided be at such time continually kept about the person of the licensee and exhibited upon the request of any fish warden sheriff constable or other officer of the Commonwealth No person shall angle or fish in any of the waters within or bounding on or adjacent to this Commonwealth unless the license button be at such time continually displayed on the outer garment in such manner that the license figures are plainly visible

The provisions of this section shall not apply to a person holding a fishing license issued pursuant to the laws of the State of New York when fishing by angling in that portion of the waters of the Delaware River lying between New York and Pennsylvania within the jurisdiction of this State if the persons holding angling licenses issued pursuant to the provisions of this act when fishing by angling in the waters of the Delaware River lying between New York and Pennsylvania within the jurisdiction of the State of New York are not required to have New York licenses nor shall the provisions of this section apply to a person holding a fishing license issued pursuant to the laws of the State of Ohio when fishing by angling in the waters of the Pymatuning Lake or reservoir within the jurisdiction of this State if the person holding licenses issued pursuant to the provisions of this act when fishing by angling in the waters of said lake within the jurisdiction of the State of Ohio are not required to have Ohio licenses Provided however That where the persons doing such fishing shall fish from the bank on lands in Pennsylvania then a Pennsylvania license shall be required And provided further That where such fishing is done by persons residing in Pennsylvania whether permanently or only temporarily a Pennsylvania license shall be required

Section 5 That section two hundred twenty-eight of said act is hereby amended to read as follows

Section 228 Penalty Revocation of Licenses Period of Revocation Any person violating any provisions of this article shall on conviction in the manner provided in chapter fourteen of this act be sentenced for each offense to pay a fine of twenty-five dollars It shall be unlawful for

any person to obtain or use a fishing license during the period for which his license was revoked and any person violating this provision shall be subject to the penalty provided in this section In addition to [such] any penalty provided for any violation of this act the fishing license of any person convicted or signing an acknowledgment as hereinafter provided shall be void and the license and license button shall be surrendered by such person and immediately sent by the court making the conviction or the officer taking the acknowledgment to the [commissioner] board at Harrisburg In such cases and in cases where a person has been convicted of a violation of this act who does not possess a fishing license the board shall notify him of the time during which he shall not be eligible to possess a fishing license and during which period he may not apply for such a license but no such period shall exceed three years

Section 6 That section two hundred fifty-one of said act is hereby amended to read as follows

Section 251 Power of Commissioner and His Agent to Fish Rules and Regulations The Commissioner or his agent may catch fish in any of the waters of this Commonwealth at any season of the year and with any kind of nets or devices The Commissioner with the approval of the Board may promulgate such rules and regulations for the angling catching or removal of fish in or from any of the inland waters artificial or otherwise [wholly within] and the boundary lakes and boundary rivers of this Commonwealth as he may deem necessary To aid in the better protection of fish in any of the inland waters and boundary lakes and boundary rivers of this Commonwealth the Board may also reduce or increase open seasons and creel possession size and season limits or may close or open seasons as in its judgement may be necessary to conserve the future fish supply in any portion of the inland waters and boundary lakes and boundary rivers of this Commonwealth

To reduce or increase open seasons or creel limits or to open or close seasons for fishing in any portion of the inland waters or boundary lakes or boundary rivers of the Commonwealth the Board shall prepare and distribute such posters or notices as in its judgement may be necessary to give due notice of its regulations adopted hereunder

Any person violating any of said rules and regulations shall upon conviction as provided in chapter fourteen of this act be sentenced to pay a fine of twenty dollars

Section 7 That said act is hereby further amended by adding thereto after section two hundred eighty-one two new sections to read as follows

Section 282 Fines to be Forwarded to Commissioner All fines recovered in cases where the prosecutor is a salaried officer of the Commonwealth shall be immediately surrendered by the court receiving the same to the prosecutor who in turn as soon as may be shall forward or deliver such fines and penalties to the commissioner Where any officer of the Commonwealth other than a salaried officer is the prosecutor the fines and penalties shall as soon as the case is fully determined by any magistrate alderman or justice of the peace be forwarded by such magistrate alderman or justice of the peace to the commissioner at Harrisburg together with a statement of the cause for which such fines were collected the cost of which statement is hereby fixed at fifty cents and made a part of the costs of prosecution All fines received by the commissioner shall be paid into the State Treasury monthly by and through the Department of Revenue for the use of the fish fund

Sworn statements of all fines and penalties so collected and all bail forfeited shall also be made by the magistrate alderman or justice of the peace imposing or receiving the same to the commissioner upon form furnished by the Department of Revenue such reports shall be made monthly not later than the tenth day of the following month

Any magistrate alderman or justice of the peace who shall fail to make such monthly reports and returns or either of them shall be guilty of a misdemeanor in office and upon conviction thereof in a Court of Quarter Sessions shall be sentenced to pay a fine of one hundred dollars and costs of prosecution or undergo imprisonment for not more than sixty days or suffer both such fine and imprisonment

Section 283 Return of Fine Erroneously Paid Whenever the board is satisfied that any fine paid into the State Treasury under the provisions of this act was erroneously collected and deposited the board within six months after such deposit may by resolution direct the commissioner to draw a requisition upon the fund into which fund such fine was deposited for the amount involved Upon the receipt of such requisition and an extract of the minutes of the board the Auditor shall draw his warrant upon the State Treasurer in favor of the person from whom such fine was erroneously collected

Section 8 That section two hundred eighty-five of said act as last amended by the act approved the twenty-eighth day of May one thousand nine hundred and thirty-five (Pamphlet Laws 205) is hereby amended to read as follows

Section 285 Fish License Fund Established All fees fines penalties and other moneys paid received recovered and collected (a) under the provisions of any law repealed and replaced by this act now held in the State Treasury as a fund or any part of a fund separate and apart from the various purposes designated by law or (b) that may be hereafter paid recovered received and collected under the provisions of any act repealed and replaced by this act or (c) that may be paid received recovered and collected under the provisions of this act shall be placed in a separate fund by the State Treasurer to be known as "The Fish Fund" and shall be used solely for the payment of all expenses incurred by the Department of Revenue in procuring issuing or supervising the issuance of resident and non-resident fishing licenses and license buttons and under the direction of the board for the following purposes

(a) The payment of the salaries wages or other compensation of the Commissioner of Fisheries such deputies directors superintendents bureau or division chiefs experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticans clerks stenographers bookkeepers messengers fish wardens laborers and other assistants and employes as may be required for the work of the board and such special deputy attorneys general assistant deputy attorneys general as may be assigned by the Attorney General to the board or for handling any legal business pertaining to its work

(b) The payment of the traveling and other expenses of the members officers and employes of the Board of Fish Commissioners

(c) The purchase through the Department of Property and Supplies as purchasing agency of such furniture furnishings stationery supplies materials equipment fuel motor vehicles and printing and binding as may be necessary in the conduct of the work of the board and the payment of premiums on surety bonds for such officers or employes of the board as may be required to furnish them policies of Workmen's Compensation Insurance and policies of liability insurance covering the aforesaid motor vehicles and persons operating same which bonds or insurance policies shall have been contracted for by the Department of Property and Supplies as agent of the board

(d) The payment of postage telegrams telephone rentals telephone toll charges and rentals for patented leased office devices or machines

(e) Rentals for any offices outside of the Capitol Buildings or any other grounds buildings or quarters necessary for the work of the board

(f) The propagation protection and distribution of fish and the stocking of waters within this Commonwealth as provided by law

(a) Necessary repairs and improvements to fish hatcheries or other buildings offices or quarters used in the work of the board

(h) Field work gathering spawn and transferring fish

(i) The maintenance and operation of a boat on Lake Erie and the cruiser "Anna" at Torresdale on the Delaware River and

(j) Any contingent incidental or other expenses of any kind or description reasonably necessary in carrying on the work of the board

(k) With the consent of the Governor for the purchase of lands and waters and for the impounding of waters and to make the same available for use by the citizens of the Commonwealth for fishing hunting and forest purposes and said lands and waters so purchased shall be under the supervision direction and control of the board and

(l) The purchase and acquisition of additional lands for State fish hatcheries the purchase acquisition and erection of buildings ponds and other extensions incidental to fish hatcheries and for the propagation and protection of fish and hatcheries hereafter established and for the distribution of fish from hatcheries and the stocking of waters within this Commonwealth [All moneys received from license fees in any fiscal year in excess of three hundred and fifty thousand ($350,000) dollars shall be expended solely and exclusively for the purposes set forth in this clause]

All moneys in such separate fund from time to time are hereby specifically appropriated to the Department of Revenue and the board and may be expended for the purposes hereinbefore enumerated All printing buttons and other supplies or materials purchased by the Department of Revenue for the purpose of performing its duties under the provisions of this act shall be purchased through the Department of Property and Supplies as purchasing agency

Estimates of the amounts to be expended under this act from time to time by the Department of Revenue and the Board of Fish Commissioners respectively shall be submitted to the Governor for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor any requisition for the expenditure of any moneys out of this appropriation by the Department of Revenue or by the Board of Fish Commissioners in excess of the estimates approved by the Governor Subject to the foregoing provisions the Auditor General shall from time to time upon requisition of the Secretary of Revenue or of the Commissioner draw his warrant on the State Treasurer for the amount specified in such requisition not exceeding however the amount in such fund at the time of making such requisition

Section 9 This act shall become effective immediately upon its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barthold,	Haluska,	Mallery,	Salus,
Cavalcante,	Hennev	McCreesh,	Scarlett,
Chapman,	Heyburn,	McGinnis,	Shapiro,
Dando,	Homsher,	Mundy,	Sipe,
Deitrick,	Howell,	Owlett,	Sones,
Dent,	Jacobs,	Pytko,	Sordoni,
DiSilvestro,	Jaspan,	Rankin,	Stiefel,
Ealy,	Kahle,	Reed,	Thompson,
Eroe,	Kilgallen,	Rice,	Wolfenden,
Frey,	Kunkel,	Rodgers,	Woodward,
Gelder,	Lanius,	Rupp,	Huffman,
Gilson,	Law,	Ruth,	

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 868, as follows:

An Act to amend section three hundred and fifty-four of the Act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" to include contracts pertaining to pure endowments and annuities policies of fire marine and title insurance and contracts issued by assessment insurance corporations and all other forms of insurance contracts issued in Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and fifty-four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds Associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 354 Prohibiting the use of policies contracts etc unless approved Penalty It shall be unlawful for any insurance company association or exchange doing business in this Commonwealth to issue sell or dispose of any policy contract or certificate covering life health accident personal liability fire marine title and all forms of casualty insurance or contracts pertaining to pure endowments or annuities or any other contracts of insurance or use applications riders or endorsements in connection therewith until the forms of the same have been submitted to and formally approved by the Insurance Commissioner and copies filed in the Insurance Department except riders and endorsements relating to the manner of distribution of benefits and to the reservation of rights and benefits under any such policy and used at the request of the individual policyholder and except any form which in the opinion of the Insurance Commissioner do not require his approval

Such approval granted by the Insurance Commissioner shall become void upon any subsequent notice from the Insurance Commissioner or upon any subsequent withdrawal of license or refusal of the Insurance Commissioner to relicense any such company association or exchange or upon the subsequent passage of an act which would no longer make such contracts or related forms a fit subject for approval except that this provision shall not affect contracts issued prior thereto

Any person corporation insurance company exchange order or society that shall either as principal or agent issue or cause to be issued any policy or contract of insurance within the Commonwealth contrary to this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00)

The amendments to this section shall not be construed as extending the provisions of this section to domestic mutual fire insurance companies not heretofore subject to the provisions hereof

Upon satisfactory evidence of the violation of this section by any such person corporation insurance company exchange order or society the Insurance Commissioner may

in his discretion pursue any one or more of the following courses of action (1) Suspend or revoke the license of such offending person corporation insurance company exchange order or society (2) refuse for a period of not to exceed one year thereafter to issue a new license to such person corporation insurance company exchange order or society (3) impose a fine of not more than one thousand dollars ($1,000.00) for each and every act in violation of this act When the Insurance Commissioner shall take action in any of the ways above recited the person corporation insurance company exchange order or society aggrieved may appeal therefrom to the Court of Common Pleas of Dauphin County

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreebaly to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barthold,	Haluska,	Mallery,	Salus,
Cavalcante,	Henney,	McCreesh,	Scarlett,
Chapman,	Heyburn,	McGinnis,	Shapiro,
Dando,	Homsher,	Mundy,	Sipe,
Deitrick,	Howell,	Owlett,	Sones,
Dent,	Jacobs,	Pytko,	Sordoni,
DiSilvestro,	Jaspan,	Rankin,	Stiefel,
Ealy,	Kahle,	Reed,	Thompson,
Eroe,	Kilgallen,	Rice,	Wolfenden,
Frey,	Kunkel,	Rodgers,	Woodward,
Gelder,	Lanius,	Rupp,	Huffman,
Gilson,	Law,	Ruth,	

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 932, as follows:

An Act To provide for an additional law judge of the Court of Common Pleas in the twenty-first judicial district

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the judges provided for in the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred sixty-seven) entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts" an additional law judge is hereby authorized and provided for the Court of Common Pleas of the twenty-first judicial district who shall possess the same qualifications which are required by the Constitution and laws for the president judge of said district and who shall hold his office for a like term and by the same tenure and shall have the same power authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive the same compensation provided for by law for judges learned in the law of the courts of said judicial district

Section 2 At the next municipal election after the passage of this act the qualied electors of the said twenty-first judicial district shall elect in the same manner prescribed by law for the election of a president judge a competent person learned in the law to serve as said additional law judge of the Court of Common pleas of said twenty-first district from the first Monday in January one thousand nine hundred and thirty-eight for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filed in the same manner as is required by law in case of a similar vacancy in the office of president judge

Section 3 The Governor is hereby authorized to appoint one competent person learned in the law as such additional law judge of the Court of Common Pleas of the said twenty-first judicial district to serve until the first Monday of January succeeding the next municipal election

Section 4 This act shall become effective immediately upon its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Barthold,	Henney,	McCreesh,	Rupp,
Cavalcante,	Jacobs,	McGinnis,	Ruth,
Dando,	Jaspan,	Mundy,	Shapiro,
Dent,	Kahle,	Pytko,	Sipe,
DiSilvestro,	Kilgallen,	Rankin,	Sones,
Eroe,	Kunkel,	Reed,	Stiefel,
Frey,	Lanius,	Rice,	Thompson,
Gilson,	Law,	Rodgers,	Huffman,
Haluska,			

NAYS—13

Chapman,	Heyburn,	Owlett,	Scarlett,
Deitrick,	Homsher,	Pierson,	Wolfenden,
Ealy,	Mallery,	Salus,	Woodward,
Gelder			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1013, as follows:

An Act for the protection of producers of farm produce providing for the licensing the bonding or holding collateral of and the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the folowing words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

(a) "Dealer in farm produce" means any person association copartnership or corporation engaged in the business of buying receiving selling exchanging negotiating or solicting the sale resale exchange or transfer of any farm produce and includes every person association copartnership or corporation receiving or purchasing farm produce on consignment or on a net return basis

(b) "Department" means the Department of Agriculture of this Commonwealth

(c) "Farm produce" includes all agricultural horicultural vegetable fruit and floriculture products of the soil poultry eggs nuts flowers and honey but shall not include timber products tea coffee or livestock

(d) "Net return basis" means a purchase for sale of farm produce from a producer or shipper at an unfixed or unstated price at the time the produce is shipped from

the point of origin and it shall include all purchases made "at the market price" "at net worth" and on similar terms which indicate that the buyer is the final arbiter of the price to be paid

(e) "On consignment" means any receiving or sale of farm produce for the account of a person other than the seller wherein the seller acts as the agent for the owner

(f) "Producer" means any producer of farm produce in this Commonwealth

Section 2 The provisions of this act shall not apply to

(a) The sale of farm produce for cash cash to mean settlement in full on or before delivery

(b) Farmers who sell farm produce raised by themselves or who at the time of such sales sell farm produce raised by their neighbors on behalf of such neighbors

(c) Seeds sold at retail

(d) Agricultural cooperative associations which market farm produce for their members

Section 3 On and after December thirty-first one thousand nine hundred and thirty-seven it shall be unlawful for any dealer in farm produce to engage in business in this Commonwealth unless he or it shall hold a license issued by the department as provided in this act

Section 4 Every dealer in farm produce desiring to transact business within this Commonwealth shall annually on or before December first file an application for such license with the department The application shall be on a form furnished by the department and together with such other information as the department shall require shall state

(a) The kind or kinds of farm produce which the applicant proposes to handle

(b) The full name or title of the applicant or if the applicant be an association or copartnership the name of each member of such association or copartnership or if the applicant be a corporation the name of each officer of the corporation

(c) The names of the local agent or agents of the applicant if any

(d) The cities boroughs towns and townships within which places of business of the applicant will be located together with the street or mailing address of each

Section 5 Unless the department refuses the application on one or more of the grounds hereinafter provided it shall issue to such aplicant upon the payment of proper fees and the execution and delivery of a bond as hereinafter provided a license entitling the applicant to conduct business as a dealer in farm produce at each place named in the application until the thirty-first day of December in the year next following The fee for such license shall be ten dollars ($10.00) for each place of business which the applicant desires to conduct and names in the application

Section 6 Before any license shall be issued the applicant therefor shall make and deliver to the department a surety bond in the amount of at least three thousand dollars ($3,000) or in such greater amount as the department may determine not exceeding the maximum amount of business done or estimated to be done in any month by the applicant executed by a surety corporation authorized to transact business in this Commonwealth to the Commonwealth of Pennsylvania to the use of producers of farm produce handled by the applicant Such bond shall be upon a form prescribed or approved by the department and shall be conditional to secure the faithful accounting for and payment to producers of the proceeds of all farm produce handled or sold by such dealer Actions or suits upon the appropriate bond may be brought directly by any producer his representatives successors or assigns to whom the principal named in such bond has failed to render a naccount or to make payment for farm produce in any court of competent jurisdiction to recover for any loss or damage resulting from such breach of the condition of such bond Provided however That in lieu of such bond the department may accept and hold sufficient collateral of the applicant which shall in all respects be subject to the same claims and actions as would exist against the bond And provided further That if the bond or colateral thus posted shall be insufficient to pay in full the valid claims of producers the department may direct that the proceeds of such bond or collateral shall be divided pro rata among such producers

Section 7 Every dealer in farm produce shall upon the receipt of farm produce for which payment is not made on delivery and as he handles and disposes of the same make and preserve f roat least two years a record thereof specifying the name and address of the producer consigning such farm produce the date of receipt the kind and quality of such produce the amount of goods sold the name and address of the purchaser except that where sales total less than five dollars ($5.00) in value such sales may be made to order of "cash" the selling price thereof and the items of expenses connected therewith An "account sales" together with payment in settlement for said shipment shall be mailed to the producer within forty-eight hours after the sale of such farm produce unless otherwise agreed in writing

Section 8 The department shall have power to investigate upon complaint in such form as it may require of an interested persons or upon its own initiative the record of any applicant or license or any transaction involving the solicitation receipt sale or attempted sale of farm produce the failure to make proper and true accounts and settlements at prompt and regular intervals the making of false statements as to condition quality or quantity of goods received or while in storage the making of false statements as to market conditions with intent to deceive or the failure to make payment for goods received or other alleged injurious transactions For such purposes the department may examine at the place or places of business of the applicant or licensee his ledgers books of accounts memoranda and other documents which relate to the transaction involved and may take testimony thereon under oath

Section 9 The department may decline to grant a license or may suspend or revoke a license already granted if it is satisfied that the applicant or licensee has either

(1) Suffered a money judgment to be entered against him upon which execution has been returned unsatisfied or

(2) Made false charges for handling or services rendered or

(3) Failed to account promptly and properly or to make settlements with any producer or

(4) Made any false statement or statements as to condition quality or quantity of goods received or held for sale when he could have ascertained the true condition quality or quantity by reasonable inspection or

(5) Made any false or misleading statement or statements as to market conditions or service rendered or

(6) Been guilty of a fraud in the attempt to produce or the procurement of a license or

(7) Directly or indirectly purchased farm produce received on consignment or on a net return basis for his own account without prior authority from the producer consigning the same or without notifying such producer

Section 10 Before the department shall refuse suspend or revoke any license it shall give ten days' notice by registered mail to the applicant or licensee of a time and place of hearing At such hearing the applicant or licensee shall be privileged to appear in person or by or with counsel and to produce witnesses If the department shall find the applicant or licensee shall have been guilty of any of the acts provided in section nine of this act the department may refuse suspend or revoke such license and shall give immediate notice of its action to the applicant or licensee

Section 11 Any applicant or licensee aggrieved by any decision of the department shall have the right of appeal therefrom within thirty days from the date of notice to the Court of Common Pleas of Dauphin County

From a decision of the Court of Common Pleas of Dauphin County an appeal may be taken by either party to the Superior or Supreme Court of Pennsylvania as in other cases

No appeal shall act as a supersedeas but pending final disposition of an appeal under this section the department may for special cause shown grant in writing temporary permission revocable at any time and subject to such terms and conditions as the department may prescribe to transact business as a dealer in farm produce but unless

such permission be granted any applicant to whom a license has been refused and any licensee whose license has been revoked by the department who shall do business as a dealer in farm produce shall be liable therefor to the same extent as if no application had been filed

Section 12 Any dealer in farm produce violating the provisions of section three of this act or interfering with an agent of the department in the enforcement of this act shall for the first or second offense upon conviction in a summary proceeding be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than three hundred dollars ($300.00) and costs of prosecution and in default of payment of such fine and costs shall be sentenced to undergo imprisonment in the county jail for a period not exceeding sixty (60) days and for a third or subsequent offense shall be guilty of a misdemeanor and shall upon conviction thereof be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000) or to undergo imprisonment not exceeding one year or both in the discretion of the court

Section 13 The Attorney General at the request of the department may in the name of the Commonwealth institute proceedings in equity in the Court of Common Pleas of Dauphin County for the purpose of enjoining the conduct of business in this Commonwealth contrary to the provisions of this act and for such purpose jurisdiction is hereby conferred upon said court In such case the Attorney General shall not be required to give bond

Section 14 The Department shall enforce and shall adopt rules and regulations deemed necessary to carry out the provisions of this act

Section 15 All moneys received from license fees and fines shall be immediately paid by the department into the State Treasury through the Department of Revenue and credited to the General Fund

Section 16 The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect the validity of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barthold,	Heyburn,	Mundy,	Ruth,
Cavalcante,	Jacobs,	Owlett,	Shapiro,
Dando,	Jaspan,	Pytko,	Sipe,
Dent,	Kahle,	Rankin,	Sones,
DiSilvestro,	Kilgallen,	Reed,	Stiefel,
Eroe,	Kunkel,	Rice,	Thompson,
Frey,	Law,	Rodgers,	Wolfenden,
Gilson,	Mallery,	Rupp,	Huffman,
Henney,	McGinnis,		

NAYS—8

Buckman,	Deitrick,	Gelder,	Pierson,
Chapman,	Ealy,	Homsher,	Salus,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1034, as follows:

A Supplement to the Act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws 198) entitled "An Act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" increasing the powers now exercised by the judges of said court and making the judges of the County Court in and for the County of Allegheny available for use in other courts in the same judicial district

Section 1 (a) Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the powers now possessed and exercised by the judges of the County Court in and for the County of Allegheny said judges shall when called upon by the president judge of the Court of Common Pleas of the same judicial district as hereinafter provided have power to hear and determine when certified according to the provisions of Clause (b) of this section all pleas or criminal issues and all issues and other matters in the Court of Oyer and Terminer and General Jail Delivery and the Court of Quarter Sessions of the Peace for said judicial district so fully and effectually and to dispose thereof in the same manner as may be done by the judges of the Court of Common Pleas sitting in said courts

(b) Nothing in this section shall be construed to make it compulsory upon the judges of said County Court to render the services aforesaid but when the proper dispatch of business requires it and an arrangement can be made with the president judges of said County Court in and for the County of Allegheny for the services of a judge or judges of said County Court in and for the County of Allegheny the president judge of the Court of Common Pleas of the same judicial district may certify all matters or issues to be heard and determined by such judge or judges of the County Court in and for the County of Allegheny specially serving as aforesaid

(c) Whenever either of the president judges of the Court of Common Pleas or of the County Court in and for the County of Allegheny shall be absent from the district or disabled by sickness and occasion shall occur it shall be competent for the judge oldest in commission in either of said courts being then in the district and able to act to arrange for the services herein provided for and to make the necessary certificates in like manner and to the same intent effect and purpose as the same could be done by said president judge

(d) No judges of the County Court in and for the County of Allegheny who shall render services as herein provided shall receive any extra compensation or renumeration for such services in addition to the salary provided for the services of such judge as a judge of the County Court in and for the County of Allegheny

Section 2 The provisions of this act shall become effective immediately upon final enactment

Section 3 All acts or parts of acts which are inconsistent herewith shall be and the same are hereby repealed

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Haluska,	Mallery,	Ruth,
Buckman,	Henney,	McCreesh,	Salus,
Cavalcante,	Heyburn,	McGinnis,	Scarlett,
Chapman,	Homsher,	Mundy,	Shapiro,
Dando,	Jacobs,	Owlett,	Sipe,
Deitrick,	Jaspan,	Pierson,	Sones,
Dent,	Kahle,	Rankin,	Stiefel,
DiSilvestro,	Kilgallen,	Reed,	Thompson,
Ealy,	Kunkel,	Rice,	Wolfenden,
Eroe,	Lanius,	Rodgers,	Woodward,

Gelder, Law, Rupp, Huffman,
Gilson,

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL OVER IN ORDER

Mr. GILSON. Mr. President, I ask unanimous consent that Senate Bill No. 776 on final passage entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by modifying the procedure for the sale of unserviceable property and enlarging the scope of the appropriation of the Manufacturing Fund clarifying the provisions pertaining to the furnishing of State automobiles from the temporary fleet authorizing the purchase of liability insurance covering State officers or employes operating vehicles loaned by the Federal government prohibiting contractors with the Commonwealth from requiring or receiving refunds of parts of any premium wage or wages required by their contract to be paid to their employes providing for the demolition or destruction of certain military stores in certain cases authorizing the transfer of surplus products between State institutions further defining the working hours and duties of State employes amplifing the supervision of the Department of Welfare over inmates in, and the transfer of inmates from State penal and correctional institutions empowering the Department of Welfare to enforce compliance with its orders to remedy unfavorable conditions in State and supervised institutions eliminating the office of business manager in State institutions under the Department of Welfare authorizing the Department of Welfare to fix and establish service charges at State-owned medical and surgical hospitals authorizing the Department of Property and Supplies to establish standards for the operation of certain State equipment and to make periodical surveys of the buildings equipment land and improvements of State institutions further modifying and regulating the procedure to be followed for construction projects making further provision of bid performance bonds bidders for State contracts extending the scope of the work of the State Park Commission further regulating purchase made directly by departments boards and commissions requiring counties to pay compensation and expenses of special attorneys in criminal cases authorizing the Governor to grant commissions requiring counties to pay compensation and expenses of special attorneys in criminal cases authorizing the Governor to grant commissions to State pilots providing for the disposal of accumulated files of papers no longer needed or useful in the Commonwealth providing for the promulgation of rules and regulations by and enlarging the powers of the Department of Forests and Waters and the Water and Power Resources Board further regulating the maximum price that may be paid for land acquired for State forestry purposes prescribing the membership and powers and duties of the State Park Commission creating and prescribing the powers and duties of Regional State Park Boards eliminating the limitation on the amount per acre that may be paid for land acquired for State park purposes eliminating the Board of Game Commissioners and extending the provisions of the Code to its successor the Pennsylvania Game Commission eliminating the Public Service Commission of the Commonwealth of Pennsylvania and extending the provisions of the Code to its successor the Pennsylvania Public Utility Commission transferring the State Athletic Commission from the Department of Military Affairs to the Department of Revenue and the State Board of Undertakers from the Department of Public Instruction to the Department of Health eliminating the State Aeronautics Commission the Pennsylvania Alcohol Permit Board and the Board of Trustees of Cumberland Valley State Institution for Mental Defectives and the Anatomical Board and generally further reorganizing and clarifying the conduct of the administrative work of the Commonwealth

go over in its order.

The PRESIDENT. Is there objection. The Chair hears none.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 1152 as follows:

An Act to amend section twenty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" by authorizing the orphans' court to conduct jury trials to determine issues awarded by it and regulating the procedure and appeals in such cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" is hereby amended by adding at the end thereof a new subdivision to read as follows

Section 21

(d) In any case where the orphans' court may deem it expedient or shall be required to send an issue to the court of common pleas for the trial of facts by a jury the orphans' court or a judge thereof may in its or his discretion draw a jury and a judge of said court shall preside at the trial of said issue The panel of jurors drawn for service in the common pleas court of the county in which the orphans' court is located shall be available for such services in the orphans' court when required and in counties where there is a separate orphans' court the orphans' court and the courts of common pleas of said county shall by appropriate rules provide for and regulate the manner in which the jurors shall be made available and sent to the orphans' court when required for the trial of issues therein

Unless and until the orphans' court otherwise directs the appropriate rules of the common pleas courts of said county shall apply to jury trials of issues in the orphans' court and matters relating to such trials shall be heard and disposed of by the orphans' court

The entry of judgments in such cases shall have the same force and effect and be subject to appeals in the same manner as appeals in like cases are now taken in the common pleas courts from judgments on issues certified by the orphans' court except that only one appeal shall be taken and that shall be from the final decress of the orphans' court upon which appeal all alleged errors

may be assigned whether arising in the jury trial or otherwise

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Gelder,	Lanius,	Rodgers,
Buckman,	Gilson,	Law,	Ruth,
Cavalcante,	Haluska,	Mallery,	Salus,
Chapman,	Henney,	McCreesh,	Shapiro,
Dando,	Heyburn,	McGinnis,	Sipe,
Deitrick,	Homsher,	Mundy,	Sones,
Dent,	Jacobs,	Owlett,	Stiefel,
DiSilvestro,	Jaspan,	Pierson,	Thompson,
Ealy,	Kahle,	Rankin,	Wolfenden,
Eroe,	Kilgallen,	Reed,	Huffman,
Frey,	Kunkel,	Rice,	

NAYS— 1

Rupp,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RESOLUTION RECALLING FROM THE HOUSE SENATE BILL NO. 638.

Mr. RUTH offered the following resolution which was twice read considered and agreed to:

In the Senate, May 19, 1937

Resolved (If the House of Representatives concur) That Senate Bill No. 638, Printer's No. 297 entitled:

An Act to further amend section four of the act, approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for the transportation of pupils to and from consolidated schools" by making certain changes in the provisions for reimbursements by the Commonwealth.

be recalled from the House for the purpose of further amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL ON THIRD READING

Mr. DiSILVESTRO. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 955, on final passage postponed, on page 7 of today's calendar.

Mr. DANDO. Mr. President, I second the motion.

The motion was agreed to

And the question recurring

Shall the bill pass finally?

Mr. DiSILVESTRO. Mr. President I move to reconsider the vote by which the bill passed third reading.

Mr. DANDO. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring

Will the Senate agree to the bill on third reading?

Mr. DiSILVESTRO. Mr. President I ask unanimous consent to

amend line 1 of the title by inserting between the words "class" and "to" the following with the consent of the Water and Power Resources Board of the Commonwealth of Pennsylvania

Amend page 2, section 2, line 20 by inserting between the words "authority" and "to" the following with the consent of the Water and Power Resources Board of the Commonwealth of Pennsylvania

Amend page 5, section 9, line 27 by inserting between the words "power" and "to" the following with the consent of the Water and Power Resources Board of the Commonwealth of Pennsylvania

Amend page 8, section 9, line 4 by inserting between the words "and" and "with" the following with the consent of the Water and Power Resources Board of the Commonwealth of Pennsylvania

The PRESIDENT, Is there objection?

Mr. OWLETT. Mr. President, I would like to ask the Senator from Philadelphia, Mr. DiSilvestro, what the amendments are?

Mr. DiSILVESTRO. Mr. President, the amendments give the rights to the Bureau of Water Power and Resources of the State to give Philadelphia its consent to invade the territories of the State for the purpose of getting water.

Mr. OWLETT. Mr. President, as I understand it, this bill has been amended to prevent Philadelphia taking the municipal water works in condemnation proceedings, and I would like to know whether these amendments now take away that amendment?

Mr. DiSILVESTRO. Mr. President, no, in fact it gives powers to the Bureau of Water Power and Resources of the Commonwealth of Pennsylvania to give their consent, they must have their consent.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 20, entitled:

An Act to prohibit certain advertising intoxicating liquors and intoxicating beverages and providing penalties and for the revocation of licenses and permits

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution.

Mr. RUPP. Mr. President, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—23

Barthold,	Gilson,	Law,	Sipe,
Chapman,	Henney,	Pytko,	Sones,
Dando,	Heyburn,	Reed,	Stiefel,
DiSilvestro,	Jaspan,	Rice,	Thompson,
Ealy,	Kahle,	Rodgers,	Wolfenden,
Eroe,	Kunkel,	Shapiro,	

NAYS—18

Buckman,	Howell,	McGinnis,	Huffman,
Cavalcante,	Jacobs,	Pierson,	Pres. Pro Tem.
Dent,	Kilgallen,	Rankin,	
Frey,	Lanius,	Rupp,	
Homsher,	Mallery,	Ruth,	

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 83, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barthold,	Henney,	Mallery,	Rupp,
Buckman,	Heyburn,	McCreesh,	Ruth,
Cavalcante,	Homsher,	McGinnis,	Salus,
Chapman,	Howell,	Mundy,	Shapiro,
Deitrick,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gilson,	Lanius,	Rice,	Huffman,
Haluska,	Law,	Rodgers,	Pres. Pro Tem.

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 127, entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School for Medicine

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barthold,	Henney,	Mallery,	Rupp,
Buckman,	Heyburn,	McCreesh,	Ruth,
Cavalcante,	Homsher,	McGinnis,	Salus,
Chapman,	Howell,	Mundy,	Shapiro,
Deitrick,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gilson,	Lanius,	Rice,	Huffman,
Haluska,	Law,	Rodgers,	Pres. Pro Tem.

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 561, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barthold,	Henney,	Mallery,	Rupp,
Buckman,	Heyburn,	McCreesh,	Ruth,
Cavalcante,	Homsher,	McGinnis,	Salus,
Chapman,	Howell,	Mundy,	Shapiro,
Deitrick,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gilson,	Lanius,	Rice,	Huffman,
Haluska,	Law,	Rodgers,	Pres. Pro. Tem.

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

The PRESIDENT. Senate Bill No. 572, on third reading, entitled:

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield and making an appropriation

is not up from the printer and will go over in its order.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 575 (House Bill No. 602), entitled:

An Act to amend section one thousand one hundred and two or the act approved the twenty-third day of June one thousand nine hundred and thirty-nine (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" empowering directors of departments to appoint persons employed in their departments and assigning the fire department to the department of public safety.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED

Mr. KUNKEL. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. LAW. Mr. President, I second the motion.

On the question

Will the Senate agree to the motion?

Mr. MUNDY. Mr. President, I desire to interrogate the Senator from Dauphin, Mr. Kunkel?

The PRESIDENT. Will the Senator from Dauphin, Mr. Kunkel, permit himself to be interrogated?

Mr. KUNKEL. Mr. President, I will.

Mr. MUNDY. Mr. President, will the Senator from Dauphin, Mr. Kunkel, state his purpose in moving to place this bill on the postponed calendar?

Mr. KUNKEL. Mr. President, this bill affects third class cities, and transfers the fire department from one department of the city to another. I have not yet ascertained the entire effects of this bill, but I understand informally, that the purpose back of the bill, was purely a purpose to make a change in one third class city, and that there was a personal motive back of that. Now this bill affects other third class cities and I would like an opportunity to determine the effect.

Mr. MUNDY. Mr. President, does the Senator know that in the law, the Department of Police is already placed under the control of the Mayor of the City.

Mr. KUNKEL. Mr. President, yes.

Mr. MUNDY. Mr. President, does the Senator object to the police being a fixed quantity in the Mayor's department?

Mr. KUNKEL. Mr. President, I would not like to answer that unless I investigate the matter thoroughly.

The PRESIDENT. May the Chair suggest that the bill go over in its order, to save time.

Mr. KUNKEL. Mr. President, I withdraw my motion.

Mr. RUTH. Mr. President, I withdraw my second.

BILL OVER IN ORDER

The PRESIDENT. Is there objection to the bill going over in its order? The Chair hears none.

BILL RECOMMITTED

Mr. MUNDY. Mr. President, I move that Senate Bill No. 602, on third reading, entitled:

An Act to amend section six and sections eleven and eighteen as amended of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" further regulating the administration of such Fund the fixing of premiums payable by subscribers the distribution of unexpended balances to subscribers the collection of accounts against subscribers and providing for the giving of certified copies of the records of the Fund showing liens against subscribers and fixing fees therefor

be recommitted to the Commitee on Insurance

Mr. KILGALLEN. Mr. President, I second the motion.

On the question

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, this bill was reported from committee with the understanding that if there was any serious objections to it, upon the interest, an opportunity should be given for them to be heard. For that purpose I move that this bill be recommitted to the Committee on Insurance. I understand a hearing will be given tomorrow at 12 o'clock.

Mr. KILGALLEN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I understand a hearing morrow at 12 o'clock.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 629, entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-nine) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas prothonotaries of such courts recorders of deeds and certain state departments commissions and officers authorizing certain local public officers and state departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" further regulating the incorporation of non-profit corporations regulating and extending and restricting in certain cases the rights responsibilities authority and powers of such corporations and of the members thereof and the creation rights powers and qualifications of the officers thereof further providing for and regulating the merger or consolidation and the dissolution of such corporations and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Haluska,	Law,	Rodgers,
Buckman,	Henney,	Mallery,	Rupp,
Cavalcante,	Heyburn,	McCreesh,	Ruth,
Chapman,	Homsher,	McGinnis,	Salus,
Dando,	Howell,	Mundy,	Shapiro,
Deitrick,	Jacobs,	Owlett,	Sipe,
Dent,	Jaspan,	Pierson,	Sones,
DiSilvestro,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey	Kunkel,	Reed,	Wolfenden,
Gelder,	Lantus,	Rice,	Huffman,
Gilson,			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 630, entitled:

An Act to further amend the act approved the fifth day,

of May one thousand nine hundred and thirty-three (Pamphlet Laws three hundred sixty-four) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain state departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for service required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" redefining authorized capital stock eliminating certain approvals of articles of incorporation and certificates of authority and further regulating the incorporation of business corporations and the amendments to the articles thereof regulating and extending the rights responsibilities authority powers and immunities of such corporations and of reorganized corporations and of the shareholders thereof and the rights powers qualifications and compensation of the officers thereof providing for certificates of approval by the Department of State further providing for and regulating the merger or consolidation and dissolution of such corporations and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barthold,	Gilson	Law,	Rodgers,
Buckman,	Haluska,	Mallery,	Rupp,
Cavalcante,	Henney,	McCreesh,	Ruth,
Chapman,	Heyburn,	McGinnis,	Salus,
Dando,	Homsher,	Mundy,	Shapiro,
Deitrick,	Howell,	Owlett,	Sipe,
Dent,	Jacobs,	Pierson,	Sones,
DiSilvestro,	Jaspan,	Pytko,	Stiefel,
Ealy,	Kahle,	Rankin,	Thompson,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Huffman,
Gelder,	Lanius,		Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question as determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 641, entitled:

An Act declaring certain rights grants and privileges in the beds of navigable waters within and on the boundaries of this Commonwealth void vesting power in the Department of Forests and Waters the Water and Power Resources Board and the Pennsylvania State Park and Harbor Commission to revoke and declare void such rights grants and privileges and providing the procedure in such cases.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Haluska,	Mallery,	Salus,
Buckman,	Henney,	McCreesh,	Shapiro,
Cavalcante	Heyburn,	McGinnis,	Sipe,
Dando,	Jacobs,	Mundy,	Sones,
Dent,	Jaspan,	Pytko,	Stiefel,
DiSilvestro	Kahle,	Rankin,	Thompson,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Woodward,
Gelder,	Lanius,	Rodgers,	Huffman,
Gilson,	Law,	Ruth,	Pres. Pro. Tem.

NAYS—3

Chapman,	Deitrick,	Ealy,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. BUCKMAN. Mr. President, I move that Senate Bill No. 645, on third reading, entitled:

An Act limiting the amount that water companies may charge boroughs for fire protection; and imposing duties on the Public Service Commission or its successor.

be recommitted to the Committee on Public Utilities.

Mr. HOMSHER. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 728, entitled:

An Act abating certain tax penalties and interest on city and school taxes in cities of the first class and school districts of the first class.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I ask unanimous consent to amend sec. 1, page 1, line 4, by inserting after the word "imposed" the following: "but not actually paid out"; amend sec. 1, page 1, line 8, by inserting after the word "penalties" the following: "and costs"; amend sec. 1, page 1, line 9, by inserting after the word "imposed" the following: "but not actually paid out"; amend sec. 1, page 1, line 10, by inserting after the words "thirty-five" the following: "on any parcel or parcels of real estate"; amend sec. 2, page2, line 18, by striking out the following: "Section 2" and inserting in lieu thereof "(c)"; amend sec. 2, page 2, lines 24 and 25, by striking out the words "Provided, however, That at any time during the installment period any" and inserting in lieu thereof "Section 2. Any"; amend sec. 2, page 2, lines 25 and 26, by striking out the words "who has accepted the installment system of payment provided by this act"; amend sec. 2, page 2, line 26, by inserting after the word "may" the following: "on or before November first, one thousand nine hundred and thirty-seven"; amend sec. 2, page 2, line 27, by striking out the word "balance" and inserting in lieu thereof "amount"; amend sec. 2, page 2, line 28, by striking out the words "thirty-four" and inserting in lieu thereof "thirty-five"; amend sec. 2, page 3, line 1, by striking out

the word "and"; amend sec. 2, page 3, line 1, by inserting after the word "interest" the following: "and costs"; amend sec. 2, page 3, line 2, by striking out the words "such years" and inserting in lieu thereof "the year one thousand nine hundred and thirty-four and previous years"; amend sec. 2, page 3, lines 6 and 7, by striking out the words "Provided further, however, That the taxes for the then current year and all prior years are paid" and inserting in lieu thereof "Section 3. Any taxpayer may at any time during the installment period, pay the balance due on said delinquent taxes provided for in this act, provided that at the time such payment is made, the conditions of section one (a) have been complied with, and further provided that the taxes for the then current year have been paid."; amend sec. 3, page 3, line 18, by inserting a bracket after the word "thereon" thus: "]"; amend sec. 5, page 3, line 29, by striking out the bracket after the word "estate"; amend sec. 3, page 4, line 1, by striking out the figure "3" and inserting in lieu thereof "6"; amend bill, page 4, by inserting after line 8, the following section: "Section 7. Any taxpayer who, on the effective date of this act, is making payments on delinquent taxes under the provisions of the act of July twenty-second, one thousand nine hundred and thirty-six, (P. L. 67), may secure the benefits of this act by making payments on the balance due on such delinquent taxes at the times and in the fractional parts prescribed herein."; amend sec. 4, page 4, line 9, by striking out the figure "4" and inserting in lieu thereof "8".

The PRESIDENT. Is there objection?

Mr. BUCKMAN. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

Mr. SHAPIRO. Mr. President, I would like to explain the purpose of these amendments. This bill is designed to affect first class cities, and first class school districts. In drawing the bill, the City of Pittsburgh School Districts were affected by it, and the bill is drawn in such a way as to make the administration of this act difficult for them, in order to protect their interests these amendments have been prepared. I hope with that explanation, the Senator from Bucks whose districts are not affected will withdraw his objection.

Mr. BUCKMAN. Mr. President, I object.

Mr. SHAPIRO. Mr. President, I move to reconsider the vote by which this bill passed third reading.

Mr. RODGERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I want to make a statement that if the Senator from Bucks designs to have some bills voted against, this might be a good practice to start.

Mr. BUCKMAN. Mr. President, yesterday there was a bill on the Calendar in which I was very vitally interested. I had been watching for it all day, it was not on the files when the session started, but it got on the calendar and I wanted a chance to look at it. I didn't even know that it had been put on the desk. It had not been there more than an hour, and I ask that it go over in order for the purpose of finding out what was in the bill. My colleague, the Senator from Philadelphia, Mr. Shapiro, objected and would not permit me to look what was in the bill. That is the reason I entered this objection.

Mr. SHAPIRO. Mr. President, I would like to know if the Senator from Bucks, Mr. Buckman, will tell me what he is talking about. I have no recollection whatever of the bill.

Mr. BUCKMAN. Mr. President, the bill is Senate Bill No. 728 and I had asked that it go over in its order so that I might have an opportunity to look over the bill. I am not in the habit of refusing such courtesy and I think that courtesy is due everyone of us.

Mr. SHAPIRO. Mr. President. I ask that the vote by which the bill passed third reading, be reconsidered.

Mr. RODGERS. Mr. President, I second the motion.

And the question recurring.

Will the Senate agree to the motion.

It was agreed to.

The title, fourth, third, second and first sections of the bill were severally reconsidered.

An Act abating certain tax penalties and interest on city and school taxes in cities of the first class and school districts of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties interest and costs imposed on delinquent city or school taxes in cities of the first class and in school districts of the first class for the tax year one thousand nine hundred and thirty-four and for all previous tax years and the penalties imposed on such taxes for the tax year one thousand nine hundred thirty-five shall be abated without the necessity of further action on the part of the council of such city or by the board of public education of such school district as the case may be if the following provisions are complied with

(a) That all of the said respective delinquent taxes are paid in four equal installments as follows one fourth on or before the first day of November one thousand nine hundred and thirty-seven one fourth on or before the first day of November one thousand nine hundred and thirty-eight one fourth on or before the first day of May one thousand nine hundred and thirty-nine and the final one fourth on or before the first day of November one thousand nine hundred and thirty-nine

(b) The respective current taxes for the years during such installment period shall be paid before they become delinquent

Section 2 In case any taxpayer shall default in the payment of any installment of taxes or in the payment of current taxes as required in section one of this act the penalties interest and costs on the installments of such delinquent taxes remaining unpaid shall not be abated but shall remain due and payable as provided by existing law Provided however That at any time during the installment period any taxpayer who has accepted the installment system of payment provided by this act may pay the entire balance due on delinquent taxes for the year one thousand nine hundred and thirty-four and all previous years whereupon the penalties and interest on such delinquent taxes for such years and penalties and all costs on delinquent taxes for the year one thousand nine hundred and thirty-five shall be abated and all liens filed for delinquent taxes shall be satisfied of record Provided further however That the taxes for the then current year and all prior years are paid

Section 3 The abatement of penalties and interest on such taxes shall be made whether or not liens for such taxes have been filed in the office of the prothonotary or proceedings for the collection of such taxes shall have been instituted in any court of such county and the taxpayer and the real estate shall not be liable for the payment of any costs incurred in filing such liens or in prosecuting such proceedings

Section 4 This act shall become effective immediately upon its final enactment

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all penalties interest and costs imposed on delinquent city or school taxes in cities of the

first class and in school districts of the first class for the tax year one thousand nine hundred and thirty-four and for all previous tax years and the penalties imposed on such taxes for the tax year one thousand nine hundred thirty-five shall be abated without the necessity of further action on the part of the council of such city or by the board of public education of such school district as the case may be if the following provisions are complied with

(a) That all of the said respective delinquent taxes are paid in four equal installments as follows one fourth on or before the first day of November one thousand nine hundred and thirty-seven one fourth on or before the first day of November one thousand nine hundred and thirty-eight one fourth on or before the first day of May one thousand nine hundred and thirty-nine and the final one fourth on or before the first day of November one thousand nine hundred and thirty-nine

(b) The respective current taxes for the years during such installment period shall be paid before they become delinquent

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend sec. 1, page 1, line 4, by inserting after the word "imposed" the following: "but not actually paid out"; amend section 1, page 1, line 8, by inserting after the word "penalties" the following: "and costs"; amend section 1, page 1, line 9, by inserting after the word "imposed" the following: "but not actually paid out"; amend section 1, page 1, line 10, by inserting after the words "thirty-five" the following: "on any parcel or parcels of real estate".

Mr. RODGERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second section of the bill was read as follows:

Section 2 In case any taxpayer shall default in the payment of any installment of taxes or in the payment of current taxes as required in section one of this act the penalties interest and costs on the installments of such delinquent taxes remaining unpaid shall not be abated but shall remain due and payable as provided by existing law Provided however That at any time during the installment period any taxpayer who has accepted the installment system of payment provided by this act may pay the entire balance due on deliquent taxes for the year one thousand nine hundred and thirty-four and all previous years whereupon the penalties and interest on such delinquent taxes for such years and penalties and all costs on delinquent taxes for the year one thousand nine hundred and thirty-five shall be abated and all liens filed for delinquent taxes shall be satisfied of record Provided further however That the taxes for the then current year and all prior years are paid

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 2, page 2, line 18, by striking out the following: "Section 2" and inserting in lieu thereof "(c)"; amend section 2, page 2, lines 24 and 25 by striking out the words "Provided, however, That at any time during the installment period any" and inserting in lieu thereof "Section 2. Any"; amend section 2, page 2, lines 25 and 26, by striking out the words "who has accepted the installment system of payment provided by this act."

Mr. RODGERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Mr. SHAPIRO. Mr. President, I move to amend section 2, page 2, line 26, by inserting after the word "any" the following: "on or before November first, one thousand nine hundred and thirty-seven"; amend section 2, page 2, line 27, by striking out the word "balance" and inserting in lieu thereof "Amount"; amend section 2, page 2, line 28, by striking out the words "thirty-four" and inserting in lieu thereof "thirty-five"; amend section 2, page 3, line 1, by striking out the word "and"; amend section 2, page 3, line 1, by inserting after the word "interest" the following: "and costs"; amend section 2, page 3, line 2, by striking out the words "such years" and inserting in lieu thereof "the year one thousand nine hundred and thirty four and previous years"; amend section 2, page 3, lines 6 and 7, by striking out the words "Provided further, however That the taxes for the then current year and all prior years are paid" and inserting in lieu thereof: "Section 3. Any taxpayer may at any time during the installment period, pay the balance due on said delinquent taxes provided for in this act, provided that at the time such payment is made, the conditions of section one (a) have been complied with, and further provided that the taxes for the then current year have been paid."

Mr. RODGERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question.

Will the Senate agree to the section as amended?

It was agreed to.

The third section of the bill was read as follows:

Section 3 The abatement of penalties and interest on such taxes shall be made whether or not liens for such taxes have been filed in the office of the prothonotary or proceedings for the collection of such taxes shall have been instituted in any court of such county and the taxpayer and the real estate shall not be liable for the payment of any costs incurred in filing such liens or in prosecuting such proceedings

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 3, page 4, line 1, by striking out the figure "3" and inserting in lieu thereof "6"; amend section 3, page 3, line 18, by inserting a bracket after the word "thereon" thus "]".

Mr. RODGERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fourth section of the bill was read as follows:

Section 4 This act shall become effective immediately upon its final enactment

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend bill, page 4, by inserting after line 8, the following section "Section 7. Any taxpayer who, on the effective date of this act, is making payments on delinquent taxes under

the provisions of the act of July twenty-second, one thousand nine hundred and thirty-six, (P. L. 67) may secure the benefits of this act by making payments on the balance due on such delinquent taxes at the times and in the fractional parts prescribed herein."; amend section 4, page 4, line 9, by striking out the figure "4" and inserting in lieu thereof "8".

Mr. RODGERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Mr. SHAPIRO. Mr. President, I move to amend, by adding: section 5, page 3, line 29, by striking out the bracket after the word "estate".

Mr. RODGERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act abating certain tax penalties and interest on city and school taxes in cities of the first class and school districts of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 799, (House Bill No. 1637), entitled:

An Act to amend the act approved the eleventh day of July one thousand nine hundred and twenty-three (Pamphlet Laws nine hundred ninety-eight) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals county or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" as amended by making further provision for the imposition of liability upon and the payment by individuals counties and poor districts of the cost of admission care and maintenance of mental patients and inebriates and by requiring the furnishing of bonds conditioned upon the payment of the cost of care and maintenance of mental patients and inebriates or in lieu thereof the furnishing of endorsements of the poor authorities of counties or poor districts in certain cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Buckman,	Gilson,	Law,	Rupp,
Cavalcante,	Heyburn,	McCreesh,	Ruth,
Chapman,	Henney,	McGinnis,	Scarlett,
DiSilvestro,	Kahle,	Mundy,	Shapiro,
Ealy,	Kilgallen,	Reed,	Sipe,
Eroe,	Kunkel,	Rice,	Wolfenden,
Frey,	Lanius,	Rodgers,	Woodward,

NAYS—11

Barthold,	Howell,	Rankin,	Stiefel,
Deitrick,	Owlett,	Salus,	Huffman,
Homsher,	Pierson,	Sones,	Pres. Pro. Tem.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr LAW. Mr. President, I ask unanimous consent that Senate Bill No. 815, on third reading, entitled:

An Act relating to motor vehicles new and used creating a motor vehicles dealers' commission establishing its jurisdiction powers and duties and creating and providing for approved motor vehicle appraisers establishing their powers and duties Regulating the sale trade-in allowance appraisals and information furnished the Commonwealth on motor vehicles new and used and establishing regulations concerning speedometers authorizing the Commission to establish periodical prices for used motor vehicles either sold or traded in establishing the appraisal value of motor vehicles new or used either for sale or used trade-in allowances providing for the licensing of motor vehicle dealers and salesmen and approved motor vehicle appraisers and the payment of fees therefor authorizing examination of the business papers and affairs of and requiring the filing of reports by licensees authorizing and empowering the Commission to hold hearings and to issue rules and orders and the issuance of subpoena by the Commission or its agents and conferring jurisdiction upon the Courts to punish contempts or to prohibit violations of orders of the Commission providing for appeals to the Courts from decisions of the Commission imposing penalties and making appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 860, entitled:

An Act supplementing the act of July twenty-second, one thousand nine hundred and thirty-six (P. L. 70), and authorizing the Governor directly or through such agency as he may designate to provide, plan, prepare, supervise and carry out a suitable program throughout the Commonwealth of Pennsylvania and elsewhere for the Celebration of the 150th Anniversary of the Framing, the Signing, the Ratification by Pennsylvania and the Final Adoption and Establishment of the Constitution of the United States during the years 1937-38-39, and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Henney,	McCreesh,	Ruth,
Buckman,	Heyburn,	McGinnis,	Salus,
Cavalcante,	Homsher,	Mundy,	Scarlett,

Chapman,	Howell,	Owlett,	Shapiro,
Deitrick,	Jaspan,	Pierson,	Sipe,
DiSilvestro,	Kahle,	Rankin,	Sones,
Ealy,	Kilgallen,	Reed,	Stiefel,
Eroe,	Kunkel,	Rice,	Wolfenden,
Frey,	Lanius,	Rodgers,	Woodward,
Gilson.	Law,	Rupp,	Huffman,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 917, entitled:

An Act to establish as a State highway a certain section of public road in the Counties of Franklin and Adams and providing for its construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Henney,	McCreesh,	Ruth,
Buckman,	Heyburn,	McGinnis,	Salus,
Cavalcante,	Homsher,	Mundy,	Scarlett,
Chapman,	Howell,	Owlett,	Shapiro,
Deitrick,	Jaspan,	Pierson,	Sipe,
DiSilvestro,	Kahle,	Pytko,	Sones,
Ealy,	Kilgallen,	Rankin,	Stiefel,
Eroe,	Kunkel,	Reed,	Thompson,
Frey,	Lanius,	Rice,	Wolfenden,
Gelder,	Law,	Rodgers,	Woodward,
Gilson,	Mallery,	Rupp,	Huffman,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 958, entitled:

An Act to amend sections one two four five and seven of the act approved the fifteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws one thousand seventeen) entitled "An act relating to criminal procedure providing for the securing of attendance of witnesses from without the State in criminal cases and making uniform the law in reference thereto" by further regulating the attendance of such witnesses and limiting the powers with respect thereto to judges learned in the law.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Haluska	Mallery,	Ruth,
Buckman,	Henney,	McGinnis,	Salus,
Cavalcante,	Heyburn,	Mundy,	Scarlett,
Chapman,	Homsher,	Owlett,	Shapiro,
Deitrick,	Howell,	Pierson,	Sipe,
Dent,	Jaspan,	Pytko,	Sones,
DiSilvestro,	Kahle,	Rankin,	Stiefel,
Ealy,	Kilgallen,	Reed,	Thompson,
Eroe,	Kunkel,	Rice,	Wolfenden,
Frey,	Lanius,	Rodgers,	Woodward,
Gelder,	Law,	Rupp,	Huffman,
Gilson,			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 959, entitled:

An Act providing for the arrest and custody of persons closely pursued in this Commonwealth by peace officers of other states and imposing certain duties on magistrates aldermen and justices of the peace and the Secretary of the Commonwealth.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Haluska,	Mallery,	Ruth,
Buckman,	Henney,	McGinnis,	Salus,
Cavalcante,	Heyburn,	Mundy,	Scarlett,
Chapman,	Homsher,	Owlett,	Shapiro,
Deitrick,	Howell,	Pierson,	Sipe,
Dent,	Jaspan,	Pytko,	Sones,
DiSilvestro,	Kahle,	Rankin,	Stiefel,
Eroe,	Kilgallen,	Reed,	Thompson,
Frey,	Kunkel,	Rice,	Wolfenden,
Gelder,	Lanius,	Rodgers,	Woodward,
Gilson,	Law,	Rupp,	Huffman,

NAYS—1

Ealy,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 960, entitled:

An Act providing for the making of compacts by the Commonwealth with other states for mutual helpfulness in relation to persons on probation or parole and imposing certain powers and duties on the Governor and the Board of Pardons.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Henney,	McCreesh,	Ruth,
Buckman,	Heyburn,	McGinnis,	Salus,
Cavalcante,	Homsher,	Mundy,	Scarlett,
Chapman,	Howell,	Owlett,	Shapiro,
Deitrick,	Jaspan,	Pierson,	Sipe,
DiSilvestro,	Kahle,	Pytko,	Sones,

Dent,	Kilgallen,	Rankin,	Stiefel,
Ealy,	Kunkel,	Reed,	Thompson,
Eroe,	Lanius,	Rice,	Wolfenden,
Frey,	Law,	Rodgers,	Woodward,
Gilson,	Mallery,	Rupp,	Huffman,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 964, (House Bill No. 96), entitled:

An Act to further amend section two thousand four hundred and two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing the Department of Property and Supplies with the consent of the proper board of trustees to grant rights of ways or easements over State institution lands for public road purposes.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Heyburn,	McCreesh,	Ruth,
Cavalcante,	Homsher,	McGinnis,	Salus,
Chapman,	Howell,	Mundy,	Scarlett,
Deitrick,	Jacobs,	Owlett,	Shapiro,
Dent,	Jaspan,	Pierson,	Sipe,
DiSilvestro,	Kahle,	Pytko,	Sones,
Ealy,	Kilgallen,	Rankin,	Stiefel,
Eroe,	Kunkel,	Reed,	Thompson,
Frey,	Lanius,	Rice,	Wolfenden,
Gilson,	Law,	Rodgers,	Woodward,
Haluska,	Mallery,	Rupp,	Huffman,
Henney,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 970, (House Bill No. 1400), as follows:

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended regulating the sale and further regulating the installation use and operation of traffic regulation devices signals signs and markings and the operation of motor vehicles on the highways affecting the powers of municipal authorities in certain cases and of the Secretary of Highways and changing and imposing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections nine hundred and five and nine hundred and six of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by section twenty-eight of the act approved the sixteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1056) is hereby further amended to read as follows

Section 905 (As amended by Act Number 355 approved July 16, 1935) Permits for Excessive Size and Weight

(a) The Secretary of Highways of this Commonwealth and local authorities in their respective jurisdictions may in their discretion upon application in writing accompanied by the fee provided in this act and good cause being shown therefor issue a special permit in writing authorizing the applicant to operate or move either a vehicle or combination of vehicles or a vehicle and load or a combination of vehicles and their load or loads of a size or weight exceeding the maximum specified in this act upon any highway under the jurisdiction of and for the maintenance of which the authorities granting the permit are responsible When a permit has been issued by the Secretary of Highways no other authorities shall require any further or additional permit for any portion of the route specified therein Every such permit shall

be issued for a single trip and shall designate the route to be traversed subject to such rules regulations restrictions or conditions as shall be deemed necessary by the authority granting such permit Provided That upon request included in the application a combination permit may be issued for a single continuous round trip whether or not a load or loads may be transported for the entire trip but no substantial increase in the size or weight of vehicle or combination of vehicles or of load shall be made between intermediate points without supplemental permit The Secretary of Highways may in his discretion issue a single permit for any fixed number of movements across the highway of vehicles or combinations thereof exceeding the maximum size or weight specified in this act at specified locations Whenever any such permit shall have been issued for crossing the highway it shall be unlawful to move said vehicles along the highway The movement of any vehicle or load requiring a permit shall impose the obligation on the permittee to restore or replace any section of highway or bridge damaged as a result of such movement whether or not such damage may be attributable to negligence on the part of the permittee Every such permit shall be carried in the vehicle to which it refers and shall be open to inspection by any peace officer or employe of the Department of Highways of this Commonwealth or to any person having collision with or suffering injury from such vehicle

Section 906 Special Limitations

(a) No vehicles shall be operated upon any highway where such operation has been prohibited or restricted by the Secretary of Highways or local authorities as set forth in section one thousand one hundred and one (1101) of this act when [appropriate] official signs are erected and maintained

(b) It shall be unlawful for any person to drive or cause to be driven upon any bridge causeway or viaduct any vehicle which together with its load exceeds the maximum weight permitted and [mentioned] stated in the [posted] official signs erected and maintained in accordance with the requirements as set forth in section one thousand one hundred and two (1102) of this act

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of fifty dollars ($50) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 2 That subsections (b) and (d) of section one thousand and two of said act is hereby amended to read as follows

Section 1002 (b) 3 [Twenty (20) miles an hour speed limit All vehicles except those restricted by this act to lower maximum speeds within business or residence districts where signs erected by the proper authorities on the right-hand side of the highway facing the traffic to be controlled are displayed bearing the words "TWENTY MILE SPEED LIMIT" in letters not less than four (4) inches in height This limit shall be observed for a distance beyond said sign for not more than one-eighth (1/8) of a mile An additional sign shall be placed at intervals not greater than one-eighth (1/8) of a mile and any extension of such limited zone shall be marked by additional signs in like manner At the end of such limited zone there shall be a sign similarly placed as to traffic bearing the words "END OF TWENTY MILE SPEED LIMIT" in letters not less than (4) inches in height]

Twenty (20) miles an hour speed limit All vehicles except those restricted by this act to lower maximum speeds when approaching within two hundred (200) feet of a railway grade crossing where [sign] official signs erected by the proper authorities are displayed [bearing the words "TWENTY MILE SPEED LIMIT" in letters not less than four (4) inches in height] All vehicles except those being operated on through highways and those restricted by this act to lower maximum speeds when approaching within fifty (50) feet and in traversing an intersection of highways within a business or residence district when the driver's view is obstructed except on highways controlled at intersections by peace officer or traffic signal A driver's view shall be deemed to be obstructed if during the last fifty (50) feet of his approach to such intersection he does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred (200) feet from such intersection

(b) 4 Twenty-five (25) or Thirty-five (35) miles an hour speed limit All vehicles except those restricted by this act to lower maximum speeds within business or residence districts where official signs erected by the proper authorities on the right-hand side of the highway facing the traffic to be controlled or on the left-hand side of one-way streets are displayed This limit shall be observed for a distance beyond said sign for not more than one-eighth (1/8) of a mile An additional sign shall be placed at intervals not greater than one-eighth (1/8) of a mile and any extension of such limited zone shall be marked by additional signs in like manner At the end of such limited zone there shall be an official sign similarly placed as to traffic indicating the end of the limited zone

(b) [4] 5 [Forty (40)] Fifty (50) miles an hour speed limit All vehicles except those otherwise restricted by this act to lower maximum speeds

(d) When the rate of speed of any vehicle is timed on any highway within a business or residence district where ["TWENTY MILE SPEED LIMIT"] official speed limit signs are erected as provided in this section for the purpose of ascertaining whether or not the operator of such vehicle is violating a speed provision of this act such time shall be taken by not less than two (2) peace officers one of whom shall have been stationed at each end of a measured stretch and no conviction shall be had upon the unsupported evidence of one (1) peace officer except as hereinafter provided and no such measured stretch shall be less than one-eighth (⅛) of a mile in length Under all other conditions the rate of speed shall be timed for a distance of not less than one-quarter (¼) mile by a peace officer using a motor vehicle equipped with a speedometer tested for accuracy within a period of thirty (30) days prior to the alleged violation

Section 3 That subsection (d) of section one thousand and eight subsection (d) of section one thousand and eleven and subsections (a) and (b) of section one thousand and sixteen of said act as amended by section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 751) are hereby further amended to read as follows

Section 1008

(d) The driver of a vehicle shall not overtake and pass or attempt to pass any other vehicle proceeding in the same direction between any points indicated by the placing of official temporary warning or caution signs indicating that men are working on the highway

Section 1011

(d) Local authorities when [proper] official signs are erected may prohibit turning at intersections and may when the center of the intersection is occupied by a monument grass plot or any permanent structure other than a traffic control device direct traffic to keep to the right when [proper] official signs are erected

Section 1016

(a) It shall be unlawful for the driver or operator of any vehicle street car or trackless trolley omnibus except as is otherwise provided in this section before entering a through highway to fail to come to a full stop within a reasonable distance before entering the intersection on such through highway when an official "THRU TRAFFIC STOP" (sign has] sign or signs have been erected in accordance with the provisions of this act

(b) It shall be unlawful for the driver or operator of any vehicle street car or trackless trolley omnibus except as is otherwise provided in this section before entering a stop intersection to fail to come to a full stop within a reasonable distance before entering the intersection when [a "STOP" sign has] an official "STOP" sign or signs have been erected in accordance with the provisions of this act

Section 4 That subsection (b) of section one thousand and eighteen and subsection (a) of section one thousand

and nineteen of said act are hereby amended to read as follows

Section 1018

(b) [No person shall drive a vehicle to the left of a safety zone where appropriated sign has been erected as provided in this act] Traffic may move on either side of a safety zone unless prohibited from driving to the left thereof by the erection of an official sign as provided in this act

Section 1019

(a) No person shall park or leave standing any vehicle whether attended or unattended upon the paved or improved or main traveled portion of any highway outside of a business or residence district when it is practicable to park or leave such vehicle standing off the paved or improved or main traveled portion of such highway provided In no event shall any person park or leave standing any vehicle whether attended or unattended upon any highway unless a clear and unobstructed width of not less than fifteen (15) feet upon the main traveled portion of said highway opposite such standing vehicle shall be left for free passage of other vehicles thereon nor unless a clear view of such vehicle may be obtained from a distance of [two] three hundred [(200)] (300) feet in each direction upon such highway And further provided No person shall park or stand any vehicle whether attended or unattended in any no parking area where official "No Parking" signs have been erected in accordance with the provisions of section one thousand one hundred and thirteen (1113) of this act

Section 5 That paragraph twelve of section one thousand and twenty and subsections (b) (c) and (e) of section one thousand and twenty-six of said act as amended by section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 751) are hereby further amended to read as follows

Section 1020

12 At any place where official [traffic] signs have been erected prohibiting standing and parking

Section 1026

(b) Whenever traffic at an intersection is alternately directed to stop and go by the use of traffic signals the [words or] colored lights [or combination thereof] shall indicate as follows except as otherwise provided in this section

1 Green [or "Go"] Traffic facing the signal may proceed straight ahead and make right or left turns except where no such turns are permitted when so indicated by [proper] official signs Vehicular traffic shall yield the right of way to pedestrians crossing or who have started to cross the roadway on the green signal and vehicles lawfully within a crosswalk or the interesection at the time such signal was exhibited

2. Yellow [or "Caution"] When Shown Alone [Traffic facing the signal shall stop before entering the intersection and no movement of traffic shall be made except] [the traffic then within the intersection and a "U" turn on a two-way street back of the intersection when so indicated by proper signs] Traffic facing the signal shall stop before entering the nearest crosswalk at the intersection but if such stop cannot be made in safety a vehicle may be driven cautiously through the intersection

3 Red [or "Stop"] Traffic facing the signal shall stop before entering the intersection and remain standing until green [or "Go"] is shown [alone] No movement or turns shall be lawful on red [or "Stop" except that "U" turns may be made on a two-way street back of the intersection when so indicated by proper signs] except as otherwise provided in this section

4 No "U" turns shall be made on a two-way street in a business or residence district unless they shall be made back of the intersection on such signal and at such times and places as may be indicated by official signs

(c) Where official signs indicate turns as [above] provided in this section they shall be attached to the traffic signals or immediately adjacent thereto [and the letters shall be at least two (2) inches in height] and they shall be clearly illuminated at night

(e) Local authorities may provide for turns or movements straight ahead on special green arrow signals Where a left turn is provided for in the above manner there shall be no left turns on green [or "Go"] as above provided when so indicated by [proper] official signs

Section 6 That section one thousand and twenty-nine of said act is hereby amended to read as follows

Section 1029 Regulating Speed on Bridges No person shall drive any vehicle upon any public bridge causeway or viaduct other than interstate bridges as now provided by a law at a speed which is greater than the maximum speed which can with safety to such structure be maintained thereon when such structure is [sign] posted with official signs as provided in section one thousand one hundred and eleven (1111) of this act

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of ten ($10) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than five (5) days

Section 7 That section one thousand one hundred and one of said act as amended by section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 751) is hereby further amended to read as follows

Section 1101 When Authorities May Restrict Right to Use Highways

(a) The Secretary of Highways of this Commonwealth and local authorities may by ordinance or resolution or ruling prohibit the operation of vehicles upon any highway or impose restrictions as to the weight of vehicles and their loads for a total period not to exceed ninety (90) days in any one (1) calendar year when operated upon any highway under the jurisdiction of and for the maintenance of which the Secretary of Highways of this Commonwealth or local authorities are responsible whenever any said highway by reason of deterioration rain snow or other climatic conditions will be seriously damaged or destroyed unless the use of vehicles thereon is prohibited or the permissible weights thereof reduced The Secretary of Highways of this Commonwealth and local authorities enacting or making any such ordinance or resolution or rule shall erect or cause to be erected and maintained official signs designating the provisions of the ordinance or resolution or rule at each end of that portion of any highway affected thereby and at intersections thereof and the ordinance or resolution or rule shall not be effective until or unless such official signs are erected and maintained

(b) Whenever necessary for the protection of any highway or the safety of traffic thereon the Secretary of Highways of this Commonwealth or local authorities may also by ordinance or resolution or rule prohibit the operation of motor vehicles trailers or semi-trailers on designated highways as to the weights and loads thereon which prohibitions and limitations shall be designated by [appropriate] official signs placed on such highways and their intersections

Section 8 That section one thousand one hundred and two of said act is hereby amended to read as follows

Section 1102 Regulating Weight of Vehicles on Bridges [Where] If any bridge causeway or viaduct owned or maintained whether owned in whole or in part by this Commonwealth or local authorities other than interstate bridges as now provided by law shall have [a sign] official signs properly posted in [a] conspicuous [place] places at the [entrance] entrances thereto stating the gross maximum weight permitted thereon it shall be unlawful for any person to drive or cause to be driven upon any such bridge causeway or viaduct any vehicle which together with its load shall be of greater gross maximum weight than is [mentioned in] stated on such [sign] signs [Provided however That the restrictions as to the maximum weight mentioned in such signs shall not apply for a period exceeding one (1) year from the date of posting of such signs unless a further extension of time is authorized by the Secretary of Highways of this Commonwealth]

Section 9 That subsection (a) of section one thousand one hundred and three of said act as amended by section

thirty-six of the act approved the sixteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1056) is hereby further amended to read as follows

Section 1103

(a) Local authorities except as expressly authorized by this act shall have no power or authority to alter any speed limitations declared in this act or to enact or enforce any ordinance rule or regulation contrary to the provisions of this act except that local authorities shall have power to provide by ordinance for the regulation of traffic by means of peace officers or official traffic signals on any portion of the highway where traffic is heavy or continuous and may regulate or prohibit parking stopping or loading of vehicles or prohibit other than one-way traffic upon certain highways and may regulate the use of the highways by processions or assemblages and may regulate the kinds and classes of traffic and its turning on certain highways at all or certain hours and may regulate the transportation by motor vehicles of passengers for compensation within the limits of a city or from points in the city to points beyond the city limits and make and enforce regulations for the operation of such vehicles not inconsistent with this act and designate certain streets upon which such vehicles may be operated

Provided however that any regulations of the kinds and classes of traffic on State Highway Routes within cities shall be subject to the approval of the Secretary of Highways first had and obtained

Local authorities may designate any highway or any part of a highway under their jurisdiction a "Play Highway" and may close such designated highway to general traffic where interference to traffic will not be serious Such highways or portions of highways shall be used for play purposes and shall be clearly designated by appropriate signs specifying the hours between which such highways shall be closed to general traffic

Section 10 That subsections (a) and (b) and the section heading of section one thousand one hundred and five of said act as amended by section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 751) are hereby further amended to read as follows

Section 1105 Uniformity and Control of Traffic Signs Signals and Markings

(a) The Secretary of Highways of this Commonwealth shall forthwith make and publish regulations for the design [and] location and operation of all official traffic signs signals and markings in this Commonwealth and such traffic signs signals and markings shall correlate with and so far as [possible] practicable conform with the system adopted [in other states] by the Fourth National Conference on Street and Highway Safety published November one thousand nine hundred and thirty-five and amendments thereto Local authorities are directed to follow the uniform regulations for traffic signs signals and markings as so provided and no other system shall be regarded as official

(b) The Secretary of Highways of this Commonwealth shall have authority over the type installation location operation and maintenance of all traffic signs signals and markings on State highways [in townships] in this Commonwealth and [authority over the installation location and maintenance of all signs and markings] on highways in cities boroughs and incorporated towns where such highways form connecting links between or continuations of State highways and shall have the power and it shall be his duty to cause the removal alteration or adjustment of any [such] signs signals or markings that do not conform with the regulations of the Department of Highways

Section 11 That section one thousand one hundred and six of said act is hereby amended to read as follows

Section 1106 Local Traffic Signs Local authorities in their respective jurisdiction may cause official signs in accordance with section one thousand one hundred and five of this act to be erected and maintained as may be appropriate to give notice of legal parking and other local ordinances rules regulations Local parking and other local ordinances rules and regulations shall not be enforceable against an alleged violator if at the time and place of the alleged violation an [appropriate] official sign giving notice thereof is not posted conspicuously by the municipalities making the same at points where any highway affected thereby joins other highways

Section 12 That section one thousand one hundred and eight of said act as amended by section thirty-eight of the act approved the sixteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1056) is hereby further amended to read as follows

Section 1108 Defacing Signs Signals or Markings It shall be unlawful for any person to deface damage knock down or remove any traffic sign signal or marking [posted] placed as provided in this act

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than twenty-five ($25) dollars nor more than one hundred ($100) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than [ten (10)] ninety (90) days

Section 13 That section one thousand one hundred and nine of said act as amended by section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 751) is hereby further amended to read as follows

Section 1109 Establishment of Safety Zones The Secretary of Highways of this Commonwealth with reference to State highways and local authorities in counties cities boroughs incorporated towns and townships of the first class with reference to highways under their jurisdiction are hereby authorized to establish safety zones The Secretary of Highways of this Commonwealth and local authorities when establishing a safety zone shall erect and maintain official signs [bearing the words "Safety Zone"] illuminated at night or so designed to reflect light from headlamps

Section 14 That section one thousand one hundred and ten of said act as amended by section thirty-nine of the act approved the sixteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1056) is hereby further amended to read as follows

Section 1110 Erection of Traffic Signs Signals and Markings

(a) The Secretary of Highways of this Commonwealth with reference to State highways and local authorities in counties cities boroughs incorporated towns and townships of the first class with reference to highways under their jurisdiction are hereby authorized to erect and maintain official traffic signs signals and markings Before local authorities except in cities of the first and second class in counties or townships] shall erect or cause to be erected traffic signals [on a State Highway] they must first obtain the approval of the Secretary of Highways of this Commonwealth

(b) Whenever it is desired to erect or maintain any traffic signal in this Commonwealth the need thereof shall first be established upon the basis of safety and/or convenience to traffic The basis of determination of the need for a traffic signal shall be the volume of traffic entering the intersection the number of accidents that have occurred in each of the three preceding years and other factors The Secretary shall establish minimum standards for each of the factors upon which approval of the erection or maintenance of the signal shall be based

[(b)] (c) Traffic signals electrically operated shall conform to the following

1 [Where a] A three-color system [is] shall be used [the] No yellow light [following] shall follow the red light "in signals hereafter erected In signals heretofore erected the yellow light following the red light" shall not exceed three (3) seconds in length [The timing of all lights shall be determined by the volume of traffic and other conditions]

2 [Where three colored lights are used the yellow shall be in the center] The sequence or order of illumination of the colored lens of all traffic signals shall be as follows The green light followed by the yellow light followed by the red light followed by the green light and repeat Green arrows if used may be illuminated either alone or in combination with any other lens There

shall be no yellow lens illuminated following the red lens Traffic signals erected or reconstructed after January first one thousand nine hundred and thirty-eight shall conform to the provisions of this section

(3) The [light] lamps shall be of such power as to cause the signal to be visible for at least three hundred (300) feet

4 Traffic signals of the pedestal type shall be placed at a height of no less than eight (8) feet above the pavement to the bottom of the signal [if] If on a mast arm or if suspended the bottom of the signal shall clear the pavement by at least fifteen (15) feet Provided That the requirements as to height of traffic signals shall not apply to such signals installed and in operation prior to January first one thousand nine hundred thirty except that replacement of present traffic signals made in the interim shall conform to these provisions

[(c)] (d) Traffic signals manually operated or commonly known as semaphores shall conform to the following

1 There may be four vanes or sides the stop vanes having a red field with the word "STOP" plainly visible thereon and the go vanes a green field with the word "GO" plainly visible thereon

2 When used at night they shall be equiped with red and green lights corresponding with the vanes or sides and with the same visibility as electrically operated signals

[(d)] (e) All traffic signals shall be so located as to be plainly visible to all traffic to be regulated Whenever physical conditions will permit they shall be on or near the right curb line at the far side of the intersection facing in the direction of approaching traffic The bottom of the signal shall be at a height of approximately eight (8) feet above the surface of the highway

[(e)] (f) Traffic signals electrically operated erected after January first one thousand nine hundred and thirty-two shall be of the three-color system The red lens shall be at the top of the left side the yellow lens in the center the green lens at the bottom or right side Where a special green arrow is used for right or left turns it shall be located below or to the right of the green lens

(g) Traffic signals electrically operated that have been erected prior to the passage of this act whenever reconstructed or the controllers or wiring are replaced shall be made to conform with the provisions of this act and the regulations of the Secretary of Highways but in any event all such signals shall be made to so conform not later than January first one thousand nine hundred and forty unless extension of time shall be granted by the Secretary of Highways in each specified case

Penalty Any official of any county city borough incorporated town or township of the first class who shall erect or cause to be erected and operate a traffic signal in violation of the provisions of this section shall upon summary conviction before a magistrate be sentenced to [a] pay a fine of one hundred ($100) dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

Section 15 That sections one thousand one hundred and eleven and one thousand one hundred and thirteen of said act are hereby amended to read as follows

Section 1111 Regulating Speed on Bridges The Secretary of Highways of this Commonwealth or other proper State body or any local authority shall upon request or upon their own initiative may conduct an investigation of any public bridge causeway or viaduct under their respective jurisdictions and in it or they shall thereupon find that such structure cannot with safety to itself withstand vehicles traveling at the speed otherwise permissible under this act the Secretary of Highways of this Commonwealth or other State body or local authorities shall determine and declare the maximum speed of vehicles which such structure can withstand and shall cause [or permit suitable] official signs stating such maximum speed to be erected and maintained thereon at each end of such structure facing approaching traffic The provisions of this section shall not apply to interstate bridges as now provided by law

Section 1113 Parking Restriction on State Highways The Secretary of Highways of this Commonwealth is hereby authorized to designate certain sections of State highway routes under his jurisdiction as "No Parking Areas" and to erect and maintain the necessary official signs to carry out this provision

Section 16 That article eleven of said act is hereby amended by adding thereto after section one thousand one hundred and thirteen a new section to read as follows

Section 1114 Use Test Approval and Sale of Traffic Signs Signals and Regulatory Devices

(a) It shall be unlawful for any person to use on any street or highway in this Commonwealth any traffic regulatory sign signal marking or any other device unless of a type which has been submitted to the Secretary of Highways for test and for which a certificate of approval has been issued by the secretary and is then in effect as provided by this act

(b) Any person desiring approval of any traffic sign signal or any other traffic regulatory device shall when required submit to the secretary one or more sets of each type of device upon which approval is desired together with the fee provided in this act The secretary shall upon notice to the applicant submit such device to the United States Bureau of Standards or to such other recognized testing laboratory as he may elect for a report as to the compliance of such device with the rules and uniform standard specifications adopted by the secretary Such devices will also be subject to any road tests or other tests as the secretary may deem necessary to determine that each type of device they and their component parts conform to the requirements as adopted by the secretary The secretary is authorized to refuse approval of any device certified as complying with the specifications and requirements which the secretary determines will be in actual use unsafe or impracticable or would fail to comply with the provisions of this act or such requirements as may be adopted by the secretary

(c) The secretary shall request the testing agency to submit a report of each type of device to the secretary in duplicate For those which are found to comply with the specifications and requirements the report shall include any special adjustments required Reports of all tests shall be accessible to the public and a copy thereof shall be furnished by the secretary to the applicant for the test

(d) It shall be unlawful for any manufacturer jobber retailer or their agent or for any other person to sell lease or offer for sale or hire any signal or any other traffic regulatory device that does not conform to the provisions of this act

Penalty Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of not less than one hundred ($100) dollars or more than one thousand ($1,000) dollars and cost of prosecution and in default of the payment thereof shall undergo imprisonment of not more than thirty (30) days

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Henney,	McCreesh,	Ruth,
Cavalcante,	Heyburn,	McGinnis,	Salus,
Chapman,	Homsher,	Mundy,	Scarlett,
Dando,	Howell,	Owlett,	Shapiro,
Deitrick,	Jaspan,	Pierson,	Sipe,
Dent,	Kahle,	Pytko,	Sones,

DiSilvestro,	Kilgallen,	Rankin,	Stiefel,
Ealy,	Kunkel,	Reed,	Thompson,
Eroe,	Lanius,	Rice,	Wolfenden,
Frey,	Law,	Rodgers,	Woodward,
Gilson,	Mallery,	Rupp,	Huffman,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 973, (House Bill No. 1559), entitled:

An Act concerning vocational education providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the act of Congress approved June eighth one thousand nine hundred and thirty-six entitled "An act to provide for the further development of vocational education in the several States and Territories" and conferring powers and imposing duties on the State Treasurer and the State Council of Education.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Henney,	McCreesh,	Ruth,
Buckman,	Heyburn,	McGinnis,	Salus,
Cavalcante,	Homsher,	Mundy,	Scarlett,
Chapman,	Howell,	Owlett,	Shapiro,
Deitrick,	Jaspan,	Pierson,	Sipe,
Dent,	Kahle,	Pytko,	Sones,
DiSilvestro,	Kilgallen,	Rankin,	Stiefel,
Ealy,	Kunkel,	Reed,	Thompson,
Eroe,	Lanius,	Rice,	Wolfenden,
Frey,	Law,	Rodgers,	Woodward,
Gilson,	Mallery,	Rupp,	Huffman.
Haluska,			

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 980. (House Bill No. 1705), entitled:

An Act to re-enact and amend the title and act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled "An act relating to the grading and sale of grapes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture" extending the provisions of said act to potatoes and changing the penalties prescribed.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—28

Barthold,	Heyburn,	McGinnis,	Sipe,
Cavalcante,	Howell,	Mundy,	Sones,
Dent,	Jaspan,	Owlett,	Stiefel,
Eroe,	Kahle,	Rankin,	Thompson,
Frey,	Kilgallen,	Rice,	Wolfenden,
Gilson,	Kunkel,	Rodgers,	Woodward,
Henney,	McCreesh,	Rupp,	Huffman,

NAYS—12

Buckman,	Ealy,	Mallery,	Ruth,
Chapman,	Homsher,	Pierson,	Salus,
Deitrick,	Lanius,	Reed,	Scarlett,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 981, (House Bill No. 1775), entitled:

An Act to amend clause (g) section one thousand three hundred nine of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" to authorize the Pennsylvania Historical Commission at its discretion to deposit historic relics or other gifts in or on historic properties or shrines committed to its custody

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Heyburn,	McGinnis,	Ruth,
Buckman,	Homsher,	Mundy,	Scarlett,
Cavalcante,	Howell,	Owlett,	Shapiro,
Chapman,	Jaspan,	Pierson,	Sipe,
Dent,	Kahle,	Pytko,	Sones,
Ealy,	Kilgallen,	Rankin,	Stiefel,
Eroe,	Kunkel,	Reed,	Thompson,
Frey,	Lanius,	Rice,	Wolfenden,
Gilson,	Mallery,	Rodgers,	Woodward,
Henney,	McCreesh,	Rupp,	Huffman,

NAYS— 1

Deitrick,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 986, entitled:

An Act to amend section one hundred fifty-five of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws three hundred eighty-two) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" extending the provisions to memorials tablets and works of art erected within buildings or on grounds

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Haluska,	Mallery,	Rupp,
Buckman,	Henney,	McCreesh,	Ruth,
Cavalcante,	Heyburn,	McGinnis,	Salus,
Chapman,	Homsher,	Mundy,	Scarlett,
Deitrick,	Howell,	Owlett,	Shapiro,
Dent,	Jaspan,	Pierson,	Sipe,
DiSilvestro,	Kahle,	Pytko,	Sones,
Ealy,	Kilgallen,	Rankin,	Stiefel,
Eroe,	Kunkel,	Reed,	Thompson,
Frey,	Lanius,	Rice,	Wolfenden,
Gelder,	Law,	Rodgers,	Woodward,
Gilson,			

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. EALY, Mr. President, I ask unanimous consent that Senate Bill No. 1015, (House Bill No. 1565) on third reading, entitled:

An Act to amend the act approved the thirteenth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred twenty) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" as amended further regulating the adulteration and misbranding of food providing for injunctions against the sale of food in certain cases and changing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1027, (House Bill No. 872), entitled:

An Act providing that officials charged with the duty of assessing real estate for taxation, may at any time split or separate the assessment on any tract of real estate which has been or is to be divided in order to permit the payment of taxes due on a portion of such tract; requiring tax collectors to accept payment of such taxes and validating all such split or separated assessments heretofore made.

And said bill having been read at length the third time, and agreed to,

and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Haluska,	Mallery,	Rupp,
Buckman,	Henney,	McCreesh,	Ruth,
Cavalcante,	Heyburn,	McGinnis,	Scarlett,
Chapman,	Homsher,	Mundy,	Shapiro,
Deitrick,	Howell,	Owlett,	Sipe,
Dent,	Jaspan,	Pierson,	Sones,
DiSilvestro,	Kahle,	Pytko,	Stiefel,
Ealy,	Kilgallen,	Rankin,	Thompson,
Eroe,	Kunkel,	Reed,	Wolfenden,
Frey,	Lanius,	Rice,	Woodward,
Gelder,	Law,	Rodgers,	Huffman,
Gilson,			

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1057, (House Bill No. 1261), entitled:

An Act to amend section one thousand and forty-six of the act approved the fourth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for the employment by auditors and for the compensation of an attorney.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—46

Barthold,	Haluska,	McCreesh,	Ruth,
Buckman,	Henney,	McGinnis,	Salus,
Cavalcante,	Heyburn,	Mundy,	Scarlett,
Chapman,	Homsher,	Owlett,	Shapiro,
Deitrick,	Howell,	Pierson,	Sipe,
Dent,	Jaspan,	Pytko,	Sones,
DiSilvestro,	Kahle,	Rankin,	Stiefel,
Ealy,	Kilgallen,	Reed,	Thompson,
Eroe,	Kunkel,	Rice,	Wolfenden,
Frey,	Lanius,	Rodgers,	Woodward,
Gelder,	Law	Rupp,	Huffman,
Gilson,	Mallery,		

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1062, (House Bill No. 1981), entitled:

An Act to amend the act approved the thirty-first day of May one thousand nine hundred and thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" further regulating the manufacture importation and sale of such products providing for injuctions and changing the penalties prescribed.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I would like to call the attention of the Senate to the fact that this bill is presumably a health measure. It provides on page 5 of the bill that it shall be unlawful for any manufacturer of ice cream to use the word 'home-made' or words of similar import, in connection, unless the same has been manufactured in individual homes under benefit of home conditions.

I challange anybody in this Senate to tell me what that means, whether that provision cannot have the effect of preventing these widows and people who have home-made ice cream places and sell home-made ice cream, under conditions about which no one complains, that the sanitation or purity of the ice cream could be prevented from continuing the business. It provides that ice cream must be home-made ice cream, without giving anybody an opportunity to understand just what they mean when they say it must be home-made ice cream. I can't see why some person manufacturing ice cream in their home, and it still would not be home-made ice cream according to what somebody in the department might think, and because of that, I think, in fairness to these people, they ought to know that this provision is in the bill, because they look upon it as a health measure and not something that has nothing to do with health.

BILL RECOMMITTED

I, therefore, suggest that this bill be recommitted to the Committee on Agriculture, in order that the matter may be considered, and if necessary, the bill amended.

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1080, (House Bill No. 1575), entitled:

An Act to amend section eighteen of the act approved the eighteenth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand forty-three) entitled "An act establishing a public school employes' retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon boards having the employment of public school employes exempting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended authorizing the assignment of retirement rights in certain cases

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill?

BILL POSTPONED

Mr. RUTH. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. RUPP. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER REQUEST.

Mr. RUPP. Mr. President, I ask unanimous consent that Senate Bill No. 1085 on third reading, entitled:

An Act providing for fixing minimum compensation for barber service in the several counties of this Commonwealth conferring powers and imposing duties on the Department of Public Instruction and prescribing penalties

go over in its order.

The PRESIDENT. Is there objection?

Mr. McGINNIS. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

MOTION TO POSTPONE BILL

Mr. RUPP. Mr. President, I move that further consideration of Senate Bill No. 1085, on third reading, entitled:

An Act providing for fixing minimum compensation for barber service in the several counties of this Commonwealth; conferring powers and imposing duties on the Department of Public Instruction; and prescribing penalties.

to postponed for the present.

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the bill?

The yeas and nays were required by Mr. CREESH and Mr. RUTH and were as follows, viz:

YEAS—19

Buckman,	Heyburn,	Owlett,	Salus,
Deitrick,	Homsher,	Pierson,	Scarlett,
Ealy,	Howell,	Pytko,	Sones,
Eroe,	Jacobs,	Rice,	Huffman
Gelder,	Kahle,	Rupp,	

NAYS—25

Barthold,	Haluska,	McCreesh,	Shapiro,
Cavalcante,	Jaspan,	McGinnis,	Sipe,
Chapman,	Kilgallen,	Rankin,	Stiefel,
Dando,	Kunkel,	Reed,	Thompson,
DiSilvestro,	Lanius,	Rodgers,	Wolfenden,
Frey	Mallery,	Ruth	Woodward,
Gilson,			

So the question was determined in the negative.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1085 entitled:

An Act providing for fixing minimum compensation for barber service in the several counties of this Commonwealth; conferring powers and imposing duties on the Department of Public Instruction; and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HALUSKA. Mr. President, being real busy, of course, I have not had a chance to read or study the bill; therefore, I ask that the sponsor explain the purpose. I desire to ask the Senator from Philadelphia, Mr. McCreesh to explain the contents of the bill.

The PRESIDENT. Will the Senator from Philadelphia, Mr. McCreesh, permit himself to be interrogated?

Mr. McCREESH. Mr. President, I will.

Mr. HALUSKA. Mr. President, I would ask the sponsor explain the purpose of the bill.

Mr. McCREESH. Mr. President, there is no confliction in this bill, the only trouble that is wrong with the bill is perhaps we might have put in a price of $1.85 for people with bald heads.

Mr. HALUSKA. Mr. President, a little while ago, the Senator from Philadelphia, Mr. McCreesh, referred to the price of $1.80, is the reason because the hairs were hard to find, or what?

Mr. McCREESH. Mr. President, I guess that is right.

Mr. BUCKMAN. Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. McCreesh?

The PRESIDENT. Will the Senator from Philadelphia permit himself to be interrogated?

Mr. McCREESH. Mr. President, I will.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Philadelphia, Mr. McCreesh, why he did not include the bootblacks in this?

Mr. McCREESH. Mr. President, it would be very foolish to try to make a bill that would cover all classes, I am just taking barbers.

Mr. BUCKMAN. Mr. President, of all the bills that I have ever seen here in a great many years, I think this is the most ridiculous. Here we are asked seriously, by this legislation, to fix the price of one service.

I know of no similar bill on the statute books. I have known of no class of artisans who had the audacity to come before this legislature and ask us to fix prices. We have provided for sanitation, we have provided for inspection, and now they ask us to fix the price. Again I feel it my duty to come to the sense of the poor people of our community. Why should our poor people, the people living in the poorer communities of this State, be obliged to pay the same price that people would pay on Chestnut Street or on Broad Street? As I said before, I have never been asked to fix the price of anything except possibly milk. Milk is a necessity of life which needs protection. It is one of the most delicate foods handled by the human race, and even that is regional, the control of that. Here we are asked to provide minimum price to pay for a shave or haircut, or barber service.

I want to say to the people of this Commonwealth that if we are going to start this thing, we will have to regiment and fix the price of all other articles, or all other service that is given to our people. I think the Senate should vote this bill down at once.

Mr. McCREESH. Mr. President, I would like to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks, Mr. Buckman permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, with much pleasure.

Mr. McCREESH. Mr. President, I would like to ask the Senator from Bucks, Mr. Buckman, whether he is in favor of the N. R. A.?

Mr. BUCKMAN. Mr. President, I am not.

Mr. McCREESH. Mr. President, allright. This does not fix the price according to the city and the country, this bill is left to 75% of the barbers in a vicinity or a municipality, to fix or regulate prices they wish.

Mr. SHAPIRO. Mr. President, this bill, plus every other bill that we have on the calendar, are to be apparently intended to be rushed through the Senate in the excitement of the occasion, on the theory that they are health or safety measures. Senate bill No. 815, just came to our desk with amendments, and I am quite sure that the sponsor of the bill was induced to ask that we hurry up and pass this bill, and if we do not something is going to happen to those people who have been engaged in business, without this bill. There is a bill in the Senate now that the barbers shall have a certain amount more of education than they have had before, and this is the companion bill to it. I suppose if we keep on every barber will have to have a college credit before he can shave, and his education having no resemblance to the particular business to which he is engaged. This is not the height of folly, it is colossal in asking that the legislature shall pass a bill going to the effect that this bill does, on the basis that this is a health measure.

I want to read this: "That whenever a written agreement signed by an organized group comprising seventy-five percentum or more of the licensed barbers, operating in any county whereby a scale of minimum compensation for barber service is established in such county is submitted to the Department of Public Instruction the department shall investigate and make inquiry as to the propriety of such compensation under all conditions and their adequacy to best protect the public health and safety by affording a sufficient minimum compensation for barber service to enable the barbers of the county to furnish modern service and appliances best designed to minimize the danger to the public health and if it finds that the conditions so warrant shall by departmental order fix the minimum compensation for all service usually performed in a barber shop."

Now that is a health measure. It makes a great deal of difference to the health of the people of this state whether they pay 25 cents for a shave, or 35 cents, and the Department of Public Instruction now has the job to go into each county and to investigate and find out what is the proper price to be charged for a shave. I think with that and several other bills as a standard, what we are going to do this Session? We can go home and say we have taken good care of a lot of nonsense, wasting time and spending hours here on unimportant legislation, if we are going to be bothered with this kind of what can be, in the most expressive language, called 'truck'. The

reason I voted against sending this bill back to the committee is because I wanted to have it brought up immediately to a vote, to voice my protest against this kind of legislation, sponsored by individuals who have no interests of the State, who have the interest of themselves at heart, without regards to what effect it has on others in the locality who are affected thereby.

Mr. McCREESH. Mr. President, I am glad that the Senator from Philadelphia, Mr. Shapiro, is going to be short in his speeches in the future, because he certainly did take up the time and I especially hope that in the future he is not going to make any more speeches.

Now I am not a barber, and this bill was presented to me, it is an important measure, I believe, and I do not see any harm in it at all. It is left up to 75% of the barbers to decide what they are going to do and if they do run a dirty, filthy barber shop, they should be investigated and they should pay taxes and do as other people have to do, and I hope that the Senators, themselves who do pay for shaves and haircuts - - and there are very few of them - - perhaps will vote for this bill.

Mr. SALUS. Mr. President, insofar as this bill is concerned, it is absolutely useless, because in all communities both the barber shop owners have a union, the employers have a union, the emplyoees have a union, and they regulate both employment and business among themselves. It is strictly a local situation, where every local community can take care of the situation, and it is absolutely ridiculous or silly to have the State of Pennsylvania interfere with a trivial situation such as this, which is protected in its home community.

Mr. CAVALCANTE. Mr. President, I would like to voice my disagreement with both Senators from Philadelphia, on their statements that this is a ridiculous and useless bill. This bill is more important than the gentlemen probably anticipate. The Senator from Bucks has entered upon the subject of price fixing and he has given us an example, the milk control laws of this State, and that law was declared constitutional and valid because the Supreme Court stated that milk was impressed with a public interest, but now at no time in this Commonwealth has our Supreme Court been given the opportunity to pass upon legislation that tends to fix prices in any way, but I say that among the most intelligent and capable attorneys at the Bar of Pennsylvania, there is doubt in their minds as to whether the Assembly of the State of Pennsylvania has the power under the Constitution to enact legislation to fix prices, and I say that this is one bill that would raise that question, pure and simple, and I say that if we pursue the platform and the policies of the democracy that now grip this Commonwealth of Pennsylvania, I say that it is our duty here to have a pronouncement of our Supreme Court on whether or not the Assembly of this State can fix the prices in any particular respect. For that reason, if for no other, I am in favor of this bill, in order to have the Supreme Court of our State to pass upon that specific question of price fixing in this industry, which may also govern price fixing in other industries, and lay down rules for future assemblies to be guided by.

Mr. RUPP. Mr. President, will the Senator from Philadelphia, Mr. McCreesh, be interrogated?

The PRESIDENT. I want to remind the Senators that we have a long calendar that must be gone through today.

Mr. McCREESH. Mr. President, thanks.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—20

Cavalcante	Haluska,	McCreesh,	Rodgers,
Chapman,	Henney,	McGinnis	Ruth,
DiSilvestro,	Jaspan,	Mundy,	Sipe,
Frey,	Kilgallen,	Rankin,	Stiefel,
Gilson,	Lanius,	Reed,	Thompson,

NAYS—25

Barthold,	Homsher,	Owlett,	Scarlett,
Buckman,	Howell,	Pierson,	Shapiro,
Deitrick,	Jacobs,	Pytko,	Sones,
Ealy,	Kahle,	Rice,	Wolfenden,
Eroe,	Kunkel,	Rupp,	Woodward,
Gelder,	Mallery,	Salus,	Huffman,
Heyburn,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1091, (House Bill No. 666), entitled:

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the reinstatement of the liens of such claims and judgments.

And said bill having been read at length the third time, and agreed to,

and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barthold,	Henney,	McCreesh,	Ruth,
Buckman,	Heyburn,	McGinnis,	Salus,
Cavalcante,	Homsher,	Mundy,	Scarlett,
Chapman,	Howell,	Owlett,	Shapiro,
Deitrick,	Jacobs,	Pierson,	Sipe,
DiSilvestro,	Jaspan,	Pytko,	Sones,
Ealy,	Kahle,	Rankin,	Stiefel,
Eroe,	Kilgallen,	Reed,	Thompson,
Frey,	Kunkel,	Rice,	Wolfenden,
Gelder,	Lanius,	Rodgers,	Woodward,
Gilson,	Law,	Rupp,	Huffman,
Haluska,	Mallery,		

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and con-

sideration of Senate Bill No. 1099, (House Bill No. 1474), entitled:

An Act to amend section fifteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred seven) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by permitting the revival of other than tax claims by a suggestion of nonpayment and averment of default before or after judgment on scire facias

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Henney,	Mallery,	Rupp,
Cavalcante,	Heyburn,	McCreesh,	Ruth,
Chapman,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Howell,	Mundy,	Shapiro,
DiSilvestro,	Jacobs,	Owlett,	Sipe,
Ealy,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle,	Pytko,	Stiefel,
Frey,	Kilgallen,	Rankin,	Thompson,
Gelder,	Kunkel,	Reed,	Wolfenden,
Gilson,	Lanius,	Rice,	Woodward,
Haluska,	Law,	Rodgers,	Huffman,

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1114, entitled:

An Act to amend section two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending ad consolidating the law relating to boroughs" by further regulating the incorporation of boroughs

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. RODGERS. Mr. President, this next bill on the Calendar as I understand it, is here for the purpose of correcting certain evils in Coaltown, I guess from time in immorial. The bill itself, as I take it, will not tend to correct those evils, but will place a burden upon the townships of our state, in the event that coal towns eventually cease to be coal towns, a burden which will be unbearable. We are continually talking about doing away with ox-cart Government and by various other means saving the taxpayers unnecessary taxes. This is just adding a burden upon the property holders, and property owners, in townships where, as I say again, these coal towns are largely closed. I could find no one interested in this bill particularly. I have asked the Department of Labor and Industry, they seem to have no interest in it. I understand from reliable authority that labor is not interested in it. I cannot find a reason for putting this bill through, and I am reasonably certain that there is no argument which will cause us to believe that if this bill is passed, that the evils which have existed in the coal towns in the past will be eradicated, so I feel, gentlemen, that this bill should not pass this Senate.

Mr. CAVALCANTE. Mr. President, since this bill has my name on it as sponsor, I am sorry that the Senator from Pittsburgh, Mr. Rodgers, has seen fit to say that he has found nobody that is interested in this bill. I think I am divulging no party secrets here in the halls of this Senate when I say that we all know that there are certain measures that are prepared by our Departments and rather than to call them administration measures they ought to be termed as 'policy' measures, because these bills seek to place on the statute books part of the platform upon which the Democratic Party came into power, and this is one of those bills which was prepared by the administration, has the administration backing on it, by the cover, and sent over to me to be introduced and defended here in the Senate.

The Senator from Pittsburgh has referred to evils, and yet he has not stated further what evils this bill seeks to correct. The evils that the Senator knows have existed for many years in the mining communities of this State are these, that the employees in the coal mines are housed in houses belonging to the operator of the coal companies. Some of these mining towns have as many as 1,000 homes altogether and among those houses are streets over which the public travel to go to and from these houses, and the people who live in these houses. Now, under the domination of the Republican Party, with their coal and iron police, with the force of the military and police powers of the State, these coal companies have established the practice in time of industrial disputes to hire watchmen or policemen to guard these coal mining towns, and place in the hands of these individuals guns and gas bombs and everything else, and then they would post every entrance of those mining towns with big signs "Private property, no trespassing," and at that sign would be stationed one of those policemen, under the pay and control of the coal company, and when a citizen of the Commonwealth had anything to do with any of these poor gentlemen who live in those houses and would seek to enter that coal plant, they would stop you and demand whether you had a pass from the superintendent of the company, or the manager in charge; and if you did not have a pass you were stopped right there and not permitted to enter that company's town, wherein lived free American citizens and entitled to be visited and contacted by other citizens of this Commonwealth. But these coal companies would close that plant and keep every member of the public out unless they had passes. Now, my friends of the Senate, in our program, in our platform, in our campaign to the people of this Commonwealth, and especially in the western part of this state, we were pledged that we would wipe that evil out, and we are in duty bound, not only as the members of the Democratic Party, but as true, honest and de-

cent American citizens to see that conditions of that kind, which are so similar to those conditions which at one time existed in Mexico and other countries that do not enjoy the kind of freedom that we have here, that it is our duty in view of all that, to see that those evils are corrected.

I say that if the bill here on this calendar on final passage may appear too drastic, I tell the Senator from Pittsburgh, or those who are opposing this bill, to suggest in what particulars we can amend the bill, in what particulars we can correct the law of this Commonwealth, to eliminate that disgraceful evil that is so un-American, and those who are opposed to this bill come down and ask for a public hearing and a public hearing will be given to them, and they come down with the best men they have in the employ of the corporations to tell us of the bad features of the bill, of the administrative arguments they can propound against the bill but not one word of suggestion how we might amend this bill or correct the bill so as to eliminate this most un-American evil, and I say that this bill should not be defeated, but this bill under the arrangements that we had with the Chairman of the Committee when we voted it out, that after the bill was on the calendar for final passage, a public hearing in the matter would be called and when he consulted me, I agreed to it, that the bill should go over in order so that we might hear the opposition to this bill, and then let the bill go over to the House with the specific understanding that the gentlemen should have an opportunity to offer their amendments, their corrections, and that we would use all the influence in our power as members of the upper House to influence the members of the lower House, that the amendments should be made, that this bill could be amended to correct and eliminate a most un-American evil or practice, then I say I should not insist, or no one should insist that the bill pass, but I say that they ought to try to get together with the opposition and to have them suggest and recommend, if they are true Americans, how we can eliminate this most abominable evil.

I ask the members of the Senate not to defeat this bill, not to kill it, but let the understanding be carried out, let this bill, that is an administration bill, that has been backed by administration, and I most emphatically disagree with the Senator from Pittsburgh, Mr. Rodgers, that he knows of no one in favor of the bill, when we all know that labor has been fighting with all its might to eliminate this abnominable evil for years and years, and the opportunity is here now, and labor has a right to demand at the hands of the party in power that this evil be remedied. I ask the Senate to send this bill over to the House and to allow the administration to so mold the bill that it will not be defeated, for I do, to some extent, admit that the bill does need some possible amendments, so as not to open the door to any serious consequences. We are not here to destroy the owners of these coal mines. We are not here to put in stumbling blocks for the protection of their property, but I say we must demand of these men that they use the possession of that property with all its benefits for the general welfare of the people and with due respect to the betterment that the people are entitled to under the Constitution, whether that man belongs to these corporations or not, for after all, in time of danger, in time of war, when their property is in danger because of invasion of this land, we who do not own a single penny's worth of that property, are called upon to defend it, also have the right to demand, gentlemen, that they use the possession of that property in a true American manner.

I think we ought to take this bill and send it right over to the House, and I shall go along with any member of this Senate to insist that the administration so amend and correct it that it will correct the evil that it is intended to correct.

Mr. DENT. Mr. President, and members of the Senate, I think we all agree with the Senator from Fayette, Mr. Cavalcante, that the evil that exists in the coal mining towns should be wiped out. I do not believe any member of this Senate realizes that more than I do. I was born in a coal mining town. However, there is one particular angle that I think the Senator from Fayette should keep in mind, when possible suggestions are being made, when the amendments come from the House, and that is this: Your townships have a set up, they have bonded indebtedness, they have taxes that they raise; the bulk of the townships' taxes in the townships in which these towns exist comes from the so-called towns. You must remember that a great many in the homes now are practically owned; however, there is nothing in this bill where it hurts, other than this thing: if these towns become incorporated boroughs, then the township loses all revenue from the taxes on that particular property, because it can be used by the borough, and then you are going to affect all the remaining residents of the townships who happen to be farmers, and who cannot stand much more taxes. I am afraid we may drop on to the farmers an additional load to carry it on account of the tax program . That is the only thing I wanted to point out to the Senator from Fayette so that he may keep that in mind when the amendments are offered.

Mr. CAVALCANTE. Mr. President, I fully agree with the Senator from Westmoreland. I think his argument is sound and that this bill be passed. I shall invite the Senator from Westmoreland and the Senator from Pittsburgh to confer with me and to see that the bill does not pass the House unless the administration can repair it so that it will not create the situation stated by the Senator from Westmoreland.

Mr. EALY. Mr. President, this is a very peculiar situation where the sponsor of this bill admits that it is not in proper form and that it would do an injustice, and yet he wants it passed over to the House, simply because the administration has so ordered. There is no use to say anything about this matter if this Senate is going to be a complete rubber stamp and is not going to use its own intelligence in developing these bills in the state in which they should be. The Senator from Fayette County is, to some extent, right about the previous conduct of certain coal companies in his own county, which I presume, he is speaking about chiefly. The courts of our state have said that people generally are entitled to have access to the residents of those towns and I think these troubles that he speaks of are largely aside from that. It seems to me a very anomalous situation if we permit tenants and temporary residents of a village to vote themselves into a borough. We have in our county a number of coal mines. We have in there boroughs ranging from 10,000 in population down to less than 200. In the last thirty years, I can recall perhaps two or three villages which were incorporated into boroughs. All of these had existed, there have been nine boroughs that

have given up their identity as such, but in this same time there have been quite a number of coal company communities which have entirely disappeared. There was a time when our county produced ten million tons of bituminous coal annually. On account of the impossibility for these coal companies to operate, scores of them have gone into bankruptcy and disappeared on account of the taxes of one kind and another, and in competition with West Virginia, until now, their production is about four million tons a year, and many of those companies which then existed have disappeared.

Now, if we permit temporary residents of a village to vote themselves into a borough and set up all the machinery of a borough, and vote bond issues and all the things that go with it, they may be there only a few weeks and then disappear, then the burden is no longer upon them, it is upon others who have nothing to do with voting taxes and bond issues and machinery of a borough. Now this does not apply to coal companies. I can visualize the situation, and it has taken place many times, and there are members of the Senate who perhaps have in mind many instances where lots of land are laid off in some sections and houses are built and people invest their money and build houses, and perhaps a whole section, the entire section is rented out. not to coal miners, but others. Now if we permit those people who have only a very fleeting, temporary energy to go ahead and vote through an incorporation, you are putting a terrible burden upon men who have laid out those sub-divisions and have built the houses. If the evil exists which the Senator from Fayette says, this is not the kind of a bill to take care of it. This bill is not capable of amending or to take care of the things which he speaks of. That should be taken care of by an entirely different series of legislation, and it seems to me that if the members of this Senate would simply give this a little thought and think of the burdens which will be entailed, not only upon the property holders of that community, but on the townships from which the land was taken, they will vote against this bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Barthold,	Haluska,	Law,	Rodgers,
Cavalcante	Henney,	McCreesh,	Ruth,
Dando,	Jacobs,	McGinnis,	Shapiro,
Dent,	Jaspan,	Mundy,	Sipe,
DiSilvestro	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Rice,	Huffman,
Gilson,	Lanius,		

NAYS—13

Buckman,	Gelder,	Mallery,	Sones,
Chapman,	Heyburn,	Owlett,	Wolfenden,
Deitrick,	Homsher,	Scarlett,	Woodward,
Ealy,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative,

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. McGINNIS. Mr. President, I call up Senate Bill No. 815, on third reading. entitled:

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 815, as follows:

An Act relating to motor vehicles new and used creating a motor vehicles dealers' commission establishing its jurisdiction powers and duties and creating and providing for approved motor vehicle appraisers establishing their powers and duties Regulating the sale trade-in allowance appraisals and information furnished the Commonwealth on motor vehicles new and used and establishing regulations concerning speedometers authorizing the Commission to establish periodical prices for used motor vehicles either sold or traded in establishing the appraisal value of motor vehicles new or used either for sale or used trade-in allowances providing for the licensing of motor vehicle dealers and salesmen and approved motor vehicle appraisers and the payment of fees thereofr authorizing examination of the business papers and affairs of and requiring the filing of reports by licensees authorizing and empowering the Commission to hold hearings and to issue rules and orders and the issuance of subpoena by the Commission or its agents and conferring jurisdiction upon the Courts to punish contempts or to prohibit violations of orders of the Commission providing for appeals to the Courts frm decisions of the Commission imposing penalties and making appropriation.

PREAMBLE

Whereas Unsafe unfair unjust destructive demoralizing and uneconomic trade practices have been and are now carried on in the sale and resale of motor vehicles new and used in this Commonwealth whereby the motor vehicle industry in the Commonwealth and the safety of motor vehicles on the highways and the safety of the inhabitants of the Commonwealth using the various highways are imperiled and

Whereas Such conditions constitute a danger to the health industry safety and welfare of the inhabitants of the Commonwealth and

Whereas It is necessary to protect the well being of the inhabitants of the Commonwealth to promote the public welfare and

Whereas The motor vehicle industry is one of the paramount industries upon which the prosperity of the Commonwealth to a large extent depends and is an industry affected by a public interest and

Whereas the present acute economic conditions being in part the consequence of a severe and increased disparity between the prices allowed and paid for used motor vehicles by differen dealers has broken down the orderly sale trade-in and market of used motor vehicles has tended to lower wages lengthen working hours and encourages misrepresentation and has seriously impaired hte assets supporing the motor vehicle industry and places the inhabitants particularly those in the small income brackets in the Commonwealth in pejardy both as to safety of the vehicle and as to the value of the vehicle and

Whereas Legislation is necessary to remove unsafe motor vehicles from the highways prevent fraud and prevent padding of finance charges and insurances charges.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the exercise of the police power of the Commonwealth and to protect public safety health and welfare it is hereby declared that the sale and trade-in allowances and appraisals of new and used motor vehicles in the Commonwealth is a business affected with the public interest and affecting the public health and safety and it is hereby declared to be the legislative intent that this act shall be a measure for the purpose of regulating and controlling the sale and re-sale of motor vehicles new and used for the protection of health safety and welfare of the inhabitants thereof

Section 2 Short Title This act shall be known and may be cited as the "Motor Vehicle Dealers" Commission Law".

Section 3 Definitions The following terms shall be con-

strued in this act to have the following meanings except in those instances where the context clearly indicates otherwise.

"Board or Commission" means the State agency created by this act to be known as the "Motor Vehicle Dealers' Commission".

"Licensee" means a licensed motor vehicle dealer salesman or State approved appraiser.

"Motor Vehicle" means any conveyance propelled by kerosene oil or gasoline motor or engine for highway transportation including passenger automobiles and trucks up to and including one and one-half tons rated capacity excluding busses and motor cycles.

"Motor Vehicle Dealer" means an individual corporation or co-partnership purchasing or handling for an individual corporation or co-partnership motor vehicles used or new for sale.

"Person" includes any individual corporation partnership limited partnership or any other unicorporated enterprise owned by two or more individuals.

"Salesman" means any person who works for or sells or buys motor vehicles for a motor vehicle dealer.

"Appraiser" means any person who is authorized by the Commonwealth to appraise used motor vehicles.

"Demonstrator" means any motor vehicle which has been in use for a period of not less than sixty (60) days and which has been driven thirty-five hundred (3,500) road miles or more.

Section 4 Creation of Motor Vehicle Dealers' Commission Membership Applicability of Administrative Code (a) And there is hereby created an independent administrative commission to be known as the Motor Vehicle Dealers' Commission The Commission shall consist of five (5) members who shall be nominated and appointed by the Governor by and with the advice and consent of the Senate appointed by the Governor This Commission shall be a part time commission and for which each day they shall serve the members thereof shall receive twenty-five ($25.00) and expenses.

(b) Each member of the Commission at the time of his appointment and qualification shall be a citizen of the United States and a resident of the Commonwealth and shall have been a quilified elector of the Commonwealth for one year next preceding his appointment.

One member shall be exclusively a used motor vehicle dealer at present with at least five years' experience in the automobile industry and two shall be new motor vehicle dealers at present with at least five years' experience in the automobile industry and one shall be a salesmen of new motor vehicles at present with at least five years experience in the automobile industry and a fifth shall be neither a used motor vehicle or a ne wmotor vehicle dealer or a new motor vehicle or used motor vehicle salesman No member of the Commission during his period of service as such shall hold any other office under the laws of the Commonwealth or of the United States.

Commissioners shall be appointed for the following terms One used motor vehicle dealer and one new motor vehilce dealer shall be appointed for a period o ftwo (2) years Two (2) other Commissioners shall be appointed for a period of four (4) years and the fifth shall be appointed for six (6) years At the expiration of these various terms their successors shall be appointed for a period of six (6) years.

The Governor shall designate one of the members of the Commission as Chairman The Chairman shall when present preside at all meetings and in his absence a member designated by the Chairman shall preside Three (3) members of the commission shall constitute a quorum and any action or order of the Commission shall require the approval of at least three (3) members.

The Board may appoint a secretary to hold office at its pleasure The Secretary if appointed shall have such power and perform such duties noe contrary to law as the Commission shall prescribe and shall receive such compensation as the Commission with the approval of the Governor shall determine The Secretary shall have power and authority to designate from time to time one of the clerks appointed by the Commission to perform the duties of the Secretary during his absence and the clerk so appointed shall exercise for the time so designated the powers of the Secretary of the Commission.

Th Secretary shall call all meetings of the Board designating the time and place upon request in writing addressed to the Secretary of two (2) or more members of the Commission.

Except as otherwise specifically provided in this act the Commission and its employees shall be subject to all the provisions of the Administrative Code of One thousand nine hundred and twenty-nine approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) its amendments and supplements which apply generally to independent boards or commissions.

Section 5 General Powers and Duties of the Commission The Commission is hereby declared to be the instrumentality of the Commonwealth for the purpose of administering the provisions of this act and to execute the legislative intent herein expressed and it is hereby vested with power.

1 To supervise and regulate the entire sales industry of motor vehicles in so far as it includes the licensing of all motor vehicle dealers and salesmen and to examine and issue certificates of appointment to appraisers of used motor vehicles and establish standards to determine the maximum appraisal price of all used motor vehicles that are sold or traded in and the Commission shall notify all cally The maximum appraisal prices are to be determined appraisers of the basic value of all such vehicles periodiby the Commission as provided for in this act.

2 The operation and effect of any provision of this act conferring a general power upon the Commission shall not be impared or qualified by the granting to the Commission by this act of a specific power to powers.

3 The Commission either itself or through its duly authorized agent shall hold such hearings either at the Capitol or elsewhere as it deems necessary to carry out the provisions of this act.

4 The Commission shall meet upon a day determined by the members of the Commission at least once every thirty (30) days.

5 The Commission shall prescribe the form of certificates of appraisal and shall have the orignial printed on white paper the duplicate to be sent to the Commission by the certified appraiser on pink paper and the second duplicate to be kept in the office of the certified appraisers on blue paper and shall sell these to all certified appraisers at the rate of twenty-five cents ($.25) a certificate including the two duplicates.

6 The Commission shall prepare and adopt all forms to be used by certified appraisers and all licensees for forwarding to the Commission information required.

7 The Commission shall daily from the Department of Revenue secure a list of all motor vehicles licensed and shall check this list with the reports of the sales made by all licensees.

Section 6 Power of the Commission to Subpoena Penalties In order to enable the Commission to carry out the provisions of this act it shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books or papers by motor vehicle dealers salesmen and appraisers whom the Commission believes to have information of importance to it in carrying out the purposes and intent of this act The Commission may likewise issue commissions letters rogatory or other appropriate processes outside the Commonwealth.

(a) The Commission shall likewise have the power to question such witnesses under oath or affirmation and to examine such books and papers.

The Commission may delegate to any member thereof or any employee designated by it the power granted to it under this section.

(b) Any witness who refuses to obey a subpoena issued hercunder or to be sworn or affirmed or to testify pear may be punished as for contempt of court For this purpose an application may be made by the Commission to the Court of Common Pleas within the territorial jurisdiction in which the offense was committed for which

or who is guilty of any contempt after summons to appurpose such court is hereby given jurisdiction.

(c) Each witness required to attend before the Commission or any member thereof under the provisions of this section shall be entitled to the fees and mileage custom paid to witnesses in the Courts of Dauphin County

Section 7 Rules Regulations and Orders (a) The Commission may adopt and enforce all rules regulations and orders necessary or desirable to carry out the provisions of this act not inconsistent with law Ever ygeneral rule regulation or order of the Commission shall be posted for public inspection in the main office of the Commission at least seven (7) days before it shall become effective and at least five (5) days before it shall become effective It shall be given such further publicity or advertisement in newspapers or otherwise as the Commission shall deem it advisable An order applying only to a particular person or persons named therein shall be served on the person or persons affected.

Section 8 Entry and Inspection Pursuant to carrying out the purpose of this act any member of the Commission or any employee designated for the purpose shall have access to and may enter at all reasonable hours all places where motor vehicles new or used are being sold Any member of the Commission or any designated employee thereof shall also have power at all reasonable hours to inspect all books papers records or documents in any place within the Commonwealth for the purpose of ascertaining facts to enable the Commission to administer this act.

The information obtained by any such inspection or by reports required by this act shall be for the confidential use of the Commission and the various departments of the State government and shall not be disclosed by any person except as may be required in the enforcement of the law or by order of the Court The Commission however may use such information together with other similar information for compilation and publication of statistics of the industry in this Commonwealth.

Section 9 Violations (a) Except as otherwise specifically provided in this act any person violating any provision of this act or any rule regulation or order of the Commission lawfully made shall for the first offense upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more subsequent offense shall be guilty of a misdemeanor and than two hundred dollars ($200.00) and for a second or shall upon conviction be sentenced to pay a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1.000.00) or to undergo imprisonment not exceeding one year or both in the discretion of the court.

(b) The Commission or any person or association composed of persons affected by the Commission's orders rules or regulations may institute such action at law or in equity as may appear necessary to enforce compliance with any provision of this act or to enforce compliance with any rule regulation or order of the Commission made pursuant to the provisions of this act or to obtain judicial interpretation of any of the foregoing and in addition to any other remedy may apply to the Court of Common Pleas of Dauphin County for relief by injunction.

Section 10 Licenses (a) No motor vehicle dealer as defined in this act shall deal in handle sell or trade in motor vehicles without first obtaining a license as herein provided.

(b) No salesman shall sell handle or trade any motor vehicle without first being duly licensed.

(c) The Commission shall prescribe the necessary forms requiring the desired information and such forms shall be filled out by the applicants for licenses and shall accompany the application for license with the fee as is provided for in this act.

(d) Motor vehicle appraisers shall not appraise motor vehicles for the purpose of sale or trade-in to licensed ing a certificate of authority from the Commission so to motor vehicle dealers or salesmen unless srfit duly obtaindo and the Commission shall prescribe the forms setting forth the required information which forms shall be filled out and sent to the Commission by applicants for an appraiser's certificate and the Commission shall further set a time and place when an examination shall be given to such applicants for the purpose of determining their qualifications The examination questions shall be composed by the Commission and the answers shall be graded by the Commission or an employee of the Commission designated for that purpose and only those passing shall be entitled to a certificate authorizing them to act as an approved appraiser.

(e) In all the applications for motor vehicle dealers' licenses for salesman's licenses or for appraisers' certificate among other things the forms shall require the applicant to set forth his experience in the automobile industry length of time nature of work type of business he proposes to conduct and in the case of dealers or salesmen they shall set forth with whom they have a contract for selling motor vehicles The Commission shall be satisfied that these applicants for motor vehicle dealer's license in so far as it applies to new motor vehicles shall have a bona fide contract with some motor vehicle manufacturer-distributor or agent and with some motor vehicle dealer in the case of an applicant for a motor vehicle salesman's license.

These licensing provisions are applicable to both new and used motor vehicles except as otherwise specified in this act The financial responsibility shall be set forth on license application forms of motor vehicle dealers.

All appraisers and licensees shall be full time appraisers or dealers or salesmen no remuneration of any kind shall be permitted for persons informing any licensees as to where a possible sale can be made.

Section 11 Rejection Revocation or Suspension of licenses The Commission before refusing to issue or reissue a license or before revoking or suspending a license already issued shall hold an application for a license should be rejected or whether a license issued should be suspended or revoked for any violation on the part of the applicant or a licensee of this law or any rules regulations or orders of the Commission or to determine if for any other reason a license should be denied revoked or suspended and shall give the applicant or licensee five (5) days' notice that there will be such a hearing and set forth in writing the matters complained of the applicant or licensee may appear at the hearing and show cause if any he has why such license should not be refused suspended or revoked after such hearing the Commission shall file at its office a copy of its order and a statement in writing of the findings of fact in support of and the reasons for said order.

Section 12 Bonds All applicants for licenses or for certificates of appraisal shall furnish to the Commonwealth a penal bond in the sum of five hundred dollars ($500.00) for the purpose of guaranteeing that the licensee or certified appraiser will comply with this law and all rules regulations and orders promulgated by the Commission pursuant to the law and such bond shall be forfeited if the licensee or appraiser shall be determined guilty of any violation Provided however nothing in this section shall apply to applicants for a salesman's license.

Section 13 Appeal If any application for a license or a certificate of appraiser is rejected by the Commission or if any licensee or certificate of appraiser is revoked or suspended by the Commission the applicant or licensee or appraiser as the case may be may appeal within twenty (20) days to the Common Pleas Court of the County in which he has his principal place of business and the case shall be heard de novo.

Section 14 Fees for Dealers Salesmen and Appraisers

(a) A license fee of two dolars ($2.00) shall be paid by all licensed salesmen annually.

(b) A fee of twenty-five dollars ($25.00) annually shall be paid by all approved appraisers Ten dallars ($10.00) shall be paid at the time application is made and the additional fifteen dollars ($15.00) shall be paid in the event the applicant is certified.

(c) Licensed dealers shall pay the following fees.

If the gross total sales of new and used motor vehicles

does not exceed $75,000 annually the annual fee shall be $25.00.

If the gross total sales of new and used motor vehicles exceeds $75,000 but does not exceed $250,000 the annual fee shall be $50.00.

If the gross total sales of new and used motor vehicles exceeds $250,000 but does not exceed $500,000 the annual fee shall be $75.00.

If the gross total sales of new and used motor vehicles exceeds $500,000 but does not exceed $750,000 the annual fee shall be $100.00.

If the gross total sales of new and used motor vehicles exceeds $750,000 but does not exceed $1,000,000 the annual fee shall be $125.00.

Ift the gross total sales of new and used motor vehicles exceeds $1,000,000 the fee shall be $150.00.

Section 15 Orders Fixing Prices for Used Motor vehicles and Establishing Standard Charges Which Shall be Deducted for Various Repairs or Replacement on the Used Motor Vehicle (a) The Commission shall within thirty (30) days from the time it is established determine by a survey what the average sale price for used motor vehicles was for each make model body type and year and shall issue orders that for the ensuing thirty (30) days no appraiser shall appraise a used motor vehicle for a greater amount and shall deduct from that amount the list price necessary for repairing the used motor vehicle in order to make it safe to be on the highways and safeable These price flat rate schedule including manufacturers These deductions in so far as possible shall be set forth by a general order of the Commission which may accept the list general orders shall be printed in a form determined by the Commissioin and mailed to all certified approved appraisers at least seven (7) days before they are to be effective.

(b) All subsequent orders affecting the prices to be allowed for used motor vehicles and the necessary deductions to make the motor vehicle safe and saleable are to be established in the following manner.

1 In the case of the maximum basic price to be allowed information sent it by the various licensed dealers and for used motor vehicles the Commission shall take the salesmen and arrive at an average price from this information of the sale of such type model year and make of motor vehicle for the thirty (30) days immediately prior to the determination of the general order and these average prices shall establish the new allowance or prices which shall be the maximum allowed by the various approved appraisers.

2 As to the deductible items necessary to make the motor vehicle safe and saleable the Commission shall revise the schedule from time to time as new motor vehicle list price flat rate schedule for this type of work are established and shall within a reasonable time issue a new order.

3 These prices shall apply only to motor vehicles manufactured within eight (8) years All motor vehicles that are more than eight (8) years old shall have a maximum price to be allowed for the purchase of used motor vevalue of fifty dollars ($50.00).

(c) The Commission shall in arriving at the average hicles consider only those that were purchased or traded in by the licensed dealers or salesmen from residents of this Commonwealth.

(d) If less than twenty-five (25) motor vehicles of any particular type model year or make are sold within the thirty (30) day period then the Commission shall fiix the maximum basic price to be allowed for this type of motor vehicle for the ensuing thirty (30) days without arriving at the average selling price.

Section 16 Appraisers (a) No appraiser shall appraise a used motor vehicle for an amount greater than the basic price established by the general orders of the Commission and shall make a careful inspection of the used motor vehicle and deduct from the basic price allowed the list price established by the Commission for the necessary repairs to make the used motor vehicle safe and saleable and shall also deduct a fair and reasonable amount necessary for replacement or repairs of any items not set forth by the orders of the Commission .

(b) The appraiser shall then issue to the owner of the used motor vehicle a certificate setting forth the basic price determined by the appraiser the amount of repairs or replacements necessary an dthe price thereof itemized and the net price or allowance that may be allowed or paid by a licensed dealer or salesman as a maximum.

(c) The approved appraiser shall charge the used motor vehicle owner fo rappraisal a fee of one dollar and a holf ($1.50) and shall set forth on the certificate of appraisal that the fee had been paid.

(d) The appraiser shall keep two (2) duplicate copies of all certificates of appraisal issued and at the end of each day shall mail one duplicate to the Commission and shall retain the other in his office for a period of sixty (60) days.

(e) The appraisers shall use only certificates of apprisal prepared by the Commission and shall purchase them from the Commission at the rate of twenty-five cents ($.25) per cerificate All certificates are to include the two duplicates.

Section 17 Prices to be Paid Allowances (a) A licensed dealer or salesman shall not allow more for a used motor vehicle than is set forth as the net value of the used motor vehicle on the certificate of appraisal and a licensed dealer or salesman shall require the used motor vehicle to be rechecked by an approved appraiser if the certificate or appraisal is more forty-eight hours old The dealer who buys or takes in trade a used motor vehicle may return to the used motor vehicle owner one fee paid by the used motor vehicle owner to an approved appraiser who has issued the certificate of appraisal.

(b) Nor shall any licensed dealer or salesman allow as a rebate or an inducement to purchase a new motor vehicle any additional equipment or accessories or any other thing of value Nor shall he sell the new motor vehicle for less than the manufacturer's adveritsed price plus transportation Except he may sell to members of his immediate family or to a member of his organization when for the personal use of such buyer but he shall immediately notify the Commission that he has done so and setting forth the name address and the relationship between himself and the buyer and describing the car fully including the make model body type motor and serial numbers Except that in the case of a clean up of new motor vehicles that are about to become obsolete or about to become discontinued or replaced by new models in which event the licensee may apply to the Motor Vehicle Dealers' Commission for permission to sell the motor vehicles he has on hand for less than the price heretofore established setting forth in his application all the facts surrounding the motor vehicles he has on hand and the reasons why they will become obsolete and set forth fully when the motor vehicles on hand will be re- (10) days from the receip. of the application either replaced or discontinued and shall state at what price he jecting or granting the permission requested These new wishes to sell them The Commission shall act within ten models however shall only be considered so if there is a appointments or incidental equipment will not be consubstantial change in the motor vehicle A mere change of sidered a new model The new model to be so considered must be the new and current model and so advertised.

(c) Rules and regulations governing the sale price of motor vehicles shall not apply to vehicles purchased by the Federal government or by the State government municipal government or any sub-division thereof.

(d) If any licensee shall take in trade anything other than used motor vehicles which shall apply on the purchase of another motor vehicle the licensee shall set forth what was taken in trade the price allowed and what disposition was made or intended to be made of it.

(e) If any licensee takes a motor vehicle on consignment and later sells the consigned vehicle and applies the selling price on another motor vehicle which he has either sold previously or subsequently such consigned tions or orders applicable to used motor vehicles.
motor vehicle shall be governer by the law rules regula-

(f) If a licensee purchases from out of the Commonwealth used motor vehicles he shall immediately forward to the Commission detailed information concerning these motor vehicles singly setting forth among other things required by the Commission the make model and type the miles indicated by the speedometer the condition and what purpose the motor vehicles had been put to previously and what disposition he proposes to make of such used motor vehicles.

Section 18 Duties of Licensed Dealers and Salesmen as to Forms (a) The licensed dealer or salesman upon buying or taking as trade allowance any used motor vehicle shall upon doing so lift the certificate of appraisal issued to the owner of the motor vehicle and shall keep it so long as he has possession of the used motor vehicle And shall upon the sale of used motor vehicles set forth among other information that may be required by the Commission the basic price allowed by the appraiser the items of repair the maximum net allowance established by the appraiser and what the licensed dealer or salesman actually allowed for the used motor vehicle and the repairs or replacements that were made and the price received for the motor vehicle when sold by such licensed dealer or salesman and shall then forward to the Commission the appraisal certificate.

(b) And shall set forth in the case of the sale of a the cash received and if sold on time basis or credit basis used motor vehicle the itemized list prices of repairs and replacements actually made by dealer at list price basis the number of payments and the amounts to be made and if a motor vehicle is taken in trade to set forth the information concerning that motor vehicle the same as is provided by this act where a used motor vehicle is taken in trade for a new motor vehicle sale.

(c) In the case of the sale of a new motor vehicle the dealer or salesman shall set forth the manufacturer's advertised selling price the list selling price of the additional accessories or equipment itemized the transporation amount and shall state that all these itmes have been paid for by the purchaser without rebate or reduction And in the event that any new or used motor vehicle sold is financed the name of the finance company the amount of finance charges and the number and amounts of payments to be made and shall set forth the amount and specific kind of insurance coverage the premium and name of the insurance company and shall state that all these items were charged to the purchaser without discrimination rebate or reduction.

(d) All licensed dealers and salesmen must trade in or sell a demonstrator under the same provisions as govern a used motor vehicle.

(e) All dealers and salesmen must have the scupeedometers of all new or used motor vehicles connected at all times when the motor vehicles are in use and shall not turn back or in any way falsify the reading on a speedometer.

(f) A dealer or salesman may junk a used motor vehicle but when doing so must forward the certificate of appraised to the Commission together with a statement that a certificate of junk has been forwarded to the Department of Revenue and shall set forth what junk price he received.

(g) A licensed motor vehicle dealer shall daily forward to the Commission a list of all the motor vehicles sold and in the case of used motor vehicles forward to the Commission the certificate of appraisal accompanying the used motor vehicle when the dealer took possession of it and give in detail all the other information required by this act or that may be required by the Commission

Section 19 Payments of Fees into the State Treasury "Motor Vehicle Dealers' Fund" Appropriation Expenses of Commission

(a) All moneys collected or received by the Commission arising from license fees penalties or any other source shall be paid by the Commission into the State Treasury through the Department of Revenue and shall by the State Treasurer be placed in a separate fund to be known as the "Motor Vehicle Dealers' Fund"

(b) As much of the money from time to time in the Motor Vehicle Dealers' Fund as may be necessary is hereby specifically appropriated to the Motor Vehicle Dealers' Commission to be used to pay its expenses including the following

1 Salaries of the Commission of its employees and of any deputy attorney general special deputy attorney general assistant deputy attorney general or other counsel as may be assigned by the Department of Justice to the Commission for the handling of any legal work pertaining to its business

2 Rental and other expenses for offices rooms garage space and other accommodations outside of the Capitol Buildings either in or outside of the capital city occupied by the Commission

3 Premiums for workmen's compensation insurance covering the officers and employees of the Commission

4 Premiums for surety bonds for such officers or employes of the Commission as may be required by law to furnish such bonds

5 Purchase and operating costs of motor vehicles required by the Commission for full-time use including premiums for liability insurance covering such motor vehicles and the members of the Commission and employes operating them also the amount payable to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use by the Commission

6 Furniture stationery materials supplies and all other overhead expenses of the Commission

7 All other expenses of every kind and description necessary for the performance by the Commission of its work

All such purchases and leases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as agent

(c) As much of the money from time to time in the Motor Vehicle Dealers' Fund as may be necessary is hereby appropriated to the Board of Finance and Revenue for the payment of approved claims for refund made to the Board of Finance and Revenue for moneys heretofore or hereafter paid into the Motor Vehicle Dealers' Fund to which the Commonwealth is not rightfully entitled

(d) Estimates of the amounts to be expended under this act by the Motor Vehicle Dealers' Commission either itself or through the Department of Property and Supplies as agent or by the Board of Finance and Revenue in the payment of claims for refund shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor and requisition for the expenditure of any moneys out of this appropriation by the Motor Vehicle Dealers' Commission or by the Department of Property and Supplies as its agent or by the Board of Finance and Revenue in excess of the estimates approved by the Governor Subject to this provision the Auditor General shall from time to time draw warrants upon the State Treasury for the amounts specified in such requisitions not exceeding however the amount in the Motor Vehicle Dealers' Fund at the time of the making of any such requisition

Section 20 Legislative Intent It is hereby declared to be the legislative intent that this law shall apply to all persons in the motor vehicle sales industry both but shall not be deemed to apply in the case of an individual who is not engaged in the business of selling and purchasing motor vehicles from selling to another individual not in the motor vehicle business his own personal motor vehicle at any price agreed upon

Section 21 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 22 Saving Clause No provisions of this act

shall apply or be construed to apply to foriegn or interstate commerce except in so far as the same may be effective in accordance with the Constitution of the United States and the laws of the United States enacted pursuant thereto

Section 23 The expenses for administering this act shall be paid entirely from the various fees collected by the Commission

Section 24 This act shall take effect immediately upon its approval by the Governor

Mr. McGINNIS. Mr. President, the automobile owners in Pennsylvania pay in taxes to the State and Federal Government over one hundred million dollars a year. They paid a license fee to the State of Pennsylvania, in the year 1936, thirty-five millions, they paid their gas tax to the State of Pennsylvania of forty-nine millions, they paid the Federal tax in 1936 of twelve millions, so that the automobile producers in Pennsylvania paid to our Government over one hundred million dollars a year in taxes. During the depression, if there was one class of people in Pennsylvania, or in the United States, that kept the spirit of American business, it was the automobile dealers. Mr. President, I say to you had it not been for the automobile dealers in the United States during the depression I do not know where we would be today I admired during those dark days the courage and energy and the spirit of the automobile dealers. When most of us were depressed and our soul burned out of our body, these automobile dealers went forth with the spirit of old and kept on and kept the automobile industry up, otherwise it would have gone down, and but for the very fact that these men during those dark days worked with such spirit and such energy to keep the automobile business going, as I said before, I do not know what would have been the result. During the few years of the depression they worked for the N. R. A., they were not keen N. R. A. at first, but after they had worked under it they saw the benefit of it and when the N. R. A. passed out these men have found things most difficult. I do not suppose there is an automobile dealer in Pennsylvania can go to a bank today, or to anyone, they are at the mercy of finance business that practically none of them are making any money. During the last five years twenty-five percent of them have failed. We had a hearing in this Chamber last week and I want to say to the Senators who sat here and heard the testimony at that hearing, it was the finest, the largest hearing that I have ever attended since I have been here. Over eighty percent of the dealers in Pennsylvania, men who have sold us these cars that were built, paid to the nation one hundred million dollars a year in taxes, these men have came to us and tell us here, "no matter how hard we work, no matter how much we struggle, no matter how much we worry, most of us are losing money." At that hearing the other night one man told me that he sold there million dollars worth of cars last year and made eighteen hundred dollars. Another man told me he had sold a million and a half dollars worth of cars and made only five thousand dollars. Another man came and told me that he sold a million dollars worth of cars and made eighteen hundred dollars. Most of them are losing money and the worst part of the thing is the second-hand cars, the trade-ins. For every new car that is sold two used cars are sold, and there is such a chance for cheating, of crooked financing, that the unscrupulous dealer can offer fifty dollars or one hundred dollars for a car than a reputable dealer can offer only forty dollars. Then they will take him to his own finance company and they will task on those finance charges and the owner, the man who possibly does not know and when he is through he pays just as much as if he had gone to a reputable dealer and gotten a first-class car. And so these men come to us, these men that through their energy and through their sales are responsible for bringing into our Government over one hundred million dollars a year, they come down to this Legislature and say: "here is all we ask, we do not ask for a cent from the State of Pennsylvania, we do not ask for a dollar in taxes, here is something that we people want, eighty percent of them, and we are willing to pay for the cost of this licensing bureau or commission, we will pay in our own license fees, therefore we are willing to have our dealers licensed, our salesman licensed, and our places licensed, and this Commission of five, provided for in the bill, will immediately, at least once every thirty days, be paid twenty-five dollars a day for the days they actually meet and fix the price of second-hand cars or fthe following month." This price is arrived at by taking the average price of the second-hand sales during the previous month and then that is the maximum price the next month that any dealer would be allowed to charge. This bill provides that if there is a sale of a second-hand car these licensed appraisers will appraise cars to the price not more than the maximum prices set by the Commission, but he can appraise the car and if it needs repairs he enumerates the repairs and before that car can be sold the dealer knows what repairs must be made; therefore it is a safety measure.

Mr. President, I want to say to you I regard this as the greatest safety measure that was ever offered in the State of Pennsylvania to protect us on the highways, and so, Mr. President, I feel that if these automobile dealers that we all admire, that if these men come down here and say "we want this and we do not ask the State of Pennsylvania to pay a cent for it, we are willing to pay for it, it will not cost the State a penny", they come here by the score, and I praise these dealers for setting their own house in order, that they have offered to do this bill. There is no politics in this thing, they are not politicians, they are the best business men in the State of Pennsylvania and they come here and ask for this without costing the State of Pennsylvania a penny.

Mr. OWLETT. Mr. President. I intend to take but a moment of the time of this Senate with reference to this bill. I rise with some hesitancy after the Senate has listened to such a masterful plea for this bill. I just want to point out, however, and dispute what he says with reference to the financial position of automobile dealers, at least in the section that I come from. All those dealers are responsible men and can go to any bank and borrow money, and in my section the automobile dealers do not want this bill, because they are afraid that prospective customers will be able to cross the State line if they are not satisfied with what they have to allow under this bill.

Mr. President, I am told that already in the City of Philadelphia some of the large dealers have established and are establishing branches in townships, and when a prospect comes to a dealer in Philadelphia and is told what he can allow him, it will be a very simple matter to take it across the Delaware River bridge.

Mr. President, I think that this bill is a mistake and I think that the dealers themselves will find it is a mistake,

for I have represented in my capacity as an attorney, a good many of the dealers in my county and I represent them today. The group of men that came down here, as the Senator from Allegheny said, I believe to be the finest citizens of this Commonwealth. Mr. President, when men like that come before this Senate and say "we cannot run our business, we need somebody to tell us what we will allow for automobiles," I am frank to say I do not know what has happened to the American business men of this day who come down here and say "we cannot run our business because we are so weak that we must give too much to the man that has the car to trade in." Now what is going to happen to the poor fellow that has an old automobile and this appraiser comes along and says that it is not worth anything? His hands are tied, he cannot get rid of his car except for what the appraiser says it is worth, he cannot sell it outside, we all know that. The dealer can get any price he pleases, he is not bound to a price allowed.

Mr. President, I venture to suggest that this bill will come back to plague every member in the Senate who votes for it. I think it is a mistake. This is true I believe, as Senator McGinnis has said, that the majority of the dealers of Pennsylvania think they want this bill, but I do not think it is true that they are not capable of running their business. The dealers that I represent, without exception, are fine business men, they support our community, they should have the backing of every one of us, and I want to repeat that there is no one in this Senate more vitally interested in seeing them prosper than I am, and I cannot believe that this bill will work out to their ultimate benefit, and I further cannot believe that any dealer in any borderline county of this whole State will be able to meet the competition that is bound to come when the dealers outside bring in what they please. You all know today that a man will shop around for thirty dollars on a second-hand car, or twenty dollars; in my county you can go ten miles across the line and can get any price they please, there is no limitation on what they can pay except the bargaining of the people. In other words, how in the world is this thing a safety measure, enforcing this bill as a safety measure when the whole purpose of the bill is to see how much he can get for his second-hand automobile. I cannot see where there is any safety measure in it. Still I say I cannot believe that this bill is constitutional, I do not believe it, and I cannot believe it is in the interest of the dealers. A large number of them are for it, I know that Senator McGinnis is conscientiously for this bill, I know that the Association officers seem to favor this bill and I have great respect for them, but I think they are making a mistake.

Mr. WOODWARD. Mr. President, not long ago I came under the influence of the charming personality of the Senator from Allegheny, Mr. McGinnis, and in a moment of rashness I said I would support his bill, but I have now read as far as page 7 of the bill and, therefore, I have to serve notice that I cannot support this bill.

Mr. LAW. Mr. President, all of these complaints seem to come from the border lines of this State. It seems strange to me that this bill has the support of probably ninety percent of the dealers, if there is anything in these telegrams and other communication I get from my district, which is right along the border line of the highway, not very far from the birder line of Ohio.

Mr. BUCKMAN. Mr. President, in voting upon this bill I intend to exercise my prerogative of doing what I think is best for the automobile dealers in Pennsylvania, whether they think the same or not. And I am thoroughly convinced that we cannot regulate the price of used automobiles by legislation any more than we can control a man's appetite by legislation. I too represent a border district and I know that it will not be for the benefit of the dealers in my district to have this bill enforced, and as far as that is concerned, if any dealer wants to chisel on the price that is allowed for used automobiles he will find a way to do it. It may be that he will not show by his books that he is violating the provisions of this Act, but he will say to a prospective customer I cannot allow you one hundred dollars, but I will bet you fifty dollars that you cannot walk through that door without touching both sides. If the man does it, he will get fifty dollars and everything will be satisfactory.

Mr. KUNKEL. Mr. President, I desire to state that I do not intend to vote for this bill. My reason for opposing this bill is altogether different from the reasons that may be in the minds of my Republican colleagues. I can very well appreciate the fact that the automobile dealers need help and assistance. The reason why they need help and assistance is because the automobile industry is in the hands of a few monopolistic producers who are forcing the product up on the dealers without regard to the effect it may have upon the dealers or the public. Ninety-five percent of the automobiles used are produced by Ford, Chrysler and General Motors. The condition in the automobile industry is indicative of the general tendency and growth of business in this country towards monopoly. I am opposed to that condition of affairs. At the same time I am not willing to help the small businesses people at the expense of the masses of Americans who use automobiles. This is not primarily a price fixing measure. Our business system is based on the theory that the law of supply and demand automatically fixes the price fairly and equally for everybody. That is the theory, but it is not true, it does not work out that way. The evidence of that is the fact that we are urged here to fix prices and help the little business man. I am willing to do that, but not at the expense of the mass of Americans who are consumers. For these reasons I am opposed to this bill.

Mr. OWLETT. Mr. President, I just want to say one thing; I do not want to consider this a partisan measure and I think many of the dealers that are for this bill are Republican dealers. I have not approached them myself, I do not know the position of the Republicans. I hope this will not be voted upon as a partisan measure, that it will not be taken up in that position, in a partisan position. This is my own position, as I understand it, and as the dealers in my own community would want.

Mr. WOLFENDEN. Mr. President, I am going to vote for this bill although I do not believe in the principle that it sets up. I am voting for it because I feel that we are facing the pirnciple of regulation of business and industry, and that we have an opportunity here with a competent group of business people who come to us and state that for this experiment "we are willing to pay all the costs and finance it," and if it does not work, I hope it will not be the consumer who will suffer, but it will be the automobile dealer of Pennsylvania. If we set the prices upon the used cars that are not satisfactory, people will go out of the State and buy them, or there will be

chiseling as Senator Buckman has said. I do not think we can ever have a better opportunity of finding out whether or not we should have the State regulate business. I do not think we will ever have a higher type group come to us and make a fairer proposition than these gentlemen have made. In my particular district ninty-five percent of these dealers are for it. I told them I did not believe it would be good thing. They said, "we are for it." Now if you want to get 95% of your automobile dealers and as they feel that they are competent enough in their business experience, I think we should give them an opportunity, it will cost the State nothing and it will cost the public nothing. I believe we should support the measure.

Mr. SHAPIRO. Mr. President, I have no personal interest in either side of this controversy, but I am concerned about a bill which is drawn in this form. According to this bill, if a man wants to go to shop around, as he has a right to do now, even amongst those who are supposed to be known as chiseling dealers and whom I do not know, I do not know what a chiseling dealer means, but if he goes to anyone, he first must get his certificate of appraisal and pay a dollar and a half, and if within two days from that time he wants to go to another dealer to chisel, to give him an idea how much he can get for his car, according to the bill, on page 19, he must get another appraisal, because a certificate of appraisal is only good for forty-eight hours and in the rush and hurry to get this bill through, the sponsors have not noted that on page 19 the insertion of the word "forty-eight hours" instead of "twenty-four". In addition to that, they left out the word "than" and the sentence does not make sense, if the certificate of approsal is null within forty-eight hours. In addition to that, in trying to prevent what they call chiseling they must necessarily do something else. If the allowance is greater than they think should be allowed, then they place themselves in the hands and control of the manufacturer, because if you cannot make due allowance on used cars, then you cannot get the price on a new car, and they provide that no car shall be sold except at the advertised price fixed by the manufacturer. And now that is the extent to which this bill has gone, and in order to enable these people to carry out what they say is a laudible purpose.

In addition to that, they have set up provisions in the defense of a violation for which a man would pay a fine of from five hundred to a thousand dollars if the given allowance is more than the appraisal, and if he does not put a stamp on the certificate or if the certificate is more than forty-eight hours old and he accepts it, a man would be fined for the second offense from five hundred to a thousand dollars, and I suggest to those men who have sponsored this bill that they are asking the members of the Senate to do something that they will regret before they are much older, the expense of an appraisement of a used car is to be made for a dollar and a half and they expect that appraisement to be properly made and that is not so. What they are trying to do is merely compel a man to go to specific appraisers. The specific appraisers will know just how much they should be allowed and they will never be able to make the appraisement for a dollar and a half, because the commission also on the rejection of the bill, the Commission set up this as the maximum allowance for any car, the appraiser does not have anything to say about it, except within certain limits, and those limits are fixed by others who are set up by the commission and if you will read that these cars and all of the money that go to the Commission you will find that they are going to be a sizable sum, running into hundreds of thousands of dollars, coming into the hands of this Commission and for what purpose? Why they should need it I do not know. We have had case after case, some that went to the Federal Court, and some to the Supreme Court of the United States, where it was held that you could not fix the price, the manufacturer could not fix the retail price of his article. Now we in Pennsylvania are giving the manufacturer in Ohio, who ships his products here, the right to say that no dealer shall sell an automobile for less than the advertised price. I refer the members of this Senate to the bill in question, on page 19, "nor shall he sell the new motor vehicle for less than the manufacturers' advertised price plus transportation, except he may sell to members of his immediate family or to members of his organization for personal use of such car but he shall immediately notify the Commission that he has done so and setting forth the name, address and relationship between himself and the buyer and describing the car fully including the make, type of body type of motor and serial number."

In addition to that, if that is so, why distinguish these automobile manufacturers from other manufacturers? We have thousands of radio dealers in the State of Pennsylvania, washing machine dealers, who take in trade second-hand machines, why should not they have the same privilege? Why is this exclusively for the manufacturers and the dealers in automobiles? Everybody knows that the radio business is in just as chaotic condition as the automobile business in respect to trade in, and it seems to me it is time that we stop making special legislation for special groups, especially when the penalty for violation of any provision of the Act is a fine of $1,000, and I think, if my memory serves me right, in addition to that imprisonment.

This bill is made for a lawful purpose, but it certainly can hurt a large city like Philadelphia. In that city, all you have to do is to spend 25c to go across the bridge and get a greater allowance if you want it.

I do not know what they mean by a 'chiseling' dealer; I do not know how he is described, but I do know before this bill goes into effect you can go into one place and get $250 for a car and go into another place and get $350 and I do see a crime in that, or any reason why a man should be called a "chiseler" because he is willing to make the best bargain he sees fit from his experience.

The PRESIDENT, (Lieutenant Governor Thomas Kennedy) in the Chair.

Mr. McGINNIS. Mr. President, I will admit that if anybody had suggested a bill like this ten years ago, I would have felt the same as some of the Senators apparently are feeling here this afternoon, but times have changed. I do not know just the cause, but somehow or other they are changing. These very automobile dealers, when the N. R. A. was passed, despised it, like most of the people did, they said that it would never work, and after they were under it they found it worked, and I want to say this, that the regulations in this bill compared with N. R. A. are very mild. These automobile dealers worked under N. R. A., they worked under a bill ten times as drastic as this, and having worked for over a year under the N. R. A. and having seen what it had done for their industry, these men, as I said be-

fore sold used cars to owners and did pay to the State and Federal Government over one hundred million dollars a year. These men who have sold those cars pushed that business as no other group of men have done in Pennsylvania and do you know these salesmen in Pennsylvania made last year only a thousand dollars profit and the dealers, twenty-five percent of them, failed, and dealers who sold at least two or three million dollars worth of cars, as they told us here the other day, made $1,800 to $5,000 profit in that kind of business, now they come to us and say "we are sick, we are a sick business, we have lived under the N. R. A., we know what it has done, we are not asking you to do anything, we are asking for a mild regulation compared to what we were compelled to do under N. R. A.," and I say to you, a class of business-men like that, as the Senator from Indiana has said, the highest class of business-men in the State of Pennsylvania, after keeping us going through the depression with the spirit of more energy and more courage than any other group, and now they come to us and say "we are sick, our salesmen are only making a thousand dollars a year, the average salesmen, twenty-five percent of us have failed and we are no drones, we are out day and night, we try never to lose a sale, they come to us and say "here we want this, we have had the experience with the N. R. A., we do not ask the State of Pennsylvania to pay a cent for us, we are willing to pay for it and suffer if it is wrong, but we do not fear any suffering from it because we have lived a year under the N. R. A.," and as I said before under regulation ten times as drastic as this bill.

Mr. KAHLE. Mr. President, I have listened to the oratory of the Senator from Allegheny which is a flowery description of this bill. He comes from the city and I represent a rural country, I represent seventh and eighth class counties. In the first place, I was surprised to think that a group of men of the type that appeared down here last week at the hearing would come and even ask that the legislature should make class legislation for their industry. As the Senator from Philadelphia has said, if we begin this class legislation where will we ever stop? Here we are going to fix the price of hair-cuts, and we are going to fix the price of automobiles, of gasoline. People from all industries in this country will be asking for a price fixing bill. Now, in my country this is what it is going to do, and we have automobiles dealers and they are prospering. The Senator from Allegheny, Mr. McGinnis, has told us that they cannot go to the bank and borrow money. I asked a man who was down here, a leading automobile dealer, whose reputation and credit is high in the town. Now, the automobile dealers in our country do not just handle cars, they also create a market for the farmers, they will take in cattle, they will take in horses, they will take in hogs, or whatever line that they may have to trade in and this is setting up a great market for our people, and it was a wonderful market during wartimes, when the people had nowhere to dispose of those things, when the prices were so low. Now are we going to block that? Are we going to cut down the right of the people, the ordinary man, where he can no longer go and barter and trade his automobile in wherever he can get the best deal? I say it would be very unjust if we would tie the hands of the people of the country and fix that price. Many of these people, of course, we know are also from the poor laboring people, and they in turn go without a price on their car and they will deal possibly for a second-hand car, but if this price is fixed, it will block that entirely.

Now, there is another thing that is wrong about this set-up, and that is this; they set up a board of five members and those five members are going to be permitted to go into every man's place of business and look over his books and check on everything, on all transactions that are conducted. Do you want a certain Board to come in every day and look over your books? Now you are taking away the rights and liberty of the people when you do that. Let us consider what we are doing, and, as Senator Shapiro has said, the exhorbitant penalty that is placed on this is certainly wrong. For my part I am going to vote against this bill and, I hope consistently, for the benefit of the district which I represent.

Mr. HALUSKA. Mr. President, I can see the reason why some of the members in this Chamber oppose this bill, because it might affect a certain district, but I cannot see any reason why any man should oppose it when it does not affect them. You must keep in mind, even if this measure might be detrimental to one particular section, that what one body can do the next body can undue. These people are asking for it, they are going to pay for it, and I see no reason why we should deny them that privilege.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—21

Barthold,	Jacobs,	McGinnis,	Rupp,
Cavalcante,	Jaspan,	Mundy,	Ruth,
Deitrick,	Kilgallen,	Pytko,	Scarlett,
Gilson,	Lanius,	Rankin,	Stiefel,
Haluska,	McCreesh,	Rodgers,	Wolfenden,
Henney,			

NAYS—19

Buckman,	Frey,	Law,	Shapiro,
Chapman,	Gelder,	Owlett,	Sipe,
Dent,	Homsher,	Pierson,	Sones,
DiSilvestro,	Kahle,	Rice,	Woodward,
Ealy,	Kunkel,	Salus,	

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

HOUSE MESSAGE

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 756

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate, May 19, 1937.

Resolved (If the House of Representatives concur) That Senate Bill No. 756, Printer's No. 422, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the

licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by adding thereto Section 209A authorizing the Insurance Commissioner to impose penalties upon any insurance company association or exchange which exceeds the powers granted under a certificate of authority

be recalled from the Governor for the purpose of amendment.

NOMINATION BY THE GOVERNOR

The Chair cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

George Kucik Jr., of Monessen, Westmoreland County, for appointment as Alderman of the First Ward in the City of Monessen, Westmoreland County, vice Mrs. Beatrice Conway, deceased, until the first Monday of January, 1938.

Russel W. Brown, of DuBoistown, Lycoming County, for appointment as Justice of the Peace in the Borough of DuBoistown, Lycoming County, to fill a vacancy, until the first Monday of January, 1938.

James D. Wheal, of Laporte, Sullivan County, for appointment as Justice of the Peace in the Borough of Laporte, Sullivan County, to fill a vacancy, until the first Monday of January, 1938.

GEORGE H. EARLE.

ANNOUNCEMENTS BY THE SECRETARY

Committee on Public Utilities will meet in Room 265, on May 20th, at 11:00 a. m.

Committee on Municipal Government will meet in Room 402 on Thursday, May 20th, at 10:00 a. m.

Committee on Municipal Government at 9:00 o'clock tonight.

Committee on Game and Fisheries, after the first recess this evening.

Committee on Executive Nominations will meet immediately in the Office of the President, Pro Tem.

Committee on Highways will meet in Room 302 on Thursday, at 3:00 p. m.

Committee on Banking will meet immediately after recess tonight.

Committee on Insurance will hold a public hearing on Senate Bill No. 744 and 602 in the Senate Caucus Room on May 20th.

Committee on Mines and Mining will meet tonight at 7:45 p. m.

Committee on Elections will meet in Room 400 tonight at 7:45 p. m.

RECESS

Mr. RICE. Mr. President, I move that the Senate do now take a recess until at 8:00 p. m.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

HOUSE MESSAGE

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 1787, (Senate Bill No. 1359), entitled:

An Act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at Law and in Equity in certain Courts of this Commonwealth: to prescribe rules and regulations for the conduct of any general business either civil or criminal by Judges of any Court of Record: authorizing the Courts of Common Pleas to prescribe and adopt local rules not inconsistent with such general rules of the Supreme Court of Pennsylvania: authorizing the Supreme Court of Pennsylvania to appoint a Procedural Rules Committees and to fix and define its powers and duties: imposing duties on Judges and other officers of every Court of Record

Which was committed to the Committee on Judiciary General.

House Bill No. 1984 (Senate Bill No. 1360).

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine(P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by adding new sections further regulating the use of highways and the operation of and the equipment used in connection with vehicles including trailers and semi-trailers street cars trackless trolley omnibuses school buses and commercial motor cycles upon the highways of this Commonwealth providing exemptions extending certain provisions of the act to trailers and semi-trailers providing for the renewal and automatic satisfaction of encumbrances and liens and further amending the procedure relating thereto providing for the further registration of certain vehicles and the licensing of the operators thereof including additional requirements reciprocity agreements and additional reasons for suspension and revocation conferring additional powers and imposing additional duties upon the Department of Revenue and the Department of Highways further imposing upon municipalities within the Commonwealth liability for damages caused by the negligent operation of fire department equipment changing the procedure disposition of fines and penalties for certain violations of the act and making the fines thereunder mandatory and extending existing penalties and providing additional penalties.

Which was committed to the Committee on Highways.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 373, entitled:

An Act to amend the title, and sections three, four, six, seven, eight, nine, ten, eleven, fourteen and eighteen of the act, approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 463), entitled "An act providing for a limited period of time, for the incorporation as bodies corporate and politic, of 'Authorities' for municipalities; defining the same; prescribing the rights, powers, and duties of such Authorities; authorizing such Authorities to acquire, construct, improve, maintain, and operate projects and to borrow money and issue bonds therefor; providing for the payment of such bonds, and prescribing the rights of the holders thereof; conferring the right of eminent domain on such Authorities; authorizing such Authorities to enter into contracts with and to accept grants from the Federal Government or any agency thereof; and for other purposes," by removing the date by which projects must be commenced; extending the powers therein granted providing for additional projects and removing certain restrictions against construction of projects; extending the life of Authorities; providing for the creation of Authorities by joint or single action of municipalities counties and townships; providing for the audit of accounts of authorities regulating contracts by authorities regulating the number and terms of members of the governing boards of Authorities; authorizing the Commonwealth and the political subdivisions thereof to transfer certain contracts to the Authorities; authorizing Authorities to accept and acquire certain contracts, and limiting the powers of receivers appointed therefor.

Senate Bill No. 652, entitled:

An Act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners,, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; imposing penalties, and repealing existing legislation.

Senate Bill No. 672, entitled:

An Act to amend sections one two twelve and twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1260) entitled "An act regulating the business of assisting employers to obtain employes and persons to secure employment providing for the licensing registration bonding and regulation of certain individuals and entities engaged in such business conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties" defining employers and employes providing that the term "employment agent" as therein defined shall not include certain theatrical or entertainment producers and managers further regulating registers of employment agencies and prescribing penalties.

Senate Bill No. 788, entitled:

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by providing for a minimum fee for the valuation of life policies.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEE

Mr. FREY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREY reported from the Committee on Executive Nominations with a favorable recommendation the following nominations made by his Excellency, the Governor of the Commonwealth.

BOARD OF TRUSTEES OF STATE INDUSTRIAL HOME FOR WOMEN

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, April 14, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following appointments:

BOARD OF TRUSTEES OF STATE INDUSTRIAL HOME FOR WOMEN

Myron B. Savidge, of Turbotville, Northumberland County, for the term of four years, and until his successor is qualified.

GEORGE H. EARLE.

MEMBER OF BOARD AND GAME COMMISSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate John H. Price, of Scranton, Lackawanna County, for appointment as a member of the Board of Game Commissioners, for the term of six years, vice J. Q. Creveling, of Wilkes-Barre, resigned.

GEORGE H. EARLE.

TRUSTEES WERNERSVILLE STATE HOSPITAL

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 17, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the

following persons for appointment as members of the Board of Trustees of Wernersville State Hospital:

Earl K. Witwer, of Elverson, Chester County, to fill a vacancy for the term of four years, and until his successor is qualified.

James Francis Lyman, of Reading, Berks County, vice Miss Katharine A. Hoffman, of Lebanon, whose term expired, for the term of four years and until his successor is qualified.

Howard Snyder, of Leesport, Berks County, vice J. L. Balthaser of Hamburg, resigned, for the term of four years, and until his successor is qualified.

William Hertz, of Allentown, Lehigh County, vice Mrs. Charlotte S. Butz, of Allentown, whose term expired, for the term of four years and until his successor is qualified.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 5, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Margaret M. Coyne, 212 Oakland Av., Pittsburgh.
John W. Fink, 300 34th St., Pittsburgh.

BERKS COUNTY

J. Ernest Kohl, Reading.

CRAWFORD COUNTY

James E. Jack, Titusville.

LUZERNE COUNTY

Miss Catherine M. Grier, Pittston.

MONTGOMERY COUNTY

H. I. Phillips, Ardmore, Lower Merion Twp.

PHILADELPHIA COUNTY

Leo N. Bedard, 4640 Roosevelt Blvd., Phila.
John K. Bollinger, 1072 Public Ledger Bldg., Phila.
Frank H. Cassentino, 6860 Rising Sun Ave., Phila.
B. F. Lieber, 58th St. and Grays Ave., Phila.

WESTMORELAND COUNTY

George F. Crouse, Smithton.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 6, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Imelda Guentner, Millvale.

FRANKLIN COUNTY

Miss Mildred S. Brown, Chambersburg.

PHILADELPHIA COUNTY

Chas. Hackenburg, 1723 Belfield Ave., Phila.
Mrs. Dorothy Smith, 638 Public Ledger Bldg., Phila.

VENANGO COUNTY

William L. Welch, Oil City.

WARREN COUNTY

Edmund D. Clapp, Tiona, Mead Twp.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

H. Y. Crossland, 728 Frick Bldg., Pittsburgh.
Fred W. Schwarz, Dormont.
Miss Elizabeth Stratton, McKeesport.

ARMSTRONG COUNTY

Harry W. Dame, Ford City.

BUCKS COUNTY

Harry H. Gough, Bristol.

CLEARFIELD COUNTY

O. A. McGarvey, Irvona.

DELAWARE COUNTY

Grover C. Kauffman, Drexel Hill, Upper Darby Twp.

FAYETTE COUNTY

Miss Betty Betts, Masontown.
S. E. Porter, Dawson.

LEHIGH COUNTY

Warren C. Kiess, Allentown.

LUZERNE COUNTY

Donald Betterly, Kingston.
Miss Mary G. Dunnigan, Hazleton.
Miss Anne Mekelyta, Wilkes-Barre.

NORTHAMPTON COUNTY

Miss Frances Labate, Easton.

PHILADELPHIA COUNTY

Miss Mary Dwyer Gibney, 2100 Arch St., Phila.
Miss Jean McAleer, 1020 Girard Trust Co. Bldg., Phila.
Miss Sara S. Robinson, 18 W. Chelten Ave., Phila.

WASHINGTON COUNTY

Miss Elma G. Hepler, Charleroi.

WESTMORELAND COUNTY

Howard A. Rhodes, Greensburg.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Catherine E. Connolly, 1208 Berger Bldg., Pittsburgh.
Walter Kelsey, 3380 Boulevard of the Allies, Pittsburgh.
Eardley T. Manby, Colonial Trust Co., Pittsburgh.

CAMBRIA COUNTY

Mrs. Margaret C. Wilson, Nanty-Glo.

DELAWARE COUNTY

Thomas H. Young, Upper Darby, Upper Darby Twp.

FAYETTE COUNTY

D. W. Smiley, Uniontown.

MONTGOMERY COUNTY

Lewis E. Miller, Willow Grove, Upper Moreland Twp.
William E. Reading, Hatboro.
Raymond Walker, Greenlane.

NORTHAMPTON COUNTY

Anton Wolst, Bethlehem.

PHILADELPHIA COUNTY

D. Bernard Hefferman. Finance Bldg., Phila.
Miss Katherine G. Reilly, 1421 Chestnut St., Phila.
Walter Schwartz, 1201 Chestnut St., Phila.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 13, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Miss Alma M. Eiben, 1105 Grant Bldg., Pittsburgh.

ARMSTRONG COUNTY

Bert W. Fleming, Kittanning.

CAMBRIA COUNTY

Miss Edna M. Crocker, Johnstown.

CENTRE COUNTY

John L. Holmes, State College.

CLEARFIELD COUNTY

Miss Louise Flick, Clearfield.

CUMBERLAND COUNTY

Vance R. Stouffer, New Cumberland.

ERIE COUNTY

Miss Gertrude E. Reich, Erie.

LEHIGH COUNTY

Miss Bertha M. Kuhns, Alburtis.

PHILADELPHIA COUNTY

Pierce Archer Jr., 1104 Stock Exchange Bldg., Phila.
Mrs. Hortense H. Pepper, 1222 Lincoln Liberty Bldg., Phila.

YORK COUNTY

Miss Maye Davenport, Hanover.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Howard B. Darrow, 401 Grant Bldg., Pittsburgh.
George A. Holmestrom, 715 Warrington Ave., Pittsburgh.

BLAIR COUNTY

Mrs. Iva M. Wineland, Curryville, North Woodbury Twp.

DELAWARE COUNTY

Miss Elizabeth Kent, Media.
Freas B. Snyder, Upper Darby, Upper Darby Twp.

LANCASTER COUNTY

Miss Fern A. Leaman, Lancaster.

NORTHAMPTON COUNTY

Miss Orpha E. Dieter, Cherryville, Lehigh Twp.

PHILADELPHIA COUNTY

L. J. Bloche, 3611 Walnut St., Phila.

WESTMORELAND COUNTY

J. E. Moorhead, West Newton.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 11, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ADAMS COUNTY

Mrs. Gladys W. Keefer, Littlestown.

ALLEGHENY COUNTY

Mrs. Esther L. Wilson, 3826 Parviss St., Pittsburgh.

BLAIR COUNTY

Mrs. Dorothy M. Shute, Altoona.

DELAWARE COUNTY

Mrs. Ethel M. Zinn, Upper Darby, Upper Darby Twp.

ERIE COUNTY

Mrs. Jean Field, Corry.

LUZERNE COUNTY

Mrs. Mary T. Kennedy, Wilkes-Barre.

MONTGOMERY COUNTY

Mrs. Alice Evans Cummings, Rosemont, Lower Merion Twp.

PHILADELPHIA COUNTY

Miss H. A. Bracken, 143 S. 4th St., Phila.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 12, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

S. L. Kann, 316 4th Ave., Pittsburgh.

BUCKS COUNTY

Wm. D. Warner, Bristol.

INDIANA COUNTY

Stanley E. Stahl, Cherry Tree, Green Twp.

LAWRENCE COUNTY

Miss Corl J. Swartz, Ellwood City.

LEHIGH COUNTY

Mrs. Marion Homer Getts, Allentown.
Russell A. Leister, Center Valley, Upper Saucon Twp.

LUZERNE COUNTY

William L. McGarry, Wilkes-Barre.

WESTMORELAND COUNTY

Chester McCutcheon, Irwin.

GEORGE H. EARLE.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 17, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Max G. Kumer, Universal, Penn Twp.

BLAIR COUNTY

Paul J. Smith, Altoona.

CAMBRIA COUNTY

Marlin B. Stephens, Johnstown.

CLINTON COUNTY

Edward Caskey, Renova.

DAUPHIN COUNTY

Miss Gladys E. Uhrich, Harrisburg.

FAYETTE COUNTY

Samuel H. Miller, Brownsville.

GREENE COUNTY

Eli Cole, Waynesburg.

LACKAWANNA COUNTY

Robert G. Coglizer, Scranton.
Thomas A. Garvey, Carbondale.

LANCASTER COUNTY

Miss Esther I. McCreary, Lancaster.

MIFFLIN COUNTY

Harry E. Davis, Lewistown.

PHILADELPHIA COUNTY

Louis Biederman, 813 N. Lawrence St., Phila.
Philip Levin, 3636 N. Broad St., Phila.

WASHINGTON COUNTY

Mrs. Margaret Townsend, Washington.

GEORGE H. EARLE.

JUSTICES OF PEACE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 13, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Grover C. Hinebaugh, of St. Michael, Cambria County, for appointment as Justice of the Peace in the Township of Adams, Cambria County, vice J. W. Harrison, resigned, until the first Monday of January, 1938.

T. C. Goss, of McKnightstown, Adams County, for appointment as Justice of the Peace in the Township of Franklin, Adams County, to fill a vacancy, until the first Monday of January, 1938.

GEORGE H. EARLE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 17, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Charles L. Fitzpatrick, of Port Clinton, Schuylkill County, for appointment as Justice of the Peace in the Borough of Port Clinton, Schuylkill County, vice F. L. Gately, deceased, until the first Monday of January, 1938.

Thomas Davis, of Beaver, Beaver County, for appointment as Justice of the Peace in the Borough of Beaver, Beaver County, vice David Stewart, deceased, until the first Monday of January, 1938.

GEORGE H. EARLE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 5, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Mrs. Martha A. Shifflet, of Lincoln Township, Allegheny County, for appointment as Justice of the Peace in the Township of Lincoln, Allegheny County, to fill a vacancy, until the first Monday of January, 1938.

GEORGE H. EARLE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate N. E. Hetrick, of South Brady Township, Huntingdon County, for appointment as Justice of the Peace in the Borough of Mill Creek, Huntingdon County, until the first Monday of January, 1938, vice I. M. Foust, of Mill Creek, deceased.

GEORGE H. EARLE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 10, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

Robert Angwin, of West Pittston, Luzerne County for appointment as Justice of the Peace in the Borough of West Pittston, Luzerne County, until the first Monday of January, 1938, vice Fred D. Reber, deceased.

L. Robert Crouse, of Littlestown, Adams County, for appointment as Justice of the Peac in the Borough of Littlestown, Adams County, until the first Monday of January, 1938, vice Charles H. Mayers, deceased.

GEORGE H. EARLE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 17, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Clark E. Freas, of Exeter Township, Wyoming County, for appointment as Justice of the Peace in the Township of Exeter, Wyoming County, vice Oliver Serfas, deceased, until the first Monday of January, 1938.

GEORGE H. EARLE

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following:

George Kucik, Jr., of Monessen, Westmoreland County, for appointment as Alderman of the First Ward in the City of Monessen, Westmoreland County, vice Mrs Beatrice Conway, deceased, until the first Monday of January, 1938.

Russell W. Brown, of DuBoistown, Lycoming County, for appointment as Justice of the Peace in the Borough of DuBoistown, Lycoming County, to fill a vacancy, until the first Monday of January, 1938.

James D. Wheal, of Laporte, Sullivan County, for appointment as Justice of the Peace in the Borough of Laporte, Sullivan County, to fill a vacancy, until the first Monday of January, 1938.

GEORGE H. EARLE

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. FREY.

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session. for the purpose of acting upon all the nominations reported at to-day's session.

Which was agreed to.

Whereupon,

A motion was made by Mr. FREY.

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows. viz:

YEAS—43

Barthold,	Haluska,	Mallery,	Rupp,
Buckman,	Henney,	McCreesh,	Ruth,
Cavalcante,	Heyburn,	McGinnis,	Salus,
Chapman,	Homsher,	Mundy,	Scarlett,
Deitrick,	Huffman,	Owlett,	Shapiro,
DiSilvestro,	Jacobs,	Pierson,	Sipe,
Ealy,	Jaspan,	Pytko,	Sordoni,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed.	Wolfenden,
Gelder,	Kunkel,	Rice,	Woodward,
Gilson,	Lanius,	Rodgers,	

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. RODGERS. Mr. President, I move that the Executive Session do now rise.

Mr. RUPP. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. McGINNIS. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McGINNIS from the Committee on County Government reported as committed, Senate Bill No. 1229 entitled:

An Act to repeal section thirty of the act approved the first day of May, one thousand eight hundred sixty-one (Pamphlet Laws four hundred fifty) entitled, "An act relating to Allegheny County."

Mr. RUTH. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH from the Committee on Elections reported as committed, Senate Bill No. 856 entitled:

An Act to amend the act, approved the eighteenth day of April, one thousand nine hundred and twenty-nine (P. L. 549), entitled "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries in any county, city, borough or township of the Commonwealth, at the option of the electors thereof; prescribing regulations with reference to the adoption, requirements, examinations, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used; placing duties upon county commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act," by adding a new section thereto 11-A, providing that in counties of the first class, all appointments shall be equally divided between majority and minority commissioners.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH from the Committee on Elections reported as committed, Senate Bill No. 987 entitled:

An Act to regulate nominations and elections for all offices of judge of a court of record; providing for nonpartisan nominations and elections for said offices; abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices: imposing certain duties upon the Secretary of the Commonwealth, county commissioners, and election officers and clerks; and pro-

viding penalties for the violation of the provisions hereof, and the punishment of certain offenses.

Mr. RANKIN. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RANKIN from the Committee on Elections reported as committed, Senate Bill No. 1063, (House Bill No. 2070) entitled:

An Act to repeal the act approved the twenty-ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred fifty-one) entitled "An act fixing the time of holding elections on questions submitted to electors of boroughs."

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RANKIN from the Committee on Elections reported as committed, Senate Bill No. 1288 (House Bill No. 1792) entitled:

An Act concerning elections, including general, municipal, special, and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections.

Mr. HENNEY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HENNEY from the Committee on State Boards reported as committed, Senate Bill No. 1324 entitled:

An Act to amend section five of the act approved the third day of May, one thousand nine hundred and thirty-three (Pamphlet Laws two hundred forty-two) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers, and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by providing for limited certificates of registration for operators and managers engaged in particular types of beauty culture, subject to rules of the Department of Public Instruction.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HENNEY from the Committee on State Boards reported as committed, Senate Bill No. 990 entitled:

An Act to amend section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commission, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by making further provisions for the appointment, salary, and powers and duties of a Secretary of a State Athletic Commission.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HENNEY from the Committee on State Boards reported as amended, Senate Bill No. 1245 entitled:

An Act to define and regulate, as a profession and in the public interest, the practice of public accountancy; to prohibit the practice of public accountancy by unauthorized persons, to establish the Pennsylvania State Board of Accountancy; to grant to the board usual necessary administrative powers; to define the status of a certified public accountant; to provide for granting and issuing certicates and registration cards to accountants who qualify under and comply with the provisions of this act; to provide for revoking and cancelling or suspending certificates and registration cards; to prescribe the conditions under which partnerships may engage in the practice of public accountancy to fix the fees to be paid to the State for certificates and registration card; to provide for the annual publication of the names and addresses of the persons and partnerships engaging in the practice of public accountancy; to determine the ownership of professional papers defining privileged communications and information to recognize certain specifically limited exemptions; to provide penalties for violation of the provisions of this act conferring jurisdiction on common pleas courts to restrain violations and to repeal all acts and parts of acts inconsistent with the provisions thereof.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HENNEY from the Committee on State Boards reported as committed, Senate Bill No. 1217 entitled:

An Act to enable the courts of quarter sessions to restore to the possession and ownership of former owners thereof certain intoxicating liquors seized for violation of law, notwithstanding the conviction of the owner of said liquor of an offense in respect thereof.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HENNEY from the Committee on State Boards reported as committed, Senate Bill No. 1300 entitled:

An Act to amend section eleven of the act approved the tenth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws four hundred eighty-five) entitled, "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations engaging in the care, preparation, and disposition of the bodies of deceased persons and providing penalties," authorizing the examination of certain persons who presumed they were registered as apprentices.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HENNEY from the Committee on State Boards reported as amended, Senate Bill No. 608 entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together

with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further defining the duties of the secretary of the board of school directors.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HENNEY from the Committee on State Boards reported as committed, Senate Bill No. 1353 (House Bill No. 1214) entitled:

An Act to further amend the act approved the third day of May, one thousand nine hundred and thirty-three (Pamphlet Laws two hundred forty-two) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture, defining beauty culture and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators, conferring powers and duties upon the Department of Public Instruction, providing for appeals to certain courts by applicants and licensees and providing penalties," by further defining beauty culture, making certain changes, regarding the examination and registration of those who desire to engage in the occupation of beauty culture, modifying and increasing the regulations and requirements to be met and complied with by beauty culture schools, shops, students, apprentices, teachers, managers, operators, manicurists and demonstrators, prescribing certain qualifications for examiners, inspectors, investigators and supervisors, making certain changes in the powers and duties of the Department of Public Instruction and in the procedures to be followed in the enforcement of the act.

Mr JASPAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN from the Committee on Public Health reported as committed, Senate Bill No. 1267 (House Bill No. 1282) entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws forty-six) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by changing the preliminary educational requirements for licenses to practice osteopathy and operative surgery further defining osteopathy providing for issuing licenses to perform operative surgery to licensees of other states requiring annual renewals of osteopathic surgeons' licenses fixing fees extending the functions and authority of osteopathic physicians and surgeons and prescribing additional penal provisions

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KILGALLEN from the Committee on Municipal Government reported as committed, Senate Bill No. 1235, entitled:

An Act providing for the creation division and consolidation of wards in cities of the first class and defining procedure therefor.

With the recommendation that it be recommitteed to the Committee on City Government.

The PRESIDENT. The bill is re-referred to the Committee on City Government.

Mr. EROE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EROE from the Committee on Federal Relations reported as committed, the following resolution:

In the Senate of Pennsylvania May 19, 1937.

Whereas, There is a nation wide movement to better housing conditions which in many sections are in a critical state, and

Whereas, Four bills are now pending in the General Assembly of Pennsylvania which will be ineffective to relieve conditions in this Commonwealth unless the Congress of the United States shall adopt the Wagner-Steagall Housing Bill or similar legislation, therefore be it

Resolved (if the House of Representatives concur) That the General Assembly hereby memoralizes the Congress of the United States to enact the Wagner-Steagall Housing Bill or similar legislation in order that a comprehensive housing program may be effectively prosecuted in this Commonwealth

Resolved, That a copy of this resolution be forwarded to the President of the Senate, and to the Speaker of the House of Representatives of the United States by the Chief Clerk of the Senate.

Mr. RUTH. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be reported from committee to lie on the table one day be suspended and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Mr. MALLERY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chairs hears none.

Mr. MALLERY from the Committee on Elections reported as committed, Senate Bill No. 1268, entitled:

An Act requiring certain candidates at primary elections to be enrolled as members of the political party whose nomination they seek.

Mr. RUPP. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUPP from the Committee on County Government reported as amended, Senate Bill No. 620 (House Bill No. 1075) entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," by authorizing the district attorney in counties of the third class to purchase and maintain police radio equipment.

BILLS INTRODUCED

Mr. McGINNIS. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McGINNIS read in his place and presented to the Chair Senate Bill No. 1361, entitled:

An Act to amend section one of the act, approved the seventeenth day of March, one thousand eight hundred and sixty-nine (P. L. 12), entitled "An act to enable railroad, canal and slack-water navigation companies to straighten, widen, deepen and otherwise improve their lines of railroads, canals and slack-water navigation ,and the bridges, aqueducts, piers and structures thereof," as amended, by enabling any railroad, canal and slack-water navigation company to vacate, change, straighten, or relocate the course or channel of any stream, creek, run or water course, for certain purposes and by extending the purposes for which any such company may straighten, widen, deepen and otherwise improve their lines of railroad, canal and slackwater navigation.

Which was committed to the Committee on Public Utilities.

Mr. STIEFEL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 1362, entitled:

An Act providing for control and eradication of insect and fungus attacks upon trees; authorizing and empowering the Department of Forests and Waters to make investigations upon private or public lands and to establish control measures and imposing duty on landowners to carry out control measures; making an appropriation and providing penalties.

Which was committed to the Committee on Forests and Waters.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1124, entitled:

An Act making an appropriation to the Safety Commission.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provision of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gilson,	Kunkel,	Rice,
Buckman,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Salus,
Deitrick,	Huffman,	Owlett,	Scarlett,
Ealy,	Jacobs,	Pierson,	Sipe,
Eroe,	Jaspan,	Pytko,	Sones,
Frey,	Kalile,	Rankin,	Wolfenden,
Gelder,	Kilgallen,	Reed.	Woodward,

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. McCREESH. Mr. President, I ask unanimous consent that Senate Bill No. 1136 on third reading, entitled:

An Act to provide for the regulation of the building, erection and maintenance of structures in along across over under projecting into or being in streams lakes and other bodies of water wholly or partly within or forming part of the boundary of this Commonwealth, providing for permits, fees and charges conferring powers and imposing duties upon the Water and Power Resources Board.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1146, (House Bill No. 1055), entitled:

An Act to further amend section six hundred and twenty-seven and clause twenty-three of section one thousand two hundred and ten to add section nine hundred and eighteen to article nineteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring school districts to permit the use of school buildings for the holding of public meetings and prohibiting the payments of appropriations to school districts failing to pay minimum salaries and increments prescribed for members of teaching and supervisory staffs and by authorizing school districts along or jointly with other school districts to cooperate with colleges in establishing undergraduated centers or to establish courses of college studies and to fix fees therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six hundred and twenty-seven of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section one of the act approved the thirty-first day of March one thousand nine hundred and twenty-seven (Pamphlet Laws 87) is hereby further amended to read as follows

Section 627 The board of school directors of any district may permit the use of its school grounds and buildings for social recreation and other proper purposes under such rules and regulations as the board may adopt and shall make such arrangements with any city borough or township authorities for the improvement care protection and maintenance of school buildings and grounds for school park play or other recreation purposes as it may see proper and any board of school directors may make such arrangements as it may see proper with any officials or individuals for the temporary use of school property for school playgrounds social recreation or other proper educational purposes primaries and elections

The board of school directors of any school district shall upon the petition of ten or more taxpayers residing within the school district grant a permit authorizing the use of a school building for the purpose of holding meetings

under such rules and regulations concerning the maintenance of order and sanitation as the board of school directors may adopt but without discrimination on account of race religion political convictions or otherwise

The board of school directors of any school district shall have power and authority to lease any part of their respective school building equipment and premises to any university or college of the Commonwealth approved by the State Council of Education for the purposes of conducting and maintaining therein university or collegiate courses Such leases shall be subject to the terms and regulations which may be adopted by the board of school directors and shall be further subject to the approval of the State Council of Education

Section 2 That clause twenty-three of section one thousand two hundred and ten of said act as added by the act approved the twenty-eighth day of April one thousand nine hundred and twenty-one (Pamphlet Laws 328) and last amended by section three of the act approved the sixth day of May one thousand nine hundred and twenty-five (Pamphlet Laws 547) is hereby further amended to read as follows

23 The amount apportioned and allotted to each school district shall be divided into equal semi-annual installments and the Superintendent of Public Instruction shall draw his [warrants] requisition semi-annually upon the State Treasurer in favor of each district for the amount to which it is entitled and payment thereof shall be made to fourth class districts during the months of February and August of each year to second and third class districts during the months of March and September of each year and to first class districts during the months of April and October of each year

[Provided That reimbursement] Reimbursement on account of salaries required to be paid for extension schools and classes as herein provided shall be made to school districts maintaining approved extension schools and classes established as herein provided and shall begin with the first semi-annual payment of the biennium beginning the first day of June one thousand nine hundred and twenty-seven Provided however That the Superintendent of Public Instruction may refuse to authorize the payment of any amount payable to any school district for the school year commencing the first day of July one thousand nine hundred and thirty-seven or any school year thereafter which school district has for the year one thousand nine hundred and thirty-five one thousand nine hundred and thirty-six or the year one thousand nine hundred and thirty-six one thousand nine hundred and thirty-seven failed or refused to pay to the members of its teaching and supervisory staffs the full amount of the minimum salaries and increments required by this section giving due credit for increments suspended during the years one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four and one thousand nine hundred and thirty-four one thousand nine hundred and thirty-five or which shall at any time hereafter fail or refuse to pay to the members of its teaching and supervisory staffs the full amount of the minimum salaries and increments required by this section He may continue to withhold such requisitions until provision has been made by the school district for the payment of such minimum salaries and increments

Section 2 That article nineteen of said act is hereby amended by adding thereto the following new section

Section 918 The board of school directors of any school district is hereby authorized and empowered to enter into agreements with any college of the Commonwealth approved by the State Council of Education for the purpose of establishing undergraduate centers with the financial assistance of such school district and under such terms and regulations as shall be prescribed by the State Council of Education or to provide for the establishment of courses of study of college grade or rank in a separate department operated by such school district under regulations to be prescribed by the State Council of Education

Each school district undertaking such higher education in any manner provided herein shall prescribe the amount and manner of payment of fees if any shall be required to be paid by students attending such courses departments or schools

The board of school directors of any two or more school districts may exercise the powers conferred herein by the establishment of joint schools departments or courses

Section 3 This act shall become effective the first day of July one thousand nine hundred and thirty-seven

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate agree to the bill?

Mr. RUTH. Mr. President I ask unanimous consent to amend Title, page 1, line 3 of title, by inserting after the word: "ten" the following: "and"; amend Title, page 1, line 3, of title, by inserting after the word: "section" the following: "one thousand"; amend Title, page 2, line 7 of title by striking out the word: "undergraduated" and inserting in lieu thereof: "undergraduate"; Amend Sec. 2, page 5, line 19, by striking out the figure: "2" and inserting in lieu thereof: "3"; amend Sec. 2 (Sec. 918), page 5, line 21, by striking out the figure: "918" and inserting in lieu thereof: "1918"; amend Bill page 6, by inserting between lines 11 and 12 the following section: Section 4. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional. the decision of the court shall not affect or impair any of the remaining provisions of this act. It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein"; amend Sec. 3, page 6, line 12, by striking out the figure: "3" and inserting in lieu thereof: "5."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

Mr. GILSON. Mr. President, I ask unanimous consent to further amend section 1 (Sec. 627), page 3, line 12, by striking out the word: "shall" and inserting in lieu thereof: may.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOLFENDEN. Mr. President, I ask unanimous consent to further amend title, page 1, line 1 of title, by striking out the words "S section six hundred and twenty-seven and"; amend title, page 1, line 3 of title, by inserting after the word "section" the followirg: "one thousand"; amend title, page 1, line 13 from top of page, by striking out the words "requiring school dis-"; amend title, page 2, lines 1 and 2 from top of page, by striking out the words "tricts to permit the use of school buildings for the holding of public meetings and"; amend sec. 1, page 2, line 5, by striking out the words "section six hundred and twenty-seven" and inserting in lieu thereof "clause twenty-three of section one thousand two hundred and ten"; amend sec. 1 page 2, by striking out the words "S as last amended by section one of the" in line 14, and all of lines 15, 16 and 17; amend sec. 1 (Sec. 627), page 2, by striking out all of lines 18, 19 and 20; amend sec. 1 (Sec. 627), page 3, by striking out all of lines 1 to 28 inclusive; amend sec. 2, page 4, lines 1 and 2, by striking out the words; "Section 2. That clause twenty-three of section one thousand two hun-

dred and ten of said act"; amend sec. (Sec. 918), page 5, line 21, by striking out the figure: "918", and inserting in lieu thereof: 1918.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER

Mr. EALY. Mr. President, I ask unanimous consent that Senate Bill No. 1174, (House Bill No. 158), on third reading, entitled:

An Act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts

go over in its order.

Mr. RODGERS. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1174, (House Bill No. 158), entitled:

An Act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof, and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. RODGERS. Mr. President, I ask unanimous consent to amend Section 310, pages 19 and 20, lines 25 and 29 inclusive, and lines 1 to 3 inclusive, so as to read as follows: "Section 310. Acid Mine Drainage and Silt. The provisions of this article shall not apply to acid mine drainage and silt from coal mines until such time as, in the opinion of the Sanitary Water Board, practical means for the removal of the polluting properties of such drainage shall become known."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1189, (House Bill No. 1184), entitled:

An Act authorizing the Pennsylvania Historical Commission, on behalf of the Commonwealth of Pennsylvania, to acquire, by gift, approximately 7.224 acres of land in Tinicum Township, Delaware County, sometimes known as "Printz Park," or as "Printz-Lindberg Park," to be known hereafter as "Governor Printz Park"; providing for the control, management, supervision, restoration, improvement and maintenance thereof; authorizing the Commission to make and enforce rules and regulations for the preservation, maintenance and visitation thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pas finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Mallery,	Rupp,
Buckman,	Henney,	McCreesh,	Ruth,
Cavalcante	Heyburn,	McGinnis,	Salus,
Chapman,	Homsher,	Mundy,	Scarlett,
Dando,	Huffman,	Owlett,	Shapiro,
Deitrick,	Jacobs,	Pierson,	Sipe,
Dent,	Jaspan,	Pytko,	Sones,
DiSilvestro,	Kahle,	Rankin,	Stiefel,
Ealy,	Kilgallen,	Reed,	Thompson,
Eroe,	Lanius,	Rice,	Wolfenden,
Frey,	Law,	Rodgers,	Woodward,
Gelder,			

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1190, (House Bill No. 1186), entitled:

An Act authorizing school districts to make contracts of group life, health and accident insurance for the benefit of pupils in vocational schools, at the expense of the school district; defining the status of the school district and pupils under existing and future insurance laws; and requiring school districts to make certain reports to the Department of Public Instruction.

And said bill having been read at length the third time

On the question,

Will the Senate agree to the bill?

Mr. WOLFENDEN. Mr. President, I ask unanimous consent to amend title, page 1, lines 1 and 2 of title, by striking out the words "life, health and"; amend sec. 1, page 1, line 8, by striking out the words "life, health or".

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1192, (House Bill No. 1354), entitled:

An Act to further amend section two thousand two hundred and twenty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by regulating the retirement of and providing additional retirement allowances for superintendents of schools and superintendents of buildings in districts of the first class under certain circumstances and authorizing such school districts to provide for the payment of such additional allowances.

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. RUTH. Mr. President, I ask unanimous consent to amend Section 1, page 2, line 14, by inserting before the word "is" the following: "as amended by the act approved the fourth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws 677) ; amend Section 1 (Section 2223), page 5, line 11, by inserting before the word "in" the following: [who was employed in the public schools of the Commonwealth at the time of the establishment of the retirement system]

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1196 (House Bill No. 1524), entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred eighty-nine) entitled "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops barber schools and barber colleges and apprentices and students therein conferring certain powers and duties on the Department of Public Instruction and providing penalties" by modifying the provisions relating to barber schools the licensing of persons as barbers and the issuing of renewal student or apprentice permits providing additional grounds for suspension and revocation of permits and registrations discontinuing the use of the term "barber college" and prescribing penalties

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I should like to call the attention of the Senator to the fact that this bill on page 18 is the same as in another part of the bill and is in the exact position as the bill defeated today on page 18 it contains the following provision: "Whenever a written agreement signed by an organized group comprising seventy-five per centum or more of the licensed barbers operating in any county whereby a scale of minimum prices for barber work is established in such county is submitted to the Department of Public Instruction the department shall investigate." That is the exact provision that was in the original bill which was defeated in the Senate. There are some provisions in this bill that are meritoreous and deal with qualifications to which I do not object, and therefore I ask unanimous consent to offer amendments cutting out the provisions on pages 18 and 19, as follows: Amend sec. 8, page 17, by striking out all of lines 25, 26 and 27; amend sec 8 (Sec. 15-B), page 18, by striking out all of lines 1 to 28, both inclusive; amend sec. 8 (Sec. 15-B), page 19, by striking out all of lines 1 to 4, both inclusive; amend sec. 9, page 19, line 3, by striking out the figure "9" and inserting in lieu thereof "8"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1197 (House Bill No. 1540), entitled:

An Act to repeal section ten of the act approved the nineteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weighmasters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties".

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barthold,	Haluska,	Law,	Rice,
Buckman,	Henney,	Mallery,	Rodgers,
Cavalcante,	Heyburn,	McCreesh,	Rupp,
Chapman,	Huffman,	McGinnis,	Ruth,
Dando,	Jaspan,	Mundy,	Shapiro,
Dent,	Kahle,	Pytko,	Sipe,
Eroe,	Kilgallen,	Rankin,	Sones,
Frey,	Kunkel,	Reed,	Wolfenden,
Gilson,	Lanius,		

NAYS—9

Deitrick,	Homsher,	Pierson,	Scarlett,
DiSilvestro,	Owlett,	Salus,	Woodward,
Gelder.			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL RECOMMITTED

Mr. LAW. Mr. President, I move that Senate Bill No. 1200 (House Bill No. 1693), on third reading, entitled:

An Act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land

be recommitted to the Committee on County Government.

Mr. RUPP. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1201 (House Bill No. 1732), entitled:

An Act to amend sections three hundred seventy-one and six hundred seventy section seven hundred thirty-two as amended sections seven hundred thirty-three eight hundred seventy-six and eight hundred ninety-six of and to add section seven hundred thirty-seven to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further regulating tax levies bond issues appropriations and the procedure for rebuilding bridges in such counties.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Gilson,	Lanius,	Rice,
Buckman,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Salus,
Deitrick,	Huffman,	Mundy,	Scarlett,
Dent,	Jacobs,	Owlett,	Shapiro,
DiSilvestro,	Jaspan,	Pierson,	Sipe,
Eroe,	Kahle,	Pytko,	Sones,
Frey,	Kilgallen,	Rankin,	Wolfenden,
Gelder,	Kunkel,	Reed,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1203 (House Bill No. 1788), entitled:

An Act to amend section five hundred forty-five of the act approved the first day of May one thousand nine hundred and thirty-three (Pamphlet Laws 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as amended providing for the audit of the accounts of justices of the peace

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barthold,	Gilson,	Law,	Rodgers,
Buckman,	Haluska,	Mallery,	Rupp,
Cavalcante,	Henney,	McCreesh,	Ruth,
Chapman,	Heyburn,	McGinnis,	Salus,
Dando,	Homsher,	Mundy,	Scarlett,
Deitrick,	Huffman,	Owlett,	Shapiro,
Dent,	Jacobs,	Pierson,	Sipe,
DiSilvestro,	Jaspan,	Pytko,	Sones,
Ealy,	Kahle,	Rankin,	Thompson,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Woodward,
Gelder,	Lanius,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. LAW. Mr. President, I ask unanimous consent that Senate Bill No. 1204 (House Bill No. 1798) on third reading, entitled:

An Act to repeal clause (c) as amended, and to amend clause (d) of section fifty-eight of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the court of common pleas of balances due by fiduciaries; the rights, powers and liabilities of non-resident and foreign fiduciaries, the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the

recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and, also, generally dealing with the jurisdiction, powers, and procedure of the orphan's court in all matters relating to fiduciaries concerned with the estates of decedents," eliminating certain provisions relating to foreign fiduciaries selling, assigning, transferring and receiving the income from certain assets of decedents, minors and cestui que trusts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1207 (House Bill No. 2039), entitled:

An Act to amend section five of the act approved the second day of July one thousand nine hundred and thirty-five (Pamphlet Laws five hundred ninety-nine) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday during certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" providing for a referendum vote in certain municipalities in the year one thousand nine hundred and thirty-seven and making persons filing petitions liable for the cost of printing ballots

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Barthold,	Gilson,	McGinnis,	Salus,
Cavalcante,	Haluska,	Mundy,	Shapiro,
Dando,	Henney,	Owlett,	Sipe,
Dent,	Jaspan,	Pytko,	Sordoni,
DiSilvestro,	Kilgallen,	Rupp,	Stiefel,
Eroe,	Kunkel,	Ruth,	Thompson,
Frey,	McCreesh,		

NAYS—18

Buckman,	Heyburn,	Mallery,	Rodgers,
Chapman,	Homsher,	Pierson,	Scarlett,
Deitrick,	Huffman,	Reed,	Sones,
Ealy,	Kahle,	Rice,	Wolfenden,
Gelder,	Law,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1219, entitled:

An Act to amend sections one three eight and ten of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws eight hundred fifty-eight) entitled "An act establishing a State employes retirement system and creating a retirement board for the administration thereof establishing certain funds for contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended qualifying members of the State retirement system

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, this is an amendment to the Act for the State retirement system, it amends the law on the State Retirement Fund for employes to apply to the members of the General Assembly. Now, I argue against this bill as being superrogative, because you have to be on the payroll for ten years to participate in this retirement fund, and the bill, therefore, applies only to those Senators who have been here for forty years or more, which would include Senators Salus, Buckman, Homsher and myself, so I am arguing against myself so far as that is concerned. If your service is less than five years in the legislature, this is an unnecessary obligation for a very delicately contrived organization, and I cannot see the necessity except to help about six members of the Senate who do not need it.

Mr. LAW. Mr. President, I think we should encourage some of the Supreme Court Justices to retire, so I will vote for the bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barthold,	Frey,	Kunkel,	Rice,
Buckman,	Gelder,	Lanius,	Ruth,
Cavalcante,	Gilson,	Law,	Salus,
Chapman,	Haluska,	McCreesh,	Sipe,
Dando,	Henney,	McGinnis,	Sones,
Deitrick,	Heyburn	Mundy,	Sordoni,
Dent,	Huffman,	Pytko,	Stiefel,
DiSilvestro,	Jaspan,	Rankin,	Thompson
Eroe,	Kilgallen,		

NAYS—12

Ealy,	Mallery,	Reed,	Shapiro,
Homsher,	Owlett,	Rodgers,	Wolfenden,
Kahle,	Pierson,	Scarlett,	Woodward,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1231, entitled:

An Act empowering the Department of Property and Supplies with the consent and approval of the Department of Military Affairs and the Governor to lease or rent a part or parts of the Pennsylvania Military Reservation at Indiantown Gap to the City of Harrisburg for the purpose

of impounding water for a water supply and appropriating the moneys received therefrom to the Department of Military Affairs.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barthold,	Gilson,	Mallery,	Rupp,
Buckman,	Haluska,	McCreesh,	Ruth,
Cavalcante,	Henney,	McGinnis,	Salus,
Chapman,	Heyburn,	Mundy,	Scarlett,
Dando,	Homsher,	Owlett,	Shapiro,
Deitrick,	Huffman,	Pierson,	Sipe,
Dent,	Jaspan,	Pytko,	Sones,
DiSilvestro,	Kahle,	Rankin,	Stiefel,
Ealy,	Kilgallen,	Reed,	Thompson,
Eroe,	Kunkel,	Rice,	Wolfenden,
Frey,	Lanius,	Rodgers,	Woodward,
Gelder,	Law,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1237, entitled:

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey to the Pennsylvania State College subject to certain reservations the Mont Alto State Forest School and to accept a conveyance from said college of a tree nursery tract

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Haluska,	Mallery,	Rupp,
Cavalcante,	Henney,	McCreesh,	Ruth,
Chapman,	Heyburn,	McGinnis,	Salus,
Dando,	Homsher,	Mundy,	Scarlett,
Deitrick,	Huffman,	Owlett,	Shapiro,
Dent,	Jaspan,	Pierson,	Sipe,
DiSilvestro,	Kahle,	Pytko,	Sones,
Ealy,	Kilgallen,	Rankin,	Stiefel,
Eroe,	Kunkel,	Reed,	Thompson,
Frey,	Lanius,	Rice,	Wolfenden,
Gelder,	Law,	Rodgers,	Woodward,
Gilson,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1260, entitled:

An Act to amend section one thousand four hundred and thirty-six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended further regulating the compensation to be paid attendance officers and home and school visitors in school districts of the first class.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. SALUS. Mr. President, I understand that this is another economy bill, a bill raising the salaries of the Board of Education in Philadelphia. We have heard considerable talk in this Session as to the need of additional money in Philadelphia, and this is an example of the saving of money in the various institutions in Philadelphia, in order that we may not go into bankruptcy. This is one of those economy bills that is going to save the City of Philadelphia from bankruptcy by increasing salaries, and, of course, if you want to save money, you want to vote for the bill.

And on the question, recurring.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30.

Barthold,	Henney,	McCreesh,	Rodgers,
Cavalcante,	Huffman,	McGinnis,	Rupp,
Dando,	Jaspan,	Mundy,	Ruth,
DiSilvestro,	Kahle,	Pytko,	Shapiro,
Eroe,	Kilgallen,	Rankin,	Sipe,
Frey,	Kunkel,	Reed,	Sones,
Gilson,	Lanius,	Rice,	Stiefel,
Haluska,	Law,		

NAYS—14.

Buckman,	Gelder,	Owlett,	Scarlett,
Chapman,	Heyburn,	Pierson,	Wolfenden,
Deitrick,	Homsher,	Salus,	Woodward,
Ealy,	Mallery,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

NOMINATIONS BY THE GOVERNOR

The Chair cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations.

JUDGE OF THE ORPHAN'S COURT OF YORK COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1937.

To the Honorable, The Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harvey A. Gross of York, York County, for appointment as Judge of the Orphans' Court of York County, to serve until the first Monday of January, 1938.

GEORGE H. EARLE.

COMMUNICATION FROM THE GOVERNOR

The Chair cleared his table and laid before the Senate

communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVAL OF SENATE BILLS NOS. 49 AND 1005.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 49, Printer's No. 361, entitled "An Act to amend clause one of section one of the act approved the second day of June one thousand nine hundred and thirty-three (P. L. 1433) entitled "An act defining the powers of the courts of quarter sessions the Municipal Court of Philadelphia and the County or Juvenile Court of Allegheny County with respect to the care guidance control trial placement and commitment of delinquent dependent and neglected children under sixteen years of age and of persons over sixteen years of age contributing to or encouraging the delinquency neglect and dependency of children and amending revising and consolidating the law relating thereto" defining the Family Court of Philadelphia as a court having jurisdiction with respect to the care guidance control placement and commitment of delinquent neglected and dependent children under sixteen years of age and eliminating the Municipal Court in the County of Philadelphia as a court having such jurisdiction

Senate Bill No. 1005, Printer's No. 346, entitled "An Act to amend section one of an act approved the thirtieth day of March one thousand nine hundred and thirty-seven number forty-one entitled 'An act to amend section five A of article nineteen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred eighty-one) entitled "An act for the better government of cities of the first class of this Commonwealth" as amended by changing the number and method of appointment of the civil service commissioners in said cities' abolishing the civil service commission as constituted and provided for by section five A of article nineteen of the said act approved the twenty-fifth day of June one thousand nine hundred and nineteen as amended by the act approved the thirteenth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred three)'

GEORGE H. EARLE.

RECESS

Mr. RICE. Mr. President, I move that the Senate do now take a recess for five minutes.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

The PRESIDENT (PRO-TEMPORE) Mr. Harvey Huffman) in the Chair.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE HOUSE SENATE BILL NO. 638.

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate May 19, 1937.

Resolved (If the House of Representatives concur) That Senate Bill No. 638, Printer's No. 297, entitled:

An Act to further amend section four of the act, approved the eighteenth day of June, one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled, "An act defining consolidation of schools; providing for the establishment and regulation of consolidated schools and providing for the transportation of pupils to and from consolidated schools" by making certain changes in the provisions for reimbursements by the Commonwealth

be recalled from the House for the purpose of further amendment.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 647.

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives.

Resolved (if the Senate concur), That House Bill No. 647, Printer's No. 422, entitled:

An Act to promote public health, morals, safety and welfare by providing for the supervision and encouragement of housing; creating a State Board of Housing, a departmental administrative board within the Department of Health; providing for the organization of the board, the appointment and removal of its members; enumerating its duties and powers, including the powers to conduct investigations, issue subpoenas, apply to courts for punishment of contempts, make orders, rules and regulations, prescribe forms, require reports, supervise the operations of limited dividend housing companies and housing authorities and their members and employes, commence actions to prevent violations of law and to surcharge members of authorities, supervise rentals charged by limited dividend companies, charge fees for services; providing for the selection and removal of the board's employes, providing for appeals from its orders; and making an appropriation.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS SIGNED

The PRESIDENT, PRO-TEMPORE (Harvey Huffman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

House Bill No. 96, entitled:

An Act to further amend section two thousand four hundred and two of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," authorizing the Department of Property and Supplies with the consent of the proper board of trustees to grant rights of way or easements over state institution lands for public road purposes.

House Bill No. 234, entitled:

An Act to re-enact the act, approved the eighteenth day of May, one thousand nine hundred and thirty-three (P. L. 826), entitled "An act authorizing courts of common pleas to stay writs of execution against, and tax sales of, certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs," as amend.

House Bill No. 1261, entitled:

An Act to amend section one thousand and forty-six of the act approved the fourth day of May, one thousand nine hundred and twenty-nine (P. L. 519) entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing for the employment by auditors and for the compensation of an attorney.

House Bill No. 1474, entitled:

An Act to amend section fifteen of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by permitting the revival of other than tax claims by a suggestion of non-payment and averment of default before or after judgment on scire facias.

House Bill No. 1559, entitled:

An Act concerning vocational education; providing for the acceptance by the Commonwealth of Pennsylvania of the Provisions of the act of Congress, approved June eighth, one thousand nine hundred and thirty-six, entitled "An act to provide for the further development of vocational education in the several States and Territories"; and conferring powers and imposing duties on the State Treasurer and the State Council of Education.

House Bill No. 1637, entitled:

An Act to amend the act, approved the eleventh day of July, one thousand nine hundred twenty-three (P. L. 998), entitled "Mental Health Act of 1923," as amended, by making further provisions for the imposition of liability upon, and the payment by, individuals, counties and poor districts of the cost of admission, care and maintenance of mental patients and inebriates; and by requiring the furnishing of bonds conditioned upon the payment of the cost of care and maintenance of mental patients and inebriates, or, in lieu thereof, the furnishing of endorsements of the poor authorities of counties or poor districts in certain cases.

House Bill No. 1705, entitled:

An Act to re-enact and amend the title and act approved the twenty-eighth day of March, one thousand nine hundred and twenty-nine (P. L. 86), entitled "Grape Law," extending the provisions of said act to potatoes.

House Bill No. 1775, entitled:

An Act to amend clause (g), section one thousand three hundred nine, of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," "To authorize the Pennsylvania Historical Commission at its discretion, to deposit historic relics or other gifts in or on historic properties or shrines committed to its custody."

House Bill No. 185, entitled:

An Act to provide for an additional law judge of the Court of Common Pleas in the twenty-first judicial district.

House Bill No. 1129, entitled:

An Act for the protection of producers of farm produce providing for the licensing the bonding or holding collateral of and the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties.

House Bill No. 1130, entitled:

An Act to amend sections fifty and seventy-two as amended, sub-section (b) of section nine hundred ninety-one, section two hundred two, sections two hundred twenty and two hundred twenty-six as amended, sections two hundred twenty-eight and two hundred fifty-six, and section two hundred eighty-five as amended, of, and to add sections two hundred eighty-two and two hundred eighty-three to, the act, approved the second day of May, one thousand nine hundred and twenty-five (P. L. 448), entitled, "Fish Law of 1925," further regulating the taking of fish; eliminating the right to use eel chutes, changing certain penalties and providing new penalties; requiring certain persons to possess fishing licenses; providing for and regulating the revocation of fishing licenses; providing for the payment over of fines collected, and the return of fines erroneously collected; vesting certain additional powers in the Board of Fish Commissioners; eliminating certain restrictions on the use of license fees; regulating closed seasons in boundary lakes; and conferring additional police powers on fish wardens.

House Bill No. 1712, entitled:

A Supplement to the act approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198) entitled "An act to establish a county court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof" increasing the powers now exercised by the judges of said court and making the judges of the County Court in and for the County of Allegheny available for use in other courts in the same judicial district.

House Bill No. 1779, entitled:

An Act to amend Section three hundred and fifty-four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "Insurance Company Law of 1921," to include contracts pertaining to pure endowments and annuities; policies of fire, marine, and title insurance; and contracts issued by assessment insurance corporations; and all other forms of insurance contracts issued in Pennsylvania.

Whereupon,

The PRESIDENT PRO-TEMPORE, (Harvey Huffman) in the presence of the Senate signed the same.

REPORTS FROM COMMITTEES

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CAVALCANTE from the Committee on Game and Fisheries reported as committed, Senate Bill No. 1087, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred twenty-five (Pamphlet Laws, four hundred forty-eight), entitled "An act relating to fish; and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," as amended, by changing the method of issuance of licenses, and making further provisions for records and returns thereof.

Mr. EROE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EROE from the Committee on Federal Relations reported as committed, the following resolution, which was laid on the table.

MEMORIALIZING CONGRESS TO ENACT CONSTITUTIONAL AMENDMENT WHICH WILL ABOLISH EXISTING EXEMPTIONS ON PAYMENT OF INCOME TAXES BY GOVERNMENT EMPLOYES AND OFFICIALS

In the Senate, April 20, 1937.

Whereas, There is now before Congress a resolution for a constitutional amendment requiring all federal employees and officials, appointed or elected, to pay state and federal income taxes; requiring state employees and officials to pay federal income taxes; and requiring employees and officials of national and state banks that are members of the Federal Reserve System to pay state income taxes, and

Whereas, Abolition of the exemptions on such salaries would result in a great increase of revenue to the federal government, thereby reducing the ever-increasing burden upon the taxpayers who can claim no official exemption, and would enable this Commonwealth in the event an income tax is adopted to secure large revenues from these sources, and

Whereas, Certain other reforms of the federal tax system are necessary to effect the consolidation of the gains which have been made in the national economic recovery, and

Whereas, Repeal of the capital gains and losses section of the federal income tax law would result in acceleration of the movement to economic recovery; would cause an estimated increase of the federal government's income by two hundred fifty million dollars as a direct result of increases in the turn over tax on securities and as an indirect result of widespread business improvement and re-employment of workers; would result in an estimated increase of the tax receipts of this Commonwealth for similar reasons; would prevent the exodus of hundreds of millions of dollars of American capital into foreign security markets; would cause a pronounced improvement in the real estate business and the entire construction industry, with corresponding gains in reemployment of persons engaged in said industries; would cause a great increase in the amount of money in circulation and in the amount of new investments, because of the resultant "freezing" of potential profits; and would cause a decrease in the number of investments in tax-exempt securities, and

Whereas, Comptroller Morris S. Tremaine of the state of New York, and many other men of experienced financial judgment, have advocated repeal of the capital gains and losses section of the federal income tax law, and

Whereas, The federal income tax law provides for a great number of exemptions from payment of taxes on various securities, whereby many persons escape taxation and, contrary to the best interests of the economic welfare of the people, deprive the government of a substantial source of revenue while other persons find inescapable taxes more burdensome because of such exemptions, and

Whereas, The personal exemptions provided in the federal income tax law are placed at a rate so high that the great majority of persons who fall within the low-income brackets do not directly participate in the financial activities of the federal government, and

Whereas, Such participation would serve better to acquaint the great majority of our people with the facts involving the fiscal activities of the federal government and would thus heighten public interest in the financial problems of the nation, and

Whereas, It is necessary to effect the foregoing reforms in order to safeguard the gains in the national economic recovery against the possibilities of inflation, an increase in the amount of our national debt, an increase in the amount of capital invested in tax-exempt securities or in foreign countries, an increase in the number of unemployed or a static condition of the unemployment problem, a restraint upon home construction and building operations, a decrease in the amount of money in circulation, and obstructions to industrial and commercial activity; now, therefore, be it

Resolved, (if House of Representatives concur), That the Congress of the United States be and it is hereby respectfully memorialized to enact with all convenient speed legislation providing for a constitutional amendment which will abolish existing exemptions on payment of income taxes by all governmental employees and officials, legislation which will repeal the capital gains and losses section of the federal income tax law, legislation which will abolish the existing exceptions of certain securities, and legislation which will lower the personal income tax exemption to such a figure as to include millions of people who now escape the provisions of the federal income tax law, and be it further

Resolved (if the House of Representatives concur), That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and the Senators and Representatives in Congress from the State of Pennsylvania.

Mr. HALUSKA. Mr. President, I ask unanmious consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HALUSKA from the Committee on Mines and Mining reported as committed, Senate Bill No. 1069, entitled:

An Act relating to and regulating the mining of anthracite coal; providing for the health, safety and welfare of persons employed in and about the anthracite coal mines and for the protection and preservation of property connected therewith; amending, consolidating, revising and changing the law relating thereto; and imposing penalties.

Mr. HALUSKA. Mr. President, I was requested by the Committee on Mines and Mining to report out the foregoing bill, and I desire to make a statement that has been offered by industries and by the Tri-County District Board of United Mine Workers. The Committee has considered all the amendments. The amendments of the Tri-County District Board are in proper form but the amendments of industry are not in proper form to be presented to the Committee, so that the bill is reported out with the understanding that after it passes second reading it will be recommitted to the Committee for further consideration, so that I now report out Senate Bill No. 1069 as committed.

Mr. RANKIN. Mr. President, I ask unaimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RANKIN from the Committee on Finance reported as amended, Senate Bill No. 1144, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto; for the insurance of owners of real estate mortgages and others interested in real estate, from loss by reason of defective titles, liens and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity, insurance, safety deposit, trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act, entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto; approved June twenty-seventh one thousand eight hundred and

ninety-five, commonly known as title insurance or trust companies" by providing that certain companies shall not be subject to the tax.

Mr. KUNKEL. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KUNKEL from the Committee on Appropriations re-reported amended, Senate Bill No. 879, entitled:

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two years beginning June first, one thousand nine hundred thirty-seven, and for the payment of assistance and expenses accrued or incurred prior to, and remaining unpaid on, May thirty-first, one thousand nine hundred thirty-seven.

Mr. KILGALLEN. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KILGALLEN from the Committee on Judiciary General reported as committed, amended, Senate Bill No. 298, entitled:

An Act regulating proceedings against attorneys-at-law for disbarment and contempt of court.

Also, from the Committee on Judiciary General, reported as committed, Senate Bill No. 1302, entitled:

An Act providing that in all cases where writs of habeas corpus are granted the judge may inquire into the the facts of the case, includinig an examination into the record proceedings and evidence produced against the person committed or detained before the committing judge, officer or magistrate, and making such records, proceedings and evidence available for inspection by the petitioner or his counsel.

Mr. MUNDY. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MUNDY from the Committee on County Government, reported as committed, Senate Bill No. 966 (House Bill No. 731), entitled:

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties.

Mr. JASPAN. Mr. President, I ask unanimous consent to make report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN from the Committee on Judiciary General, reported as committed, Senate Bill No. 1210, entitled:

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor to enter into contract with persons, firms or corporations to erect an office building, and to lease such office building for the use of the Commonwealth, the same to become the property of the Commonwealth upon termination of said lease.

Mr. FREY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREY from the Committee on Executive Nominations, reported with a favorable recommendation the following nomination made by his Excellency the Governor of the Commonwealth.

JUDGE OF ORPHANS' COURT OF YORK COUNTY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate Harvey A. Gross, of York, York County, for appointment as Judge of the Orphans' Court of York County, to serve until the first Monday of January, 1938.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. SONES,

That Rule 38, which requires nominations made by the Governor, to lie on the table one day be dispensed with, and the Senate do now resolve itself into Executive Session, for the purpose of acting upon all the nominations reported at today's session.

Which was agreed upon,

Whereupon,

A motion was made by Mr. SONES,

That the Senate do advise and consent to the nominations reported.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barthold,	Gilson,	Mallery,	Rupp,
Buckman,	Haluska,	McCreesh,	Ruth,
Cavalcante,	Henney,	McGinnis,	Salus,
Chapman,	Heyburn,	Mundy,	Scarlett,
Dando,	Homsher,	Owlett,	Shapiro,
Deitrick,	Howell,	Pierson,	Sipe,
Dent,	Huffman,	Pytko,	Sones,
DiSilvestro,	Jacobs,	Rankin,	Stiefel,
Ealy,	Jaspan,	Reed,	Thompson,
Erce,	Kahle,	Rice,	Wolfenden,
Frey,	Kilgallen,	Rodgers,	Woodward,
Gelder,	Lanius,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. SONES. Mr. President, I move that the Executive Session do now rise.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to:

REPORTS FROM COMMITTEES

Mr. DiSILVESTRO from the Committee on City Government, reported as committed, Senate Bill No. 1317, entitled:

An Act to amend section two of the act approved the seventh day of July, one thousand nine hundred and thirty-six (Pamphlet Laws thirty-seven), entitled "An act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes, and authorizing the appropriation for current or other purposes funds realized or estimated to be

collectible from the sale thereof, by limiting appropriations to amounts realized by the sale of such certificates.

Mr. JASPAN, from the Committee on City Government, reported as committed, Senate Bill No. 1322, entitled:

An Act to further amend section one of the act approved the eleventh day of May, one thousand nine hundred eleven (Pamphlet Laws two hundred seventy-five) entitled "An act to provide for the appointment of county and city inspectors of weights and measures, providing for their compensation and expenses prescribing their duties, prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof," by eliminating certain conditions of removal of inspectors and providing for their appointment in counties of the first class.

MEMORIALIZING CONGRESS TO ENACT CONSTITUTIONAL AMENDMENT WHICH WILL ABOLISH EXISTING EXEMPTIONS ON PAYMENT OF INCOME TAXES BY GOVERNMENT EMPLOYES AND OFFICIALS

Mr. WOODWARD. Mr. President, I call up at this time concurrent resolution, Serial No. 117, reported from the Committee on Federal Relations at today's session.

The resolution was read as follows:

In the Senate, April 20, 1937.

Whereas, There is now before Congress a resolution for a constitutional amendment requiring all federal employees and officials, appointed or elected, to pay state and federal income taxes; requiring state employees and officials to pay federal income taxes; and requiring employees and officials of national and state banks that are members of the Federal Reserve System to pay state income taxes, and

Whereas, Abolition of the exemptions on such salaries would result in a great increase of revenue to the federal government, thereby reducing the ever-increasing burden upon the taxpayers who can claim no official exemption, and would enable this Commonwealth in the event an income tax is adopted to secure large revenues from these sources, and

Whereas, Certain other reforms of the federal tax system are necessary to effect the consolidation of the gains which have been made in the national economic recovery, and

Whereas, Repeal of the capital gains and losses section of the federal income tax law would result in acceleration of the movement to economic recovery; would cause an estimated increase of the federal government's income by two hundred fifty million dollars as a direct result of increases in the turn over tax on securities and as an indirect result of widespread business improvement and re-employment of workers; would result in an estimated increase of the tax receipts of this Commonwealth for similar reasons; would prevent the exodus of hundreds of millions of dollars of American capital into foreign security markets; would cause a pronounced improvement in the real estate business and the entire construction industry, with corresponding gains in re-employment of persons engaged in said industries; would cause a great increase in the amount of money in circulation and in the amount of new investments, because of the resultant "freezing" of potential profits; and would cause a decrease in the number of investments in tax-exempt securities, and

Whereas, Comptroller Morris S. Tremaine of the State of New York, and many other men of experienced financial judgment, have advocated repeal of the capital gains and losses section of the federal income tax law, and

Whereas, The federal income tax law provides for a great number of exemptions from payment of taxes on various securities, whereby many persons escape taxation and, contrary to the best interests of the economic welfare of the people, deprive the government of a substantial source of revenue while other persons find inescapable taxes more burdensome because of such exemptions, and

Whereas, The personal exemptions provided in the federal income tax law are placed at a rate so high that the great majority of persons who fall within the low-income brackets do not directly participate in the financial activities of the federal government, and

Whereas, Such participation would serve better to acquaint the great majority of our people with the facts involving the fiscal activities of the federal government and would thus heighten public interest in the financial problems of the nation, and

Whereas, It is necessary to effect the foregoing reforms in order to safeguard the gains in the national economic recovery against the possibilities of inflation, an increase in the amount of our national debt, an increase in the amount of capital invested in tax-exempt securities or in foreign countries, an increase in the number of unemployed or a statis condition of the unemployment problem, a restraint upon home construction and building operations, a decrease in the amount of money in circulation, and obstructions to industrial and commercial activity; now, therefore, be it

Resolved, (if the House of Representatives concur), That the Congress of the United States be and it is hereby respectfully memorialized to enact with all convenient speed legislation providing for a constitutional amendment which will abolish existing exemptions on payment of income taxes by all governmental employees and officials, legislation which will repeal the capital gains and losses section of the federal income tax law, legislation which will abolish the existing exceptions of certain securities, and legislation which will lower the personal income tax exemption to such a figure as to include millions of people who now escape the provisions of the federal income tax law, and be it further

Resolved (if the House of Representatives concur), That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and the Senators and Representatives in Congress from the State of Pennsylvania.

Mr. WOODWARD. Mr. President, I move that Rule 39, which requires concurrent resolutions reported from committee to lie on the table one day be suspended and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

MEMORIALIZING CONGRESS TO ESTABLISH THE PERMANENT CIVILIAN CONSERVATION CORPS.

Mr. LAW. Mr. President, I call up at this time for consideration Senate Concurrent Resolution, Serial No. 121.

The resolution was read as follows:

Whereas, The civilian conservation corps has been in successful operation for a period of four and one-half years, and

Whereas, This organization has been most useful in building character, individuality, and moral in the youth of the nation, and has educated them in discipline, and

Whereas, The work performed by this agency has been a useful contribution to the states and the nation, and will be more fully reflected in the future, and

Whereas, The President of the United States, recognizing the great value of this agency, has recommended to the Congress that it be made a permanent agency of the Federal Government, therefore be it

Resolved (if the House of Representatives concur), That the General Assembly of the Commonwealth of Pennsylvania hereby memorializes the Congress of the United

States to enact legislation which will establish the civilian conservation corps on a permanent basis, and as a permanent agency of the United States.

Resolved, That a copy of this resolution be transmitted to the President of the Senate, and the Speaker of the House of Representatives of the United States, and to each Senator and Representative in Congress of the United States from the Commonwealth of Pennsylvania, by the Chief Clerk of this House.

On the question,

Will the Senate agree to the resolution?

Mr. OWLETT. Mr. President, it seems to me that the Senate ought to vote down this resolution. The Congress of the United States, predominately Democratic, just recently refused to make CCC Camps a permanent institution, and have appropriated money for only two years. What business is it of the Senate, or this House, to memorialize Congress on the matter when everyone today is asking for economy? We are saying to the Congress of the United States, predominately Democratic, that they are wrong in starting out on this economy program. I ask the Senate to vote down this resolution.

Mr. LAW. Mr. President, I want to say in this connection that everybody with whom I have come in contact, Republican leaders all over the Commonwealth of Pennsylvania, are willing to admit that the CCC Camps have been a fine thing, and not only that ,but everybody unites in saying that this one activity of the New Deal that can absolutely not be criticised. People all over America have asked to have this made permanent and I think that it is only fair to the young men of the future that they may have the same opportunity that the young men of today have, that is, to be taken away from the streets and cess pools of the streets and villages in order that they may be given the advantage of this training, which makes them upstanding and upright citizens. I therefore ask the Senate to support this resolution.

Mr. OWLETT. Mr. President, I would like to interrogate the Senator from Mercer, Mr. Law.

The PRESIDENT. Will the Senator from Mercer, Mr. Law, permit himself to be interrogated?

Mr. LAW. Mr. President, with pleasure.

Mr. OWLETT. Mr. President, I ask the Senator from Mercer, Mr. Law, if he does not think that we have intelligent Congressmen at Washington?

Mr. LAW. Mr. President, I might reply that I think that no matter how intelligent a man is, it is only right that those who have a direct interest in the welfare of the public should let them know that we make certain recommendations to them.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Mercer if he thinks the Congressmen at Washington have no interest in the welfare of the public?

Mr. LAW. Mr. President, I certainly think they do. I think that applies to all legislative bodies.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Mercer if he knows that Congress has already refused to make the CCC Camps a permanent institution, and has extended the loan only two years.

Mr. LAW. Mr. President, I understand that that action has been taken by only one House, I do not understand that that is a definite action.

Mr. OWLETT. Mr. President, by the House of Representatives?

Mr. LAW. Mr. President, yes.

Mr. MALLERY. Mr. President, I would like to interrogate the Senator from Mercer, Mr. Law:

The PRESIDENT. Will the Senator from Mercer, Mr. Law, permit himself to be interrogated?

Mr. LAW. Mr. President, with pleasure.

Mr. MALLERY. Mr. President, I do not know that I am opposed or that I am in favor of the resolution, but I would be glad to have it amended, if you consent, to the effect that the members of the CCC could be used for flood prevention, that is, they could deepen the channels of our streams.

Mr. LAW. Mr. President, I think they have assisted considerably in this work, I do not think it would require any amendment to the CCC resolution to do any kind of civilian conservation work.

Mr. MALLERY. Mr. President, anyone who knows anything about the conditions of the Susquehanna and the Juniata Rivers knows that the solution of flood control question is a simple one, and that is, to deepen the channels, clean out the streams and build dikes. It occurred to me that the members of the CCC can do that work.

Mr. LAW. Mr. President, if there is anything to be gained from what I see as I go along that road, I think they are doing that very thing farther west than Indiana County. It may be that if the Senator would suggest this to the proper authorities, I believe they could be utilized to do that work, in his district.

And the question recurring,

Will the Senate agree to the Resolution?

The yeas and nays were required by Mr. THOMPSON and Mr. KUNKEL, and were as follows, viz:

YEAS—35.

Barthold,	Henney,	McGinnis,	Salus,
Cavalcante,	Jaspan,	Mundy,	Shapiro,
Dando,	Kahle,	Pytko,	Sipe,
Dent,	Kilgallen,	Rankin,	Sones,
DiSilvestro,	Kunkel,	Reed,	Stiefel,
Eroe,	Lanius,	Rice,	Thompson,
Frey,	Law,	Rodgers,	Wolfenden,
Gilson,	Mallery,	Rupp,	Huffman,
Haluska,	McCreesh,	Ruth,	

NAYS—12.

Buckman,	Gelder,	Howell,	Scarlett,
Chapman,	Heyburn,	Owlett,	Sordoni,
Deitrick,	Homsher,	Pierson,	Woodward,

So the question was determined in the affirmative.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RESOLUTION RELATIVE TO CONTINUING STATE SEWING PROJECTS BY THE COMMONWEALTH

Mr. MUNDY. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MUNDY, offered the following resolution which was twice read as follows:

In the Senate, May 19, 1937.

Whereas, Withdrawal of the S. E. R. B. from the sponsorship of the State Sewing projects means the return of approximately nine thousand (9,000) women in the State of Pennsylvania alone to direct relief rolls financed by the Commonwealth, and

Whereas, The work relief plan for these women and their families has been definitely proven the cheaper plan, and withdrawal of same will react unfavorable on

the communities who have received the pay-roll benefit of the plan, and the clothing provided to the needy of our own community has proven a wonderful asset, together with the restoration of human value, and juvenile delinquency has been decreased through the return of standard decency in homes, which was caused previously by inadequate relief grants, and

Whereas, Luzerne County is faced with the dismissal of five hundred fifty (550) families involving two thousand two hundred (2,200) persons from the sewing projects who are at the present time receiving grants from the sewing projects. The closing of these projects at the present time would cause the possibility of increasing relief rolls supported by the State, and cause these families to again become discouraged and victims of undernourishment caused by the present inadequate relief grants. It is certain that the State of Pennsylvania can save money by the continuance of the sponsorship of these projects by the S. E. R. B., and

Whereas, Luzerne County would save the sum of five thousand sixty-nine ($5,069.00) dollars monthly, by the contribution of the material cost of these projects. The county has benefited greatly, the business men have benefited and the Commonwealth has benefited by the process of a "work" of gainful quality instead of "relief" and its demoralizing effect, therefore be it

Resolved, (if the House of Representatives concur) That the General Assembly direct the Bureau of Assistance of the Department of Welfare to prevent the cessation of these sewing projects and that the State Relief Director be instructed to continue the sponsorship of these projects and retain former relief families in gainful employment with a minimum of State Relief expenditure.

Mr. MUNDY. Mr. President, I ask unanimous consent that Rule 39, which requires concurrent resolutions to be referred to an appropriate committee, be suspended and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any objection?

Mr. BUCKMAN. Mr. President, I object.

The PRESIDENT. The Chair hears objection and the resolution is referred to the Committee on Welfare.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 210, (House Bill No. 301), as follows:

An Act to amend sections one hundred eighty-two and one hundred eighty-three and to add sections one hundred fifty and one-tenth one hundred fifty and two-tenths one hundred fifty and three-tenths and one hundred fifty and four-tenths to the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring all county officers hereafter appointed or elected upon the expiration of their terms to pay over to the county treasurer all moneys in their possession for which they are liable to account under their respective bonds together with a statement thereof and providing for the payment out of such moneys providing for the escheat of certain moneys held in the county treasury and releasing such county officers

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended by adding thereto four new sections to read as follows

Section 150.1 Payment Over of moneys at Expiration of Terms of County Officers Hereafter Appointed or Elected Every county officer hereafter appointed or elected shall upon the expiration of his term of office turn over to the county treasurer of the proper county all moneys in his possession as a county officer for which he is liable to account under his bond whether fees or fines belonging to the county or moneys received for payment of claims to litigants and other creditors excepting any money impounded by any order or decree of court together with a statement of such sums received for the benefit of the county or persons other than such county officer showing the source thereof and the public body or other persons entitled thereto as nearby as the same may be ascertained A copy of such statement shall also be furnished to the successor in office of such county officer Any county officer making any payment in compliance with this act and his surety or sureties and their legal representatives shall be released from all liability with respect to the moneys so paid by or for him to the county treasurer for safekeeping for the benefit of those entitled thereto The county treasurer shall hold such moneys so paid over not belonging to the county in a special fund and the moneys in such special fund may be invested by the county commissioners in securities in which the sinking funds of the county may be legally invested in case any claim shall be made for any moneys so paid over by a county officer by any person entitled thereto the same shall upon due proof of such claim be paid out by the county treasurer on warrant of the county commissioners after requisition by the successor of the county officer who paid such moneys over to the county treasurer or an order of any competent court of the proper county

Section 150.2 Escheat of Moneys Notice Thereof All moneys paid into the county treasury in accordance with the preceding section of this act or in any other manner whatever and held for the benefit of any claimant or claimants shall if no claim therefor is made within seven years from the time the same was paid into the county treasury be escheated to the Commonwealth for the use of said county Provided however That at least six months before any such escheat shall take place the county treasurer shall notify by mail the person entitled to any of such moneys of such contemplated escheat so far as possible and shall publish once a week for three successive weeks in two newspapers of general circulation published in the county a true and accurate statement of such proposed escheat containing the names addresses and the amount of money belonging to such persons.

Section 150.3 Notice to Persons Entitled to Moneys in Hands of County Officers Every county officer now in office or hereafter appointed or elected shall at least one month before the expiration of each year of his term of office notify each person appearing to be entitled to any money for which he is accountable under his bond received by him on account of any claim of such person and remaining unpaid at the time of such notice of the amount of money so received and held as nearly as the same may be ascertained by mail addressed to his last known address showing the source from which such money was derived and publish a list of the names and addresses of all persons having more than twenty-five dollars to their credit on the thirtieth day of September in each year showing the amounts held for their benefit by an advertisement to be made once a week for three successive weeks in one newspaper of general circulation and the legal journal if any published in the proper county during the month of November in each year at the expense of such county.

Section 150.4 Informers not Entitled to Reward So much of any provision of any act of assembly relating to escheats as provides for a reward to informers of an escheat shall not apply to any proceedings to escheat any moneys referred to in section one hundred fifty and two-tenths of this act but in other respects the proceedings to escheat such money shall be governed by the laws relating to escheats now or hereafter in force in like manner as if

the county treasurer were an officer of the Court of Common Pleas of the proper county

Section 2 That sections one hundred eighty-two and one hundred eighty-three of said act are hereby amended to read as follows

Section 182 Recognizances Every sheriff whether elected or appointed to fill a vacancy before he is commissioned or executes any of the duties of his office shall enter into a recognizance and become bound in a bond with at least two sufficient sureties in the sums and manner hereafter mentioned The form of such recognizance shall be as follows to wit You (A B C D and E F) do acknowledge that you owe unto the Commonwealth of Pennsylvania the sum of to be levied and made of your several goods and chattles lands and tenements upon condition that if you (A B) shall and do without delay and execute all writs and process of the Commonwealth of Pennsylvania to you directed and shall and do from time to time upon request to you for that purpose made well and truly pay or cause to be paid to the several suitors and parties interested in the execution of such writs and process their lawful attorneys factors agents or assigns all and every sum and sums of money to them respectively belonging which shall come to your hands or well and truly pay or cause to be paid to the county treasurer of the said county for safekeeping all moneys in your possession as a county officer whether received for the county or for other claimants excepting moneys impounded by any order or decree of court and remaining unpaid to such county or other person entitled thereto at the expiration of your term of office or as soon thereafter as the same may be ascertained and shall and do from time to time and at all times during your continuance in the office of sheriff of the county of well and faithfully execute and perform all and singular the trusts and duties to the said office lawfully appertaining then this recognizance to be void or else to be and remain in full force and virtue.

Such recognizance shall be acknowledged before the recorder of deeds and shall continue to be a lien on the real estate owned by the sheriff at the date of said recognizance for the term of ten years from said date The expiration of the lien of any sheriff's recognizance upon the real estate owned by him shall not release such sheriff his administrator or executor from liability to answer any claim which may be established for damages occasioned by official delinquency or misconduct of said sheriff

Section 183 Form of Sheriff's Bond The form of the bond to be given by the sheriff and his sureties shall be as follows to wit "Know all men by these presents that we (A B C D and E F) are held firmly bound into the Commonwealth of Pennsylvania in the sum of dollars to be paid to the said Commonwealth for the uses intents and purposes declared and appointed by law to which payment well and truly to be made we bind ourselves our heirs executors and administrators jointly and severally firmly by these presents sealed with our seals dated day of Anno Domini

The conditions of the above obligation is such that if the said (A B) shall and do without delay according to law well and truly serve and execute all writs and process of the said Commonwealth to him directed and shall and do from time to time upon request to him for that purpose made well and truly pay or cause to be paid to the several suitors and parties interested in the execution of such writs or process their lawful attorney factors agents or assigns all and every sum and sums of money to them respectively belonging which shall come to his hands or well and truly pay or cause to be paid to the county treasurer of the county for safekeeping all moneys in the possession of said (A B) as a county officer whether received for the county or for other claimants excepting any money impounded by any order of decree of the court and remaining unpaid to such county or other person entitled thereto at the expiration of his term of office or as soon thereafter as the same may be ascertained and shall and do from time to time and at all times during his continuance in the said office well and faithfully execute and perform all and every of the trusts and duties to the said office appertaining then this obligation to be void or else to be and remain in full force and virtue"

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 362, as follows:

An Act to amend section two of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended allowing for certain deductions of taxes where the same property would be twice taxed within one year

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from the decedent who was a resident of this Commonwealth at the time of his death and of property in this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as last amended by the acts approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws 717) and the fifteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws 806) is hereby further amended to read as follows

Section 2 All taxes imposed by this act [shall be imposed upon the clear value of the property subject to the tax and shall in each estate be equal to twenty-five per centum of the estate tax imposed upon the net estate of such decedent under the provisions of section three hundred and one of the Revenue Act of one thousand nine hundred and twenty-four of the United States but if said section of said Revenue Act is repealed or if no tax is imposed on such estate by said section of said act or if twenty-five per centum of the tax imposed by said section amounts to less than the following rates then in either event the taxes imposed by this act] shall be at the rate of two per centum upon the clear value of the property subject to such tax passing to or for the use of father mother husband wife children lineal descendants born in lawful wedlock legally adopted children children of a former husband or wife or the wife or widow of the son of a person dying seized or possessed thereof and also on the clear value of such property passing from the mother of an illegitimate child or from any person of whom the mother is a lineal descendant to such child his wife or widow and passing from an illegitimate child to his mother and at the rate of ten per centum upon the clear value of the property subject to such tax passing to or for the use of any other person or persons bodies

corporate or persons bodies corporate or politic to be paid for the use of the Commonwealth In ascertaining the clear value of such estates the only deductions to be allowed from the gross values of such estates shall be the debts of the decedent reasonable and customary funeral expenses bequests or devises in trust in reasonable amounts the entire interest or income from which is to be perpetually applied to the care and preservation of the family burial lot or lots their enclosures and structures erected thereon reasonable expenses for the erection of monuments or gravestones grave and lot markers and the expenses of the administration of such estates and no deduction whatsoever shall be allowed for or on account of any taxes paid on such estates to the Government of the United States or to any other States or Territory [except as otherwise provided in section one of this act] Provided however That an amount equal to the value of any property forming a part of the gross estate of any person who died within one year prior to the death of the decedent where such property can be identified as having been received by the decedent from such prior decedent by bequest devise or inheritance or which can be identified as having been acquired in exchange for property so received from a prior decedent shall be allowed as a deduction to the extent that a tax was paid on such property after the death of the first decedent but if the tax on such property was paid in the first estate at the rate of two per centum and would if taxable as part of the estate of the record decedent be taxable at the rate of ten per centum then a deduction of two per centum only of such tax shall be allowed and the property shall be taxable at the rate of eight per centum

Section 2 This act shall become effective on the first day of July one thousand nine hundred thirty-seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 376, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Kutztown State Teachers College to acquire certain tracts of land for the use of said college and making an apropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Kutztown State Teachers College is hereby authorized to purchase in the name of the Commonwealth the following described tracts of land to wit

CHARLES W MILLER ESTATE TRACT

ALL THAT CERTAIN messauge and tract of land situated in the Borough of Kutztown Berks County Pennsylvania bounded and described as follows

BEGINNING at a corner in the lands of the State Teachers College and the Farmer's Bank and Trust Company of Kutztown Pennsylvania thence along the land belonging to the State Teachers College South 72 degrees 36 minutes West 161 87/100 feet to a concrete monument thence along the lands of the State Teachers College North 27 degrees 16 minutes West 105 15/100 feet to a concrete monument thence along the same course 11 27/100 feet to a corner thence North 72 degrees 36 minutes East 161 84/100 feet along the center line of a proposed extension of Normal Avenue to a corner thence along the lands of the Farmer's Bank and Trust Company of Kutztown South 27 degrees 17 minutes East 116 8/100 feet to the point of beginning Containing 18,618 68/100 square feet

FARMERS BANK AND TRUST COMPANY TRACT

Borough of Kutztown Pennsylvania

ALL THAT CERTAIN messauge and tract of land situated in the Borough of Kutztown Berks County Pennsylvania bounded and described as follows

BEGINNING at a concrete monument in a corner of the lands owned by the State Teachers College located on the west side of Baldy Street South 72 degrees 36 minutes West 458 31/100 feet along the land of the State Teachers College to a corner thence along the land of the late Charles W Miller North 27 degrees 17 minutes West 116 8/100 feet to a corner thence North 72 degrees 36 minutes East 294 96/100 feet along the center line of the proposed extension of Normal Avenue to a corner thence South 16 degrees 36 minutes East 79 42/100 feet along the west side of a twenty foot wide Alley to a corner thence North 73 degrees 24 minutes East 185 feet along the land of Edward Kruise to a corner located on the west side of Baldy Street thence South 16 degrees 36 minutes East 32 36/100 feet to the point of beginning Containing 38,725 59/100 square feet

"MORNING CALL" TRACT

ALL THAT CERTAIN messauge and tract of land situated in Maxatawny Township Berks County Pennsylvania bounded and described as follows

BEGINNING at a corner in the lands of Charles Esser and the State Teachers College thence along the lands of the State Teachers College North 38 degrees 13 minutes West 1926 35/100 feet to a concrete monument thence continuing along the land of the State Teachers College North 25 degrees 20 minutes West 169 59/100 feet to a corner thence along the land of Alvin F Kline South 59 degrees 6 minutes West 284 84/100 feet to a corner thence continuing along the land of Alvin F Kline South 38 degrees 3 minutes East 2085 82/100 feet to a corner thence along the land of Henry W Sharadin and Charles Esser North 61 degrees 24 minutes East 254 12/100 feet to the point of beginning Containing 11 Acres and 42276 59/100 square feet

Section 2 Said tracts of land when purchased shall be added to the lands of the Kutztown State Teachers College and shall be used for such purposes as may be determined by the Board of Trustees of said college The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tracts of land and the expenses incidental thereto including title searches

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 422, entitled:

An Act to further amend section one of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws 112) entitled "An act exempting free from the claims of all creditors the proceeds of certain life insurance and annuity contracts bona fide taken out by any person not exceeding one hundred dollars per month" extending the provisions of said act to certain other contracts and increasing the amount of such exemption

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act ap-

proved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws 112) entitled "An act exempting free from the claims of all creditors the proceeds of certain life insurance and annuity contracts bona fide taken out by any person not exceeding one hundred dollars per month" as amended by the act approved the fifteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1024) is hereby further amended to read as follows

Section 1 Be it enacted etc That any policy or contract of insurance or annuity or optional annuity contract hereafter taken out or issued by any insurance company domestic or foreign lawfully doing business in this Comomnwealth to any solvent citizen thereof whereof the said insured or purchaser of said annuity shall be the beneficiary or annuitant not exceeding in income or return therefrom [one] two hundred dollars [($100.00)] ($200.00) per month and any annuity or pension whether by way of a gratuity or otherwise granted or paid by any private corporation or employer or out of a trust fund established by any private corporation or employer to a retired employe being a citizen of this Comomnwealth under an agreement plan or trust indenture which provides that the same shall not be assignable or subject to execution or attachment shall be exempt and free and clear from the claims of all his or her creditors arising out of or based upon any obligation created after the passage of this act and from all legal and judicial processes of execution attachment or otherwise whatsoever

Section 2 This act shall not be construed in any wise to affect modify or repeal any other exemption laws now in force or hereafter to be enacted

Section 3 If any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstances is held invalid the validity of the remainder of the act and the applicability of such provision to other persons and circumstances shall not be affected thereby

Section 4 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 448, as follows:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws 207) entitled "An act relating to policies of life insurance or annuities" extending the provisions of said act to certain other contracts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws 207) entitled "An act relating to policies of life insurance or annuities" is hereby amended to read as follows

Section 1 Be it enacted etc That the net amount payable [by the insurer] under any policy of [life] insurance or under any annuity contract [upon the life of any person] or under any optional annuity contract issued by any company domestic or foreign lawfully doing business in this Commonwealth heretofore or hereafter made for the benefit of or assigned to the wife or children or relative dependent upon such person shall be exempt from all claims of the creditors of such [insured] person arising out of or based upon any obligation created after the passage of this act whether or not the right to change the [named] beneficiary is reserved by [the insured] or is permitted [by the insurer] to such person

Section 2 This act shall not be construed in any wise to affect modify or repeal any other exemption laws now in force or hereafter to be enacted

Section 3 If any provision of this act is declared unconstitutional or the applicability thereof to any person or circumstances is held invalid the validity of the remainder of the act and the applicability of such provision to other persons and circumstances shall not be affected thereby

Section 4 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 525 (House Bill No. 935), on second reading, entitled:

An Act requiring counties of the third class to repay moneys heretofore recovered on forfeited recognizances in certain cases and providing for the recapture of such moneys from future fines and forfeited recognizance payable to law and library associations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 627, as follows:

An Act making an appropriation to the Department of Forests and Waters for acquisition of land by purchase condemnation or otherwise for State Park purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand dollars ($15.000.00) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the acquisition by purchase condemnation or otherwise in the manner provided by law of a tract of land in Somerset County Middlecreek Township to add to Laurel Hill State Park

Section 2 Said appropriation shall be available for the payment of all expenses of said acquisition of land including attorneys' fees title fees and other necessary expenses

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 663, (House Bill No. 965), entitled:

An Act to amend section one of the act approved the sixteenth day of April one thousand nine hundred and twenty-five (Pamphlet Laws 244) entitled "An act applying to third class counties only and regulating the selection drawing and summoning of all jurors and talesmen and defining their qualifications in such counties creating a jury board and defining its powers and procedure providing for the appointment of a clerk to the jury board and fixing his maximum salary providing for the custody of the jury wheel and the filing

and custody of jury lists providing for the public drawing of jurors and the methods thereof giving the trial judge the right to excuse jurors prescribing the time of challenging jurors for the array and regulating the procedure if array is quashed repealing all acts or parts of acts inconsistent therewith" by reconstituting the jury board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the sixteenth day of April one thousand nine hundred and twenty-five (Pamphlet Laws 244) entitled "An act applying to third class counties only and regulating the selection drawing and summoning of all jurors and talesmen and defining their qualifications in such counties creating a jury board and defining its powers and procedure providing for the appointment of a clerk to the jury board and fixing his maximum salary providing for the custody of the jury wheel and the filing and custody of jury lists providing for the public drawing of jurors and the methods thereof giving the trial judge the right to excuse jurors prescribing the time of challenging jurors or the array and regulating the procedure if array is quashed repealing all acts or parts of acts inconsistent therewith" is hereby amended to read as follows

ORGANIZATION OF JURY BOARD

Section 1 Be it enacted etc That this act shall apply only to counties of the third class and that within ten days after the passage and approval of this act and annually thereafter there shall be organized in each of said counties of the third class a jury board consisting of the [judges] president judge of the court of common pleas and the two elected jury commissioners The president judge shall be the chairman of the board [One of the judges] The president judge of the court of common pleas and [the two] one of the commissioners or [one of] the two said commissioners [and two of said judges] shall constitute a quorum of said board The court of common pleas in each county of the third class shall appoint a clerk to the jury board to serve at the pleasure of the court His duties shall be such as are prescribed by this act and any other duties incidental thereto His salary shall be fixed by the court of common pleas and shall not exceed nine hundred dollars per year and shall be paid by the county

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 687, (House Bill No. 1078), entitled:

An Act to amend clause thirty-four of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by extending the provisions for appropriations to posts of veterans.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 718, (House Bill No. 1080), entitled:

An Act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 724, (House Bill No. 1265), entitled:

An Act to further amend the title and section one of the act approved the eighth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand six hundred and fty-six) entitled "An act authorizing county commissioners to refund taxes erroneously and inadvertently paid by persons and corporations into the county treasury" extending said act to all political subdivisions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 744, as follows:

An Act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Workmen's Compensation Security Fund Act"

Section 2 As hereafter used in this act unless the context or subject matter otherwise require

"Stock Fund" means the stock workmen's compensation security fund

"Mutual Fund" means the mutual carrier and reciprocal exchange workmen's compensation security fund created by this act

"Funds" means the stock workmen's compensation security fund and the mutual carrier and reciprocal exchange workmen's compensation security fund

"Fund" means either the stock fund or the mutual carrier and reciprocal exchange fund as the context may require

"Fund year" means the calendar year

"Stock Company" means any stock corporation authorized to transact the business of workmen's compensation insurance in this Commonwealth except an insolvent stock company

"Mutual carrier" means any corporation or association organized and operating on the mutual plan including the State Workmen's Insurance Fund authorized to transact the business of workmen's compensation insurance in this Commonwealth except an insolvent mutual carrier

"Reciprocal exchange" means any association or group of persons exchanging contracts of insurance or indemnity on the reciprocal or interinsurance plan authorized to transact the business of workmen's compensation insurance in this Commonwealth except an insolvent reciprocal exchange

"Carrier" means either a stock company a mutual company a reciprocal exchange or the State Workmen's Insurance Fund as the context may require

"Insolvent stock company" "insolvent mutual carrier" or "insolvent reciprocal exchange" means a stock company a mutual company a reciprocal exchange or the State Workmen's Insurance Fund as the case may be which has been determined to be insolvent or for which or for the assets of which a receiver or liquidator howsoever entitled has been appointed by a court or public officer of competent jurisdiction and authority after the effective date of this act

"Commissioner" means the Insurance Commissioner of this Commonwealth

"Workmen's Compensation Law" means the Workmen's Compensation Act of 1915 or any supplement and amendment thereto or revision thereof

Section 3 There is hereby created a fund to be known as "The Stock Workmen's Compensation Security Fund" for the purpose of assuring to persons entitled thereto the compensation provided by the workmen's compensation law for employments insured in insolvent stock companies Such fund shall be applicable to the payment of valid claims for compensation heretofore or hereafter made pursuant to the workmen's compensation act and remaining unpaid in whole or in part by reason of the default after the effective date of this act of an insolvent stock company Expenses of administration also shall be paid from the fund as herein provided Such fund shall consist of all contributions received and paid into the fund by stock companies as herein defined all property and securities acquired by and through the use of moneys belonging to the fund and of interest earned upon moneys deposited or invested as herein provided The fund shall be administered by the Commissioner in accordance with the provisions of this act

Section 4 Every stock company shall on or before the first day of March one thousand nine hundred and thirty-eight file with the Treasurer of the Commonwealth and with the Commissioner identical returns under oath on a form to be prescribed and furnished by the Commissioner stating the amount of net written premiums for the six months' period ending December thirty-first one thousand nine hundred and thirty-seven on policies issued renewed or extended by such company to insure payment of compensation pursuant to the Workmen's Compensation Law For the purposes of this act "net written premiums" shall mean gross written premiums less return premiums on policies returned not taken and on policies cancelled Thereafter on or before the first day of March and September of each year each such company shall file similar identical returns stating the amount of such net written premiums for the six months' period ending respectively on the preceding December thirty-first and June thirtieth on policies issued renewed or extended by such company

Section 5 For the privilege of carrying on the business of workmen's compensation insurance in this Commonwealth every stock company shall pay into the stock fund on the first day of March one thousand nine hundred and thirty-eight a sum equal to one per centum of its net written premiums as shown by the return hereinbefore prescribed for the period ending December thirty-first one thousand nine hundred and thirty-seven and thereafter each such stock company upon filing each semi-annual return shall pay a sum equal to one per centum of its net written premiums for the period covered by such return When the aggregate amount of all such payments into the stock fund together with accumulated interest thereon less all its expenditures and known liabilities becomes equal to five per centum of the loss reserves of all stock companies for the payment of benefits under the Workmen's Compensation Act as of December thirty-first next preceding no further contributions to said fund shall be required to be made provided however that whenever thereafter the amount of said fund shall be reduced below five per centum of such loss reserves as of said date by reason of payments from and known liabilities of said stock fund or by reasons of an increase of the loss reserves of all stock companies then such contribution to aid fund shall be resumed from such date as the commissioner shall prescribe and shall continue until such fund over and above its known liabilities shall be equal to five per centum of such reserves

Section 6 There is hereby created a fund to be known as "The Mutual Carrier and Reciprocal Exchange Workmen's Compensation Sesurity Fund" for the purpose of assuring to persons entitled thereto the compensation provided by the Workmen's Compensation Law for employments insured in insolvent mutual carriers or insolvent reciprocal exchanges Such fund shall be applicable to the payment of valid claims for compensation heretofore or hereafter made pursuant to law and remaining unpaid in whole or in part by reason of the default after the effective date of this act of an insolvent mutual carrier or of an insolvent reciprocal exchange Expenses of administration also shall be paid from the fund as herein provided Such fund shall consist of all contributions received and paid into the fund by mutual carriers and reciprocal exchanges as herein defined all property and securities acquired by and through the use of moneys belonging to the fund and of interest earned upon moneys deposited or invested as herein provided The fund shall be administered by the Commissioner in accordance with the provisions of this act

Section 7 Every mutual carrier and reciprocal exchange shall on or before the first day of March one thousand nine hundred and thirty-eight file with the Treasurer of the Commonwealth and with the Commissioner identical returns under oath on a form to be prescribed and furnished by the Commissioner stating the amount of net written premiums for the six months' period ending December thirty-first one thousand nine hundred and thirty-seven on policies issued renewed or extended by such carrier and such reciprocal exchange to insure payment of compensation pursuant to the Workmen's Compensation Law during said period For the purposes of this act "net written premiums" shall mean gross written premiums less return premiums on policies returned not taken and on policies cancelled Thereafter on or before the first day of March and September of each year each such carrier and each such reciprocal exchange shall file similar identical returns stating the amount of such net written premiums for the six months' periods ending respectively on the preceding December thirty-first and June thirtieth on such policies issued renewed or extended by such carrier and by such reciprocal exchange

Section 8 For the privilege of carrying on the business of workmen's compensation insurance in this Commonwealth every mutual carrier and reciprocal exchange shall pay into the mutual fund on the first day of March one thousand nine hundred and thirty-eight a sum equal to one per centum of its net written premiums as shown by the return hereinbefore prescribed for the period ending December thirty-first one thousand nine hundred and thirty-seven and thereafter each such mutual carrier and each such reciprocal exchange upon filing each semi-annual return shall pay a sum equal to one per centum of its net written premiums as shown for the period covered by such return When the aggregate amount of all such payments into the mutual fund together with accumulated interest thereon less all its expenditures and known liabilities becomes equal to five per centum of the loss reserves of all mutual carriers and reciprocal exchanges for the payment of benefits under the Workmen's Compensation Act as of December thirty-first next preceding no further contributions to said fund shall be required to be made provided however that whenever thereafter the amount of said fund shall be reduced below five per centum of such loss reserves as of said date by reason of payments from and known liabilities of said mutual fund or by reason of an increase of the loss reserves of all mutual carriers and reciprocal exchanges then such contributions to said fund shall be resumed from such date as the Commissioner shall prescribe and shall continue until such fund over and above its known liabilities shall be equal to five per centum of such reserves

Section 9 The Commissioner may adopt amend and enforce rules and regulations necessary for the proper administration of such funds In the event any carrier shall fail to file any return or make any payment required by this act or in case the Commissioner shall have cause to believe that any return or other statement filed is false or inaccurate in any particular or that any payment made is incorrect he shall have full authority to examine all the books and records of the carrier for the

purpose of ascertaining the facts and shall determine the correct amount to be paid and may proceed in any court of competent jurisdiction to recover for the benefit of the funds any sums shown to be due upon such examination and determination Any carrier which fails to make any statement as required by this act or to pay any contribution when due shall thereby forfeit to the fund entitled to its contribution a penalty of five per centum of the amount of unpaid contribution determined to be due as provided by this act plus one per centum of such amount for each month of delay or fraction thereof after the expiration of the first month of such delay The Commissioner shall revoke the certificate of authority to do business in this Commonwealth of any carrier which shall fail to comply with the provisions of this act or to pay any penalty imposed in accordance with this act

Section 10 Each fund created by this act shall be separate and apart from any other fund so created and from all other Commonwealth moneys The State Treasurer shall be the custodian of said funds and all disbursements from said funds shall be made by the State Treasurer upon vouchesr signed by the Commissioner as hereinafter provided The moneys of said funds may be invested by the State Treasury and Commissioner only in bonds and securities which are the direct obligations of or which are guaranteed as to principal and interest by the United States or of this Commonwealth The State Treasurer and Comimssioner may sell any of the securities in which said funds are invested if advisable for their proper administration or in the best interest of such funds and all earnings from the investment of such funds shall be credited to such funds

Section 11 A valid claim for compensation or installments thereof heretofore or hereafter made pursuant to the Workmen's Compensation Law which has remained or shall remain due and unpaid for sixty days by reason of default after the effective date of this act by an insolvent carrier shall be paid from the proper fund in the manner provided in this act Any person in interest may file with the Commissioner an application for payment of compensation from the proper fund on a form to be prescribed and furnished by the Commissioner A certified copy of the award must accompany the application The Commissioner shall thereupon certify to the State Treasurer such award for payment according to the terms of the same whereupon payment shall be made by the State Treasurer on warrant of the Auditor General and on requisition of the Commissioner

The Commissioner shall be entitled to recover the sum of all liabilities of such insolvent carrier assumed by such stock or mutual fund from such carrier its receiver liquidator rehabilitator conservator or trustee in bankruptcy employer and all others liable under any of the terms of the Workmen's Compensation Law and may prosecute an action or other proceedings therefor All moneys recovered in any such action or proceedings shall forthwith be placed to the credit of the stock or mutual fund which has assumed such liability by the State Treasurer to reimburse the stock or mutual fund which has assumed such liability to the extent of the moneys so recovered and paid If and when all liabilities of all stock or of all mutual carriers for workmen's compensation losses in this Commonwealth shall have fully liquidated distribution shall be made to all contributing stock companies or to all contributing mutual carriers of the remaining balance of such funds in the proportion in which each carrier made contribution to its respective fund provided however that an insolvent carrier shall be entitled to share in the said distribution of its respective fund only to the extent that its distributive share of said fund is in excess of any losses paid out of said fund for its account by the Treasurer in accordance with the terms of this act

Section 12 After the effective date of this act upon any carrier becoming an insolvent stock company an insolvent mutual carrier or an insolvent reciprocal exchange as thecase may be the Commissioner shall so notify the Workmen's Compensation Board which shall immediately advise the Commissioner (a) of all claims for compensation pending or thereafter made against every employer insured by such insolvent carrier or against such insolvent carrier (b) of all unpaid or continuing awards made upon claims for compensation prior to or after the date of such notice from the Commissioner and (c) of all appeals from or applications for modification recision or review of such awards

Section 13 The Commissioner or a representative committee of interested carriers which the Commissioner may from time ot time appoint or both may investigate and defend before the Workmen's Compensation Board or any court any and all claims for compensation against an employer insured by an insolvent carrier or against an insolvent carrier and may prosecute any pending appeal from or may appeal from or make application for modification recision or review of any agreement award or decision against any such employer or carrier Until all such claims for compensation are closed and all awards are paid the Commissioner as administrator of the funds shall be a party in interest in respect to all such claims agreements and awards For the purposes of this section the Commissioner shall have exclusive power to select and employ such clerks and assistants as may be deemed necessary and to fix and determine their powers and duties

Section 14 The expenses of administering each fund shall be paid out of such fund The Commissioner shall serve as administrator of each fund without additional remuneration but may be allowed and paid from either of the funds expenses incurred in the performance of his duties in connection with each fund The compensation of persons employed by the Commissioner for the purposes of this act in connection with either of the funds shall be deemed administration expenses payable out of each such fund in the manner provided in Section ten of this act The Commissioner shall include in his regular report to the Governor a statement of the expenses of administering each of such funds during the period covered by such report

Section 15 Other than the obligation to contribute to a fund as provided in this act no deposit bond or other security shall be required of any carrier as a condition to authorization to transact the business of workmen's compensation insurance in this Commonwealth

Contributions to the funds created by this act at the rates fixed by this act shall be allowed in full as expenses of the business of workmen's compensation insurance by the Commissioner in fixing and approving rates for such insurance

Section 16 If any part of this act be adjudged unconstitutional it shall not invalidate the remainder of the act All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 17 This act shall take effect on the first day of June one thousand nine hundred and thirty-seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. PYTKO. Mr. President, I move that Senate Bill No. 744, the bill just read be recommitted to the Committee on Insurance for the purpose of a public hearing.

Mr. McCREESH. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 753, as follows:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision

and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by repealing the present sections of the act pertaining to investments namely sections 404 405 517 518 602 and 603 and substitute therefor new sections which provide for a classification of the investment provisions relating to life fire marine fire and marine and casualty insurance companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the seventy-one (Pamphlet Laws six hundred eighty-two) entitled teenth day of May one thousand nine hundred and twen- "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and the protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" be amended to read as follows

Section 404 [(As amended by act of July 12 1935 Pamphlet Laws 963)] INVESTMENT OF CAPITAL AND RESERVE [A sum equal to the capital and reserves of any stock or mutual life insurance company organized under the laws of this Commonwealth shall be invested as follows

(a) In such real estate as it is authorized by this act to hold]

[(b) In bonds of the United States or District of Columbia or Canada or of any State or Territory of the United States and in farm loan bonds issued by Federal Land Banks

(c) In legally authorized bonds notes warrants or obligations of any city town county borough township municipality school district poor district or water sewer drainage road or other government district or division located in this Commonwealth or in any state of the United States

(d) In ground rents and in loans upon unencumbered real estate in any State of the United States or the District of Columbia Provided That no loan shall exceed sixty per centu mof the fair market value thereof at the time of such loan And provided further That the limitation herein prescribed in respect to the percentage of the fair market value of the property upon which an insurance company may make loans shall not apply to bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administration pursuant to the provisions for mutual mortgage insurance in title two of the National Housing Act for the purpose of financing the construction or purchase of dwellings and similar residential property and the refinancing of mortgages

(e) In debentures issued by the Federal Housing Administrator in settlement of claims for insurance pursuant to title two of the National Housing Act

(f) In securities of national mortgage associations or similar national mortgage credit institutions now or hereafter organized under title three of the National Housing Act

(g) In loans upon the security of its own policies not exceeding the net value of the policy at the time of making the loan

(h) In first encumbrances upon standard steam railroads street or interurban railways or upon their rolling stock equipment or of water gas or other public utility companies or bonds issued to retire a prior debt or bonds named corporations upon which no default in interest prior thereto or in other bonds or notes of the above exists at the time of purchase The Insurance Commissioner may permit any company to invest sufficient of its capital and reserves in the securities of a foreign government in order to enable it to comply with the laws of such foreign government and transact business therein

Nothing herein contained shall be so construed as to prevent any such company from acquiring or holding property taken in reorganization or foreclosure proceedings or which may be obtained in satisfaction of any debt previously contracted]

A A sum equal to the capital of any stock life insurance company organized under the laws of this Commonwealth shall be be hereafter invested only as follows

(1) In bonds of the United States including primary obligations and obligations fully guaranteed by the United States or District of Columbia or Dominion of Canada or anp province there of or of any State or Territory of the United States and in farm loan bonds issued by Federal Land Banks

(2) In legally authorized bonds notes warrants or obligations of any city town county borough township municipality school district poor district or water sewer drainage road or other givernment district or division located in this Commonwealth or in any state of the United States

(3) In ground rents and in loans other than participating loans upon improved unencumbered real estate in any State of the United States or the District of Columbia Provided That no loan shall exceed sixty per centum of the fair market value thereof at the time of such loan except that loans not in excess of sixty-six and two thirds (66 2-3 per centum of the fair market value thereof may be made if requirement is made for the amortization of the excess over sixty (60) per centum within two years from the making thereof

B A sum equal to the reserves of any stock or mutual life insurance company organized under the laws of this Commonwealth shall be invested only as follows

(1) In the securities enumerated in subdivision (A) of this section

(2) In such real estate as it is authorized by this act to hold

(3) In loans or advances upon the security of its own policies not exceeding the net value of the policy at the time of making the loan

(4) In secured bonds or notes of standard railroads of the United States or Dominion of Canada or any province thereof or upon their rolling stock equipment upon which no default in principal or interest exists at the time of purchase

(5) In secured bonds or notes of public utility companies of the United States or Dominion of Canada or any province thereof upon which no default in principal or interest exists at the time of purchase in other bonds obligations debentures or notes of any of the corporations mentioned in paragraphs four (4) or five (5) provided that no investment shall be made in such other bonds obligations debentures or notes unless the obligor corporation shall have earned in each of its three fiscal years next preceding the year in which such investment is made an amount equal to one and one-half times the total of interest on all bonds obligations debentures or notes

The Insurance Commissioner may permit any company to invest sufficient of its capital and reserves in the securities of a foreign government in order to enable it to comply with the laws of such foreign government and transact business therein

Nothing herein contained shall be so construed as to prevent any such company from acquiring or holding property taken in reorganization or foreclosure proceedings or which may be obtained in satisfaction of any debt previously contracted

Section 405 INVESTMENT OF SURPLUS RESTRICTIONS

Any funds over and above the capital and reserves of any stock or mutual life insurance company may be invested as follows

(1) In the securities enumerated in the preceding section

(2) In the shares of stock of any solvent dividend-paying corporation created under the laws of this Commonwealth or of any other State of the United States

(3) In loans upon the pledge of any securities enu-

merated in the preceding section or securities heretofore authorized in this section as investments except its own shares of stock or the shares of stock of any other company authorized to transact the same classes of insurance business The current market value of such securities shall be such as to comply with the Securities Exchange Act of 1934 as enacted by the Senate and House of Representatives of the United States of America in Congress assemble dapproved June 6 1934 as amended or revised or any ruling or regulation by virtue thereof

(4) In bonds or notes secured by mortgage or trust deed insured by the Federal Housing Administrator or in debentures issued by him and in securities issued by National Mortgage Associations

(5) In shares of any Federal Savings and Loan Association or other institution to the extent to which the withdrawal or repurchase value of such shares are insured by the Federal Government of the United States through the Federal Savings and Loan Insurance Corporation under Acts of Congress of the United States now in effect or which may hereafter be enacted

(6) In bonds notes warrants or other obligations of any body corporate or politic created as an authority of the United States Government or under any law of this Commonwealth or of any other State or of corporations all of the stock of which excepting qualifying shares if any is wholly owned by the United States Government

(7) In the stocks bonds notes or other evidences of indebtedness of any solvent corporation except its own shares of stock created under any law of the United States or of any State or Territory District of Columbia or Canada

No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the stocks or evidences of indetedness of any corporation the owners or holders of which stock or evidence of indetbedness may in any event be or become liable on account thereof to any assessment except for taxes or wages nor shall any of its funds be loaned on personal security Not more than one-fifth of its capital shall be invested in a single mortgage No such company shall hereafter invest or acquire directly or indirectly more than ten per centum of the capital stock of any corporation nor shall more than ten per centum of its capital and surplus be invested in the stock or other evidence of indebtedness of any corporation but the Insurance Commissioner may in his discretion authorize the investment any part of the surplus not to exceed fifty (50) per centum in the stock of any other insurance corporation

No such company shall enter into any agreement to withold from sale any of its property but the disposition of its property shall be at all times within control of its board of directors or trustees If any investment or loan is made in a manner not authorized by this act the officers directors and trustees making or authorizing the same shall be personally liable for any loss occasioned thereby

No such insurance company shall pledge hypothecate or otherwise encumber its assets or any part thereof without the written consent of the Insurance Commissioner

Section 517 (As last amended by Act of July 12 1935 Pamphlet Laws 963) INVESTMENT OF CAPITAL The capital of any stock fire marine or stock fire and marine insurance company of this Commonwealth shall be invested only as follows

(a) In such real estate as it is authorized by this act to hold

(b) In bond of the United States or District of Columbia or of the State or Territory of the United States or Canada and in farm loan bonds issued by Federal Land Banks

(c) In the legally authorized bonds or notes of any city county township mnuicipality school or water district of this Commonwealth of another State or Territory of the United States or Canada

(d) In the bonds or notes of any solvent railroad or street railway corporations upon which no default in interest has been made

(e) In ground-rents and loans upon improved unencumbered real estate No loan on such real estate shall exceed sixty-six and two-thirds per centum (66 2/3%) of the fair market value thereof at the time of making such loans Provided That the limitation herein prescribed in respect to the percentage of the fair marget value of the property upon which an insurance company may make loans shall not apply to bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions for mutual mortgage insurance in title two of the National Housing Act for the purpose of financing the construction or purchase of dwellings and similar residential property and the refinancing of mortgages

(f) In debentures issued by the Federal Housing Administration in settlement of claims pursuant to title two of the National Housing Act

(A) A sum equal to the minimum capital required by law of any stock fire marine and fire and marine insurance company organized under the laws of this Commonwealth shall be hereafter invested only as follows

(1) In bonds of the United States including primary obligations and obligations fully guaranteed by the United States or District of Columbia or Dominion of Canada or any province thereof or of any State or Territory of the United States and in farm loan bonds issued by Federal Land Banks

(2) In legally authorized bonds notes warrants or obligations of any city town county borouhg township municipality school district poor district water sewer drainage road or other government district or division located in this Commonwealth or in any State of the United States

(B) A sum equal to the reserves of any stock or mutual fire marine and fire and marine insurance company organized under the laws of this Commonwealth shall be invested only as follows

(1) In the securities enumerated in subdivision (A) of this section

(2) In secured bonds or notes of standard railroads of the United States or Canada or upon their rolling stock equipment upon which no default in principal or interest exists at the time of purchase

(3) In secured bonds or notes of public utility companies of the United States or Canada upon which no default in principal or interest exists at the time of purchase

(4) In bonds notes or preferred stocks of standard railroad public utility or industrial companies which in the three fiscal years of such companies prior to such investment have earned a sum equal to two times the total of the amount of interest or dividends payable on the issue in which investment is made and the amount of the interest or dividends payable on any issues of such company having priority in payment of interest or dividends over the issue in which investment is made or in guaranteed stocks of solvent standard railroad companies

(5) In the shares of stock of any solvent dividend-paying corporation except its own shares of stock created under the laws of this Commonwealth or of any other state of the United States or Canada

The Insurance Commissioner may permit any company to invest sufficient of its capital and reserves in securities acceptable to a foreign government in order to enable it to comply with the laws of such foreign government and transact business therein

Nothing herein contained shall be so construed as to prevent any such company from acquiring or holding property taken in reorganization or foreclosure proceedings or which may be obtained in satisfaction of any debt previously contracted

Section 518 [(As amended by Act of May 12 1925 Pamphlet Laws 601)] INVESTMENT OF SURPLUS [Any money over and above the capital of any stock fire stock marine and stock fire and marine insurance company may be invested in the securities above enumerated or in the stock or other evidence of indebtedness of any solvent corporation created under the laws of this Commonwealth or of any other state of the United States or the District of Columbia or loaned upon the pledge of the

same except its own stock but no such investments shall be hereafter made by such company in excess of five per centum of its gross assets in the stock of another insurance company if the latter has invested in or loaned its funds on the stock of the first investing company The current market value of such securities shall at the time of any loan thereon be at least twenty per centum (20%) more than the sum loaned thereon No such insurance company shall invest any of its funds in unincorporated business or enterprise nor in the stocks or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indetedness may in any event be or become liable on account thereof to any assessment except for taxes nor shall any of its funds be loaned on personal security Not more than one-fifth (1/5) of its capital shall be invested in a single mortgage If any investment or loan is made in a manner not authorized by this act the officers and directors making or authorizing the same shall be personally liable for any loss occasioned thereby]

Any funds over and above the capital and reserve of any stock or mutual fire marine and fire and marine insurance company may be invested as follows

(1) In the securities enumerated in the preceding section

(2) In such real estate as it is authorized by this act to hold

(3) In obligations secured by mortgages which are insured by or for which commitment to insure has been made by the Federal Housing Administrator and in debentures issued by the Federal Housing Administrator for settlement of claims for insurance and in securities of National Mortgage Associations

(4) In shares of any Federal Savings and Loan Association or other institution to the extent to which the withdrawal or repurchase value of such shares is insured by the United States through the Federal Savings and Loan Insurance Corporation under Acts of Congress of the United States now in effect or which may hereafter be enacted

(5) In bonds notes warrants or other obligations of any body corporate or politic created as an authority under any law of the United States or of any State of the United States or of any corporation all of whose shares except qualifying shares if any are owned by the United States Government

(6) In ground rents and loans other than participating loans upon improved unencumbered real estate in any state of the United States or the District of Columbia Provided however that no such loan upon real estate except such as is authorized in paragraph (3) of this section shall exceed sixty-six and two-thirds per centum (66 2/3) of the fair market value thereof at the time of such loan and provided further that every such loan except such as is authorized in paragraph (3) of this section shall be subject to the condition that the principal thereof shall be repaid to the extent necessary to reduce the principal thereof remaining unpaid at the expiration of two years from the time of such loan to a sum not exceeding sixty per centum (60%) of the fair market value of such real estate at the time of such loan

(7) In the shares of stock of any solvent corporation except its own shares of stock created under the laws of this Commonwealth or of any other State of the United States or Canada

(8) In loans upon the pledge of any securities enumerated in this section except its own shares of stock or the shares of stock of any other company authorized to transact the same classes of insurance business The current market value of uch securities shall be such as to comply with the Securities Exchange Act of 1934 as enacted by the Senate and oHuse of Representatives in Congress assembled approved June 6 1934 as amended or revised or any ruling or regulation by virtue thereof

No such insurance company shall pledge hypothecate or otherwise encumber its assets or any part thereof without the written consent of the Insurance Commissioner

If at any time the total assets of any such company aggregate in value less than one hundred and twenty per centum of the minimum capital and reserves of any such company if a stock company and in the case of a mutual company less than one hundred and twenty per centum of an amount equal to the reserves plus the minimum capital required of a stock company transacting the same lines of business all further investments by such company shall be restricted to the securities enumerated in subdivision (A) of the preceding section

No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the stock or evidences of indebtedness of any corporation the owner or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes or wages nor shall any of its funds be loaned on personal security Not more than one-tenth of its capital shall be invested in a single mortgage No such company shall herafter invest or acquire directly or indirectly more than ten per centum of the capital stock of any corporation nor shall more than ten per centum of its capital and surplus be invetsed in the stock or other evidence of indebtedness of any corporation but the Insurance Commissioner may in his discretion authorize the investment of all or any part of the surplus not to exceed fifty per centum (50%) in the stock of any other insurance corporation

No such company shall enter into any agreement to withhold from sale any of its property but the disposition of its property shall be at all times within control of its board of directors or trustees If any investment or loan is made in a manner not authorized by this act the officers directors and trustees making or authorizing same shall be personally liable for any loss occasioned thereby

Section 602 [(As amended by Act of July 12 1935 Pamphlet Laws 963)] INVESTMENT OF CAPITAL [Every domestic stock casualty insurance company shall invest and keep invested in sound income-bearing securities all its capital and funds of every description excepting such cash as may be required in the transaction of its business and such as it may invest in real estate as hereinafter authorized The capital of every such company shall be invested as follows

(a) In such real estate as it is authorized by this act to hold

(b) In bonds of the United States or District of Columbia or of any State or Territory of the United States or Canada and in farm loan bonds issued by Federal Lands Banks

(c) In the legally authorized bonds or notes of any city county township municipality school or water district] [of this Commonwealth or of any other State or Territory of the United States or Canada

(d) In the bonds or notes of any solvent railroad or street railway corporation upon which no default in interest has been made

(e) In ground-rents and loans upon improved and unencumbered real estate Provided That no loan on such real estate shall exceed sixty-six and two-thirds per centum (66 2/3%) of the fair market value thereof at the time of making such loan And provided further That the limitation herein prescribed in respect to the percentage of the fair market value of the property upon which an insurance company may make loans shall not apply to bonds secured by mortgages which are insured by or for which a commitment to insure has been made by the Federal Housing Administrator pursuant to the provisions for mutual mortgage insurance in title two of the National Housing Act for the purpose of financing the construction or purchase of dwellings and similar residential property and the refinancing of mortgages

(f) In debentures issued by the Federal Housing Administrators in settlement of claims for insurance pursuant to title two of the National Housing Act

(g) In securities of national mortgage associations or similar national mortgage credit instittuions now or hereafter organized under title three of the National Housing Act

(h) Any such company which has one million dollars of capital and one million dollars of surplus may invest] [in the capital of any like company organized under the laws of this Commonwealth or of the laws of any of the United States solely to transact the same class of business in countries outside of the United States Such

investment shall be limited to an amount not exceeding thirty per centum of the par value of the capital stock of the investing company]

(A) A sum equal to the minimum capital required by law of any stock casualty insurance company organized under the laws of this Commonwealth shall be invested only as follows

(1) In bonds of the United States including primary obligations and obligations fully guaranteed by the United States or District of Dominion of Columbia or Canada or any province thereof or of any State or Territory of the United States and in farm loan bonds issued by Federal Land Banks

(2) In legally authorized bonds notes warrants or obligations of any city town county borough township municipality school district poor district water sewer drainage road or other government district or division located in this Commonwealth or in any State of the United States

(3) In ground rents and in loans other than participating loans upon improved unencumbered real estate in any State of the United States or the District of Columbia Provided however that no such loan upon real estate except such as is authorized in paragraph five (5) of Section 603 shall exceed sixty-six and two-thirds per centum (66 2/3%) of the fair market value thereof at the time of such loan and provided further that every such loan except such as is authorized in paragraph five (5) of Section 603 shall be subject to the condition that the principal thereof shall be repaid to the extent necessary to reduce the principal thereof remaining unpaid at the expiration of two years from the time of such loan to a sum not exceeding sixty per centum (60%) of the fair market value of such real estate at the time of such loan

(B) A sum equal to the reserves of any stock or mutual casualty insurance company organized under the laws of this Commonwealth shall be invested as follows

(1) In the securities enumerated in subdivision (A) of this section

(2) In secured bond or notes of standard railroads of the United States or Canada or upon their rolling stock equipment upon which no default in pricipal or interest exists at the time of purchase

(3) In secured bonds or notes of public utility companies of the United States or Canada upon which no default in principal or interest exists at the time of purchase

(4) In bonds notes or preferred stocks of standard railroad public utility or industrial companies which in the three fiscal years of such companies prior to investment have earned a sum equal to two times the total of the amount of interest or dividends payable on the issue in which investment is made and the amount of the interest or dividends payable on any issue of such company having priority in payment of interest or dividends over the issue in which investment is made or in guaranteed stocks of solvent standard railroad companies

(5) In the shares of stock of any solvent dividend-paying corporation except its own shares of stock created under the laws of this Commonwealth or any other state of the United States or Canada

The Insurance Commissioner may permit any company to invest sufficient of its capital and reserves in securities acceptable to a foreign government in order to enable it to comply with laws of such foreign government and transact business therein

Nothing herein contained shall be so construed as to prevent any such company from acquiring or holding property taken in reorganization or foreclosure proceedings or which may be obtained in satisfaction of any debt previously contracted

Section 603 [(As last amended by Act of March 10 1925 Pamphlet Laws 30)] INVESTMENT OF SURPLUS RESTRICTIONS [Any money over and above the capital of] [any such stock casualty insurance company may be invested in the securities above enumerated or loaned upon the security of the same or in the stock of other evidence of indebtedness of any solvent dividend paying corporation created under the laws of this Commonwealth or of any other State of the United States or loaned upon thethe pledge of the same except its own stock or the stock of any other insurance company transacting like classes of business The current market value of such securities at the time of any loan thereon shall be at least fifteen per centum (15%) more than the sum loaned thereon No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the stock or evidence of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes nor shall any of its funds be loaned on personal security Not more than one-fifth (1/5) of its capital shall be invested in a single mortgage No such company shall enter into any agreement to withhold from sale any of its property but the disposition of its property shall be at all times within the control of its board of directors or trustees If any investment or loan is made in a manner not authorized by this act the officers and directors making or authorizing the same shall be personally liable for any loss occasioned thereby

Any such stock casualty insurance company may invest in the capital stock and obligations of a corporation or] [corporations formed for the purpose of taking and holding title to real estate and erecting or maintaining thereon a building or buildings to be used in whole or in part for the accommodation and transaction of the business of such insurance company without being subject to the limitation hereinbefore prescribed as to investment in the stock of a dividend paying corporation but no such insurance company shall invest more than fifty per centum (50%) of its capital and surplus in the stock and other obligations of any such corporation or corporations nor acquire and hold any of the stock or other obligations of any such corporation or corporations if the total amount of the capital and other obligations of such corporation or corporations exceeds in the aggregate fifty per centum (50%) of the capital and surplus of such insurance company without the written approval of the Insurance Commissioner]

Any funds over and above the capital and reserve of any stock or mutual casualty insurance company may be invested as follows

(1) In the securities enumerated in the preceding section

(2) In such real estate as it is authorized by this act to hold

In the shares of stock of any solvent dividend-paying corporation except its own stock created under the laws of this Commonwealth or of any other State of the United States

(4) In loans upon the pledge of any securities enumerated in the preceding section or securities heretofore authorized in this section as investments except its own shares of stock or the shares of stock of any other cmpany authrized to transact the same classes of insurance business The current market value of such securities shall be such as to comply with the Securities Exchange Act of 1934 as enacted by the Senate and House of Repreesntatives of the United States of America in Congress assembled approved June 6 1934 as amended or revised or any ruling or regulation by virtue thereof

(5) In bonds or notes secured by mortgage or trust deed insured by the Federal Housing Administrator or in debentures issued by him and in securities issued by National Mortgage Associations

(6) In shares of any Federal Savings and Loan Association or other institution to the extent to which the withdrawal or repurchase value of such shares are insured by the Federal Government of the United States through the Federal Savings and Loan Insurance Corporation under Acts of Congress of the United States now in effect or which may hereafter be enacted

(7) In bonds notes warrants or other obligations of any body corporate or politic created as an authority under any law of the United States or of any State of the United States or of any corporation all of whose shares except qualifying shares if any are owned by the United States Government

No such insurance company shall invest any of its funds in any unincorporated business or enterprise nor in the

stocks or evidences of indebtedness of any corporation the owners or holders of which stock or evidence of indebtedness may in any event be or become liable on account thereof to any assessment except for taxes or wages nor shall any of its funds be loaned on personal security Not more than one-tenth of its capital shall be invested in a single mortgage No such company shall hereafter invest or acquire directly or indirectly more than ten percentum of the capital stock of any corporation nor shall more than ten per centum of its capital and surplus be invested in the stock or other evidence of indebtedness of any corporation but the Insurance Commissioner may in his discretion authorize the investment of all or any part of the surplus not to exceed fifty per centum (50%) in the stock of any other insurance corporation

No such company shall enter into any agreement to withhold from sale any of its property but the disposition of its property shall be at all times within control of its board of directors or trustees If any investment or loan is made in a manner not authorized by this act the officers directors and trustees making or authorizing the same shall be personally liable for any loss occasioned thereby

No such insurance company shall pledge hypothecate or otherwise encumber its assets or any part thereof without the written consent of the Insurance Commission

If at any time the total assets of any such company aggregate in value less than one hundred and twenty per centum of the minimum capital and reserves of any such company if a stock company and in the case of a mutual company less than one hundred and twenty per centum of an amount equal to the reserves plus the minimum capital required of a stock company transacting the same lines of business all further investments by such company shall be restricted to the securities enumerated in subdivision (A) of the preceding section

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. PYTKO. Mr. President, I move that Senate Bill No. 753, the bill just read be recommitted to the Committee on Insurance.

Mr. McCREESH. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 764 (House Bill No. 76), as follows:

An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotives trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualifications of certain employes and to provide a penalty for the violation thereof and the enforcement thereof by the Public Utility Commission.

The first to the eleventh sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when used in this act and for the purposes of this act (a) the word "carrier" means a common carrier by railroads or partly by railroad and partly by water and any receiver or any other individual or body judicial or otherwise when in possession of the business of carriers covered by this act excluding street suburban and interurban electric railways unless operated as a part of a general railroad system of transportation

(b) The word "locomotive" means only self propelled unit operated by any form of energy or power whether produced thereon or furnished from any outside source and adopted for use in moving cars upon rails or for the transportation of passengers or freight or property except locomotive cranes pile drivers brown hoists and other self propelled engines or machines not used for the transportation of passengers or freight or property for hire

(c) The term "light engine" means any locomotive operated without cars and not transporting passengers freight or property

(d) The term "passenger train" means any self propelled unit while transporting passengers or any locomotive with one or more cars construed for the purpose of transporting passengers baggage mail express or combination of either or any

(e) The term "freight train" means any train composed of one or more locomotives with one or more cars or other vehicles construed for the purpose of transporting freight or other property not specifically referred to in the above definition of a passenger train

(f) The word "engineer" means a person who operates a locomotive and performs related work

(g) The word "fireman" means a person who fires a locomotive and assists an engineer in the performance of his duties as such or performs either of said duties

(h) The word "conductor" means a person having charge of the operation of a train en route at stations and between stations and who performs related work

(i) The word "brakeman" means a person who assists a conductor in the operation and protection of a train and who performs related work

(j) The word "baggageman" means a person whose duties include receiving caring and handling baggage mail and express on trains and who performs related work

(k) The term "yard conductor" or "foreman" means a person whose duties are to supervise and assist in the work of switching and yard work train service including supervision of the breaking up of trains and to perform related work

(l) The term "yard brakeman" or "helper" means a person whose duties are to couple uncouple and ride cars in connection with the breaking up and making up of trains to handle switches and to perform related work in connection with yard switching service

(m) The term "main track" means any continuous track over which through trains operate through and between stations

(n) The term "competent employe" means

(1) One who is able to read and understand the time tables of the carrier by whom he is employed and read ordinary hand writing in the English language and who is able to speak hear and understand the English language and to see distinguish and understand the signals required by the book of rules of the carrier governing the operation of the locomotive and trains of such carrier When defective sight can be remedied by the use of glasses or other means such defective sight shall not thereby render an employe incompetent under this act

(2) As applied to an engineer one who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof shall have passed the regular examination prescribed by the carrier concerning rules and regulations governing the position of an engineer

(3) As applied to a conductor one who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof shall have passed the regular examination prescribed by the carrier concerning rules and regulations governing conductors

(4) As applied to a fireman a brakeman or a yard brakeman or helper one who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof shall have passed the regular examination prescribed by the carrier concerning rules and regulations governing fireman or brakeman or yardman or helpers

(5) As applied to a yard conductor or foreman one

who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof shall have passed a regular examination prescribed by the carrier concerning rules and regulations governing yard conductors or foreman

(6) As applied to a baggageman one who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof has before being so employed as a baggageman passed the regular examination prescribed by the carrier concerning rules and regulations governing the position of a baggageman

Section 2 It shall be unlawful for any carrier to operate or permit to be operated any passenger train in this Commonwealth consisting of less than five cars unless said train shall be manned by a full crew of competent employes which crew shall consist of not less than one engineer one fireman on conductor and one brakeman When any passenger train consists of five cars or more any one or more of which carries passengers or consisting of ten or more cars none of which is carrying passengers such passenger train shall be manned by one additional brakeman When baggage is received cared for handled and transported on any such train at least one baggageman shall be added to the members of the crew above described in this section Except a single motor unit carrying passengers shall be manned by not less than three men

Section 3 It shall be unlawful for any carrier to operate or permit to be operated in the State of Pennsylvania any freight train consisting of less than fifty cars without a full crew of competent employes which crew shall consist of not less than one engineer one fireman one conductor and two brakemen

Section 4 It shall be unlawful for any carrier to operate or permit to be operated any freight train consisting of fifty cars or more without a full crew of competent employes which crew shall consist of not less than one engineer one fireman one conductor and three brakemen

Section 5 It shall be unlawful for any carrier to operate or permit to be operated any local freight train doing any switching or unloading of any freight of any nature whatever without a full crew of competent employes which crew shall consist of not less than one engineer one fireman one conductor and three brakemen

Section 6 All other trains not specifically referred to hereinbefore shall be manned by a crew of not less than one engineer one fireman on conductor and two brakemen

Section 7 It shall be unlawful for any carrier to use operate or permit any locomotive to be used or operated in any railroad yard or on any railroad track to handle or switch cars or to transfer cars from one railroad to another or from one railroad yard to another railroad yard unless each and every such locomotive while handling or switching cars shall be manned by a full crew of competent employes which crew shall consist of not less than one engineer one fireman one yard conductor or fireman and two yard brakemen or helpers When any such locomotive is so used or operated over or upon a highway or street within the corporate limits of a municipality such locomotive shall be manned by one additional yard brakeman or helper No such employe shall be detailed to more than one locomotive at the same time or be assigned to any other service unless his place be filled by another competent employe or the locomotive laid up while short-handed except that in case of the sudden disability of a member of such crew through sickness accident or death the carrier shall have three hours to replace such member during which time such locomotive may be operated short-handed

Section 8 It shall be unlawful for any carrier to operate or permit to be operated on its main track any single locomotive unless said locomotive is manned by a full crew of competent employes which crew shall consist of not less than one engineer one fireman one conductor or brakeman Provided however That where two or more locomotives are operated under their own power on any main track and coupled together there shall be provided a crew of one engineer and one fireman for each locomotive and in addition thereto one conductor or brakeman

Section 9 It shall be unlawful for any carrier to operate as a locomotive or permit to be operated as a locomotive on its main track any self propelled crane pile driver brown hoist or other self propelled engine or machine not used for the transportation of passengers or freight or property for hire which has sufficient power to draw or propel itself and one or more standard railroad cars unless such engine or machine shall be manned by a full crew of competent employes consisting of not less than one engineer one conductor and one brakeman

Section 10 In the case of the disability of a member of a full crew between terminals the carrier shall have the right to operate the locomotive or train short-handed until such locomotive or train arrives at the next terminal or other intermediate place on the line where men of the same class as the person disabled are available when such carrier shall fill the vacancy on such crew This act shall not apply to relief or wrecking trains where sufficient men are not available

Section 11 Any railroad company its officers or agents officers of the court receiver or any person or persons operating a railroad violating any of the provisions of this act shall be guilty of a misdemeanor and liable to a penalty of one hundred dollars ($100) for each and every such violation to be recovered with costs as debts are now by law recoverable by a suit in the name of the Commonwealth for the use of the county in which such violation takes place Provided however That nothing in this act shall apply or relate to trains owned or operated by manufacturers made up of hot metal ladles ingots slag or table trucks

The twelfth section of the bill was read as follows:

Section 12 It shall be the duty of the Public Utility Commission of the Commonwealth of Pennsylvania or any other agency empowered to enforce the law to execute and enforce the provisions of this act and for such purposes shall have all the powers granted to it under the laws of this Commonwealth

On the question,

Will the Senate agree to the section?

Mr. RUPP. Mr. President, I move to amend House Bill No. 76 (Senate Bill No. 764) Printer's No. 1002, by adding after the word "herein" on page 9, line 3, the following section. (Sec. 12).

Mr. RODGERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. THOMPSON and Mr. CAVALCANTE and were as follows, viz:

YEAS—27

Buckman,	Gilson,	Mallery,	Salus,
Chapman,	Heyburn,	McGinnis,	Scarlett,
Dando,	Homsher,	Mundy,	Sones,
Deitrick,	Howell,	Owlett,	Sordoni,
Dent,	Kahle,	Pierson,	Wolfenden,
Ealy,	Lanius,	Rodgers,	Woodward,
Gelder,	Law,	Rupp,	

NAYS—21

Barthold,	Henney,	Pytko,	Shapiro,
Cavalcante,	Jaspan,	Rankin,	Sipe,
DiSilvestro,	Kilgallen,	Reed,	Stiefel,
Eroe,	Kunkel,	Rice,	Thompson,
Frey,	McCreesh,	Ruth,	Huffman,
Haluska,			

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirteenth section of the bill was read as follows and agreed to.

Section 13 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

The fourteenth section of the bill was read as follows:

Section 14 All acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the Senate agree to the section?

Mr. RUPP. Mr. President, I move to amend "Section 14 The provision of this act, shall not apply to any railroad of fifty miles in or less length, or any railroad in the hands of a Receiver, or in process of reorganization under any Federal Law, or to any railroad operating without profit at prevailing scales of wages, or unable to pay dividends upon its' common stock; amend Section 14, page 9, line 4, by striking out after the word "Section" the numerals "14" and inserting in lieu thereof the numerals "15."

Mr. RODGERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifteenth section of the bill was read as follows:

Section 15 This act shall become effective immediately upon its final enactment

On the question,

Will the Senate agree to the section?

Mr. RUPP. Mr. President, I move to amend Section 15, page 9, line 6, by striking out after the word "Section" the numerals "15" and inserting in lieu thereof the numerals "16."

Mr. RODGERS. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotives trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualifications of certain employes and to provide a penalty for the violation thereof and the enforcement thereof by the Public Utility Commission

And said bill having been read at length the second time.

On the question,

Will the Senate agree to the bill?

BILL OVER IN ORDER

Mr. THOMPSON. Mr. President, I ask unanimous consent that Senate Bill No. 764 (House Bill No. 76) on second reading, go over in its order.

The PRESIDENT. The Chair has not announced that the bill has not been agreed to on second reading.

Mr. RUPP. Mr. President, I object.

Mr. THOMPSON. Mr. President, in order to eliminate the parliamentary tangle that seems to be involved, I will withdraw my request that the bill go over in its order, and

MOTION TO POSTPONE BILL

I move that the question, together with the further consideration of the bill, be placed on the postponed calendar on second reading.

Mr. CAVALCANTE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. BUCKMAN. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Bucks will state his question of parliamentary inquiry.

Mr. BUCKMAN. Mr. President, I would like to ask if this bill has not passed second reading.

The PRESIDENT. The Chair has declared that the amendments have been adopted, but the Senate has not passed on the bill on second reading.

The PRESIDENT. The Chair informs the Senator from Bucks that it has not passed second reading. The motion is to postpone the bill.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. BUCKMAN and Mr. CAVALCANTE.

Mr. THOMPSON. Mr. President, I ask for a verification of the roll.

The roll was verified and was as follows, viz:

YEAS—26

Barthold,	Haluska,	McGinnis,	Ruth,
Cavalcante,	Henney,	Mundy,	Shapiro,
Dando,	Jaspan,	Pytko,	Sipe,
DiSilvestro,	Kilgallen,	Rankin,	Stiefel,
Eroe,	Kunkel,	Reed,	Thompson,
Frey,	Lanius,	Rice,	Huffman,
Gilson,	McCreesh,		

NAYS—20

Buckman,	Hcyburn,	Owlett,	Scarlett,
Chapman,	Homsher,	Pierson,	Sones,
Deitrick,	Howell,	Rodgers,	Sordoni,
Ealy,	Law,	Rupp,	Wolfenden,
Gelder,	Mallery,	Salus,	Woodward,

So the question was determined in the affirmative.

RECONSIDERATION OF SENATE BILL NO. 836 (HOUSE BILL 455)

Mr. RUTH. Mr. President, I move to reconsider the vote by which Senate Bill No. 836 (House Bill 455), entitled:

An Act to amend section one of the act, approved the twenty-fourth day of June, one thousand nine hundred and nineteen, (P. L. 579), entitled "An act to fix the salary and mileage of the members of the General Assembly, and to provide for the furnishing of such postage, stationery, and supplies, as may be necessary for the conduct of their offices; and repealing all acts or parts of acts inconsistent therewith," as amended; increasing the compensation of members of the General Assembly.

was defeated on May 12.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted "no."

Mr. GILSON. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. GILSON. Mr. President, I voted "no."

The motion was agreed to.

And the question recurring.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution.

Mr. BUCKMAN. Mr. President, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—28

Barthold,	Gilson,	McCreesh,	Rupp,
Cavalcante,	Haluska,	McGinnis,	Ruth,
Dando,	Henney,	Mundy,	Shapiro,
Dent,	Jaspan,	Pytko,	Sipe,
DiSilvestro,	Kahle,	Rankin,	Sones,
Eroe,	Kilgallen,	Rice,	Stiefel,
Frey,	Law,	Rodgers,	Thompson,

NAYS—19

Buckman,	Heyburn,	Owlett,	Sordoni,
Chapman,	Homsher,	Pierson,	Wolfenden,
Deitrick,	Kunkel,	Reed,	Woodward,
Ealy,	Lanius,	Salus,	Huffman,
Gelder,	Mallery,	Scarlett,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

PERMISSION TO HOLD COMMITTEE MEETING

Mr. SHAPIRO. Mr. President, I move that permission be granted to the Committee on Welfare to hold a meeting during the session.

Mr. JASPAN. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. DENT. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT from the Committee on Labor and Industry, reported as amended, Senate Bill No. 488 (House Bill No. 99), entitled:

An Act to re-enact and amend the title and the act approved the second day of June one thousand nine hundred and fifteen (P. L. 736), entitled "Workmen's Compensation Act of 1915," by making the present schedule of compensation compulsory upon all employes; changing, adding to and increasing the schedules of compensation; prescribing and changing certain presumptions and rules of evidence; increasing the requirements to be met by employers desiring to be self-insurers; conferring certain powers and duties upon the Department of Labor and Industry; imposing additional duties and liabilities upon employers and insurance carriers, including the cost of administering the workmen's compensation system including the rehabilitation of employes; providing for the payment of compensation for certain second injuries and for the rehabilitation of injured employes, and for the payment of re-opened cases after a certain lapse of time, by the Commonwealth out of moneys required to be paid into the State Treasury by certain employers and insurance carriers in death cases where there are no dependents; imposing new and changing certain existing penalties; and generally amending, clarifying and changing the provisions of said act.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 767 (House Bill No. 1557), entitled:

An Act to repeal the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 55) entitled "A supplement to an act entitled 'An act to increase the revenues of the Commonwealth by taxation of the shares of stock of the national banks approved April twelfth one thousand eight hundred and sixty-seven".

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 783, as follows:

An Act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and providing for the payment of certain medical expenses creating a board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing state employes defining the uses and purposes thereof and the manner of payments therefrom providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties

Section 1 Definitions Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases as used in this act shall be construed to have the following meanings

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act and standing to the credit of the member's annuity reserve account together with the regular interest thereon

"Beneficiary" any person in receipt of a retirement allowance under this act

"Board" the Board of Retirement Awards created by this act

"Contributor" any person who has accumulated deductions in the fund created by this act standing to his credit in the Member's Annuity Reserve Account

"Final Salary" the average annual compensation earnable by a contributor before any deductions have been made and exclusive of maintenance allowances and expenses for the five years of service immediately preceding retirement or in the event a member has not served five years the total retirement compensation earnable divided by the number of the years served

"Fund" the Pennsylvania Motor Police Retirement Fund created by this act

"Member's Annuity" payments for life derived from contributions made by the contributor

"Motor Police" the Pennsylvania Motor Police

"Partial Disability" shall exist when a member shall be unable in the opinion of the Board because of his

physical or mental condition to perform satisfactorily the duties imposed by the Superintendent

"Regular Interest" interest at the rate of three and one-half percentum compounded annually

"Retirement Allowance" the State annuity plus the member's annuity

"State Annuity" payments for life derived from contributions made by the Commonwealth

"Total Disability" shall exist when a member shall be unable in the opinion of the Board because of his physical or mental condition to obtain any gainful employment

"Year" for the purposes of determining a year for the payment of any moneys under this act nine months service in the last year of service shall be computed as a complete year

Section 2 MOTOR POLICE RETIREMENT SYSTEM AND BOARD OF RETIREMENT AWARDS CREATED A retirement systme is hereby established for the members of the Pennsylvania Motor Police which system shall be administered by a Board of Retirement Awards which shall consist of the Secretary or Revenue or his representative (not a member of the Motor Police) who shall be its chairman the Insurance Commissioner or his representative and the State Treasurer or his representative The board shall be a departmental administrative board in the Department of Revenue Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board and that he will not knowingly violate or permit to be violated any of the provisions of this act or regulations made thereunder Such oath shall be subscribed by the member taking it and shall be filed among the records of the board The members of the board shall not receive any compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duty

Two members of the board shall constitute a quorum

The retirement system herein provided for shall be established on the first day of January one thousand nine hundred and thirty-eight

Section 3 PERSONNEL ADMINISTRATIVE EXPENSES The Secretary of Revenue shall with the approval of the Governor apopint and fix the compensation of a secretary an actuary and such medical and clerical help as may be deemed necesary to carry on the work of the board The secretary shall keep a record of all of the proceedings of the board which shall be open to inspection by the public The expense of the administration of this act exclusive of the payment of retirement allowances shall be paid by the Commonwealth by biennial appropriations out of the Motor License Fund made on the basis of estimates submitted by the board

Section 4 MOTOR POLICE RETIREMENT FUND There is hereby created a Motor Police Retirement Fund which shall consist of all moneys arising from appropriations made by the Commonwealth out of the Motor License Fund contributions by members of the Motor Police in the amount hereinafter specified the moneys transferred from the State Employes' Retirement Fund as hereinafter provided and all dividends interest on and increase of the investments and moneys of the fund created by this act The moneys contributed by the Commonwealth shall be credited to a State Annuity Reserve Account and those contributed by the members shall be credited to a Members' Annuity Reserve Account and the interest earnings shall be apportioned to the Members' and State Annuity Reserve Accounts The Commonwealth shall on receiving the certification of the Board periodically contribute such sums of money as the actuary shall estimate shall be required to annually meet the obligations incurred or to be incurred and to establish the reserves provided for in this act

Section 5 RULES AND REGULATIONS ACTUARIAL DATA APPROPRIATIONS TO FUND The board shall from time to time establish such rules and regulations for the administration of this act and the Motor Police Retirement Fund created by this act and the various accounts thereof as may be deemed necessary It shall keep such data as shall be necessary for actuarial valuation purposes The actuary of the board shall periodically make an actuarial investigation into the mortality and sercise experience of the contributors to and beneficiaries of the fund and shall adopt for the retirement system one or more mortality tables and certify to the board biennially the amount of appropriation required to be made by the Commonwealth to the fund to build up and maintain adequate reserves for the payment of the State's share of the retirement allowance and other disbursements provided by this act Such appropriations shall be made to the fund by the Comonwealth out of the Motor License Fund

Section 6 Transfer of Moneys from State Employes' Retirement Fund On the first day of January one thousand nine hundred and thirty-eight there shall be transferred to the fund created by this act from the State Employes' Retirement Fund all moneys standing to the credit of individual members of the Motor Police in the Members' Annuity Savings Account and the moneys so transferred shall be credited to each individual member respectively in the Members' Annuity Reserve Account of said fund Thereupon all liability of the State Employes' Retirement System to such memebrs of the Motor Police shall cease and terminate

Section 7 Custody of and Payments From Fund All moneys and securities in the fund created by this act shall be placed in the custody of the State Treasurer for safe keeping and all payments from said fund shall be made only on requisition signed by the chairman and the secretary of the board

Section 8 Management and Investment of Fund The members of the board shall be trustees of the fund created by this act and shall have exclusive management of said fund with full power to invest the moneys therein subject to the terms conditions limitations and restrictions imposed by law upon investments by administrative departmental boards and commissions Subject to like terms conditions limitations and restrictions said trustees shall have power to hold purchase sell assign transfer or dispose of any of the securities and investments in said fund as well as the proceeds of said investments and of the moneys belonging to said fund

The board shall annually allow regular interest on the mean amount for the preceding year to the credit of each of the accounts created in accordance with the provisions of this act The amounts so allowed shall be apportioned and credited to each contributor's account and to the State Annuity Reserve Account

Section 9 Compulsory Membership Every member of the Motor Police shall be required to become a member of the retirement system established by this act on January first one thousand nine hundred and thirty-eight and thereafter when first becoming a member of the Motor Police Contributions by members shall commence with the first payroll after January first one thousand nine hundred and thirty-eight If any person who becomes a member of the Motor Police subsequent to January first one thousand nine hundred and thirty-eight shall have been at any time theretofore in the Commonwealth's employ he shall receive credit for any such service prior to January first one thousand nine hundred and thirty-eight

Section 10 Commonwealth Guarantee Biennial Budgets The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the State and members' annuities in accordance with this act are hereby made obligations of the Commonwealth of Pennsylvania The board shall prepare and submit to the Budget secretary on or before the first days of November of each even-numbered year an itemized estimate of the amounts necessary to be appropriated from the Motor License Fund to complete the payments of the obligations of the Commonwealth during the fiscal biennium beginning June first of the following year

Section 11 Service Allowance In computing the length of service of a contributor for retirement purposes full credit shall be given to each contributor for each year of service rendered to the Commonwealth prior to January first one thousand nine hundred and thirty-eight As soon as practicable the retirement board shall issue to each original memebr a certificate certifying the aggregate length of his service prior to January first one thousand nine hundred and thirty-eight Such certificate shall

be final and conclusive as to his prior service unless thereafter modified by the board upon application of the contributor The time during which a contributor is absent from service without pay shall not be counted in computing the service of a contributor unless approved by the board

Section 12 Payments Upon Death (a) If the board shall find that a contributor died as a direct and proximate result of illness contracted or injuries received in the course of his employment a retirement allowance shall be paid to such person having an insurable interest in his life as he shall have nominated by written designation duly acknowledged and filed with the board which shall be disbursed according to the contributor's election as provided in section 17 Such retirement allowance shall consist of (a) a member's annuity payable from the Members' Annuity Reserve Account which shall be the acturial equivalent of the contributor's accumulated deductions standing to his credit in the Members' Annuity Reserve Account and (b) a state annuity payable from the State Annuity Reserve Account equal to 50% of the final salary of the contributor

(b) If the board shall find that a contributor who has served five (5) years or more died from any cause other than as a result of illness contracted or injuries received in the course of his employment a retirement allowance shall be paid to such person having an insurable interest in his life as he shall have nominated by written designation duly acknowledged and filed with the board which shall be disbursed according to the contributor's election as provided in section 17 Such retirement allowance shall consist of a) a member's annuity payable from the actuarial equivalent of the contributor's accumulated deductions standing to his credit in the Members' Annuity Reserve Account and b) a state annuity payable from the State Annuity Reserve Account equal to two and one-half (2½) percentum of the final salary of the contributor for each year of service But such payments from the State Annuity Reserve shall not exceed fifty (50%) percent of the contributor's final salary

Section 13 SERVICE RETIREMENT ALLOWANCE Any contributor who has served the Commonwealth for twenty (20) years or more may retire by filing with the board a written application for retirement duly signed by the contributor specifying at what time he desires to be retired And such application shall retire the contributor at the time so specified.

When a contributor retires under the provisions of this section he shall be paid a retirement allowance disbursed according to his election as provided in Section 17 Such retirement allowance shall consist of (a) a member's annuity payable from the Members' Annuity Reserve Account which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Members' Annuity Reserve Account and (b) a State annuity payable from the State Annuity Reserve Account equal to two and one-half (2½%) percentum of the final salary of the contributor for each year of service But such payments from the State Annuity Reserve Account shall not exceed fifty (50%) percent of the contributor's final salary

Section 14 TOTAL OR PARTIAL DISABILITY ALLOWANCE FOR INJURIES OR ILLNESS RECEIVED IN THE COURSE OF EMPLOYMENT

(a) If the board shall find that a contributor is totally or partially disabled as a direct and proximate result of illness contracted or injuries received in the course of his employment such contributor shall be retired and shall be paid a retirement allowance so long as such disability continues which shall be disbursed according to the contributor's election as provided in section 17 except as otherwise herein provided

(b) Where a contributor has been retired because of total disability received in the course of his employment the retirement allowance shall consist of (a) a member's annuity payable from the Member's Annuity Reserve Account which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit in the Members' Annuity Reserve Account and (b) a state annuity payable from the State Annuity Reserve Account equal to fifty (50%) percent of the final salary of the contributor

(c) When a contributor has been retired because of partial disability received in the course of his employment the retirement allowance shall consist of (a) a member's annuity payable from the Member's Annuity Reserve Account which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit in the Members' Annuity Reserve Account and (b) a state annuity payable from the State Annuity Reserve Account equal to twenty (20%) percentum of the nal salary of the contributor in addition to a state annuity payable from the State Annuity Reserve Account equal to one and one-half (1½%) percentum of the contributor's final salary for each year of service

Section 15 TOTAL OR PARTIAL DISABILITY ALLOWANCE FOR INJURIES OR ILLNESS RECEIVED OUTSIDE OF THE COURSE OF EMPLOYMENT

(a) If the board shall find that a contributor having partially disabled as a result of illness contracted or incompleted five (5) years or more of service is totally or juries received outside of the course of his employment and while a member of the Motor Police such contributor shall be retired and shall be paid a retirement allowance so long as such disability continues which shall be disbursed acording to the contributor's electian as provided in section 17 except as otherwise herein provided

(b) Where a contributor has been retired because of total disability received outside of the course of his employment the retirement allowance shall consist of (a) a member's annuity payable from the Members' Annuity Reserve Account which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit in the Members' Annuity Reserve Account and (a) a state annuity payable from the State Annuity Reserve Account equal to two and one-half (2½%) percentum of the final salary of the contributor for each year of service

(c) Where a contributor has been retired because of partial disability received outside of the course of his employment the retirement allowance shall consist of a) a member's annuity payable from the Members' Annuity Reserve Account which shall be the acturial equivalent of the contributor's accumulated deductions standing to his credit in the Members' Annuity Reserve Account and b) a state annuity payable from the State Annuity Reserve Account equal to one (1%) percentum of the final salary of the contributor for each year of service

Section 16 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily after having completed ten years of total service but before reaching superanuation retirement age he shall be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit in the members' Annuity Reserve Accounts or (b) a member's annuity payable from the members' Annuity Reserve Account of equivalent actuarial value to his accumulated deductions standing to his credit in the Members' Annuity Reserve Account and in addition a state annuity payable from the State Annuity Reserve Account having a value equal to the present value of a state annuity beginning at superannuation retirement age as provided in this act with respect to state annuities for superannuation retirement The same option shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

Section 17 Options on Retirement a) At the time of retirement or before any contributor may elect that the retirement allowance be payable in conformance with any one of the following plans

1) There shall be paid to the beneficiary the actuarial equivalent of the members' and state annuity as a retirement allowance payable throughout his life and upon the beneficiary's death all retirement allowance payments shall cease

2) If the retirement allowance would be less than ten ($10) dollars per month there shall be paid to the beneficiary the full amount of the accumulated deductions standing to his individual credit in the Members' Annuity Reserve Account

3) There shall be paid to a beneficiary the actuarial equivalent of the Members' and State Annuity in a lesser or greater retirement allowance payable throughout life or for the duration of the disability with any one of the following provisions

(a) If the beneficiary die before receiving in payments the present value of his member's annuity and state annuity as it was in the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duty acknowledged and filed with the board

(b) Upon his death his member's annuity and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly aknowledged and filed with the retirement board

(c) Upon his death one-half of his member's and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

4) If a contributor has been disabled in the performance of his duty he may elect in lieu of any other election or retirement allowance that the retirement allowance be paid to him for life and if he dies before receiving such allowance for ten (10) years that an allowance in the same amount be continued for the unexpired portion of the ten year period to a person having an insurable interest in the contributor's life as he shall nominate by written designation duly acknowledged and filed with the board

5) If a contributor has been retired not voluntarily after ten (10) years of service he may elect in lieu of any other election or retirement allowance that he be paid the full amount of the accumulated deductions standing to his credit in the Members' Annuity Reserve Account

6) Every contributor shall have the authority to nominate a beneficiary having an insurable interest in his life in the alternative by written designation duly acknowledged and filed with the board which beneficiary shall be entitled to receive a retirement allowance in the event that a widow receiving the retirement allowance remarries

Section 18 Monthly Payments of Retirement Allowances The retirement allowances granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed unless by an act of Assembly

Section 19 Refunds in Case of Withdrawal or Death Where a contributor resigns from service before becoming entitled to a retirement allowance or where a conttitbutor has died and no application for a retirement allowance shall have been made by a person entitled to claim under the provisions of this act within six months after resignation or death then the amount standing to he credit of contributor in the Members' Annuity Rserve Account shall be paid to him or to the person nominated by him by written designation duly acknowledge and filed by the contributor with the board or in lieu of such designation such amount shall be paid to his estate

Section 20 Exemption from Taxation and Execution Etc Any money received or to be paid as a member's annuity state annuity or return of deductions or the right to any of these shall be exempt from any state or municipal tax and from levy sale garnishment attachment or any other process whatsoever and shall be unassignable except for a loan not in excess of three hundred ($300) dollars the interest on which shall not exceed six (6%) percentum per annum received by a contributor from a credit union now or hereafter organized or incorporated under the laws of this Commonwealth the membership of which credit union is limited solely to officers and employes of the Commonwealth

Section 21 Nomination of Beneficiary Every contributor shall have the authority to change the person nominated by him as the beneficiary by written designation duly acknowledged and filed with the board up until but not after the time of retirement

Section 22 Fraud Correction of Errors (a) No person shall knowingly make any false statement or shall falsify or permit to the falsified any record or records of the retirement system herein established in any attempt to defraud such system

(b) Should any such change in records fraudulently made or any mistake in records inadvertently made result in any contributor or beneficiary receiving more or less than he would have been entitled to had the records been correct then on the discovery of such error the board shall correct such error and shall adjust the payments which shall be made to the contributor or annuitant in such manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid

Penalty Any person violating any of the provisions of sub-section a of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand ($1000) dollars or suffer imprisonment not exceeding one year or both in the discretion of the court

Section 23 Restrictions Upon Payments If any beneficiary is convicted of a misdemeanor or felony the board shall have the authority to revoke or suspend for as long a time as it sees fit disbursement of the state annuity Where the illness or injuries causing a contributor to be retired or where the death of a contributor is directly and proximately caused by such contributor's immoral or intemperate conduct or gross negligence the board shall have the authority to refuse revoke or suspend for as long a time as it sees fit disbursement of the State annuity

Section 24 Medical Expenses The Fund shall upon approval by the board be available for the payment of the necessary and proper medical surgical and hospital expenses incurred as a direct and proximate result of illness contracted or injuries received in the course of a contributor's employment as otherwise expressly herein provided The Fund shall upon approval by the board also be available for the payment of that portion of the necessary and proper medical surgical and hospital expenses not exceeding Two hundred ($200) dollars but in excess of Twenty-five ($25) dollars incurred by a contributor for any one other illness in the calendar year except as otherwise expressly herein provided However in no event shall any charge for medical surgical or hospital expenses of a contributor whether incurred because of illness contracted or injuries received in the course of or outside of the course employment be allowed until the contributor has resorted to all other funds that may be rightfully charged with such expenses and there is a balance remaining unpaid

Section 25 Medical Examination Status Return to Duty Every contributor shall be examined at any time in the discretion of the board by a doctor or doctors appointed by the board to determine whether his name should be placed upon or removed from the retirement list or to determine whether the status of such member should be changed from total to partial disability or from partial to total disability or for any other purpose Any member having received an order from the board to do so who fails to return to duties assigned by the superintendent or who fails to submit himself for examination shall forfeit all rights and claims to a state annuity except as otherwise herein provided

Section 26 Subrogation Where a third person is liable to the member or his dependents for injury or death the Commonwealth shall be subrogated to the right of the member or the dependents against such third person but only to the extent of the State Annuity payable under this act by the Commonwealth Any recovery against such third person in excess of the State Annuity theretofore paid or thereafter to be paid by the Commonwealth shall be paid forthwith to the contributor or the person designated by the contributor

Section 27 Payments Under Other Laws All payments provided for in this act are in addition to any other benefits now or hereafter provided for under any Workmen's Compensation Law or any other law except as otherwise herein provided

Section 28 Amendments to Law The legislature shall have the right and the authority to alter strike out add to or amend or supplement any of the provisions of this

act or to repeal the entire act and the board shall have the same right and authority with reference to its regulations excepting that no law or regulation shall deprive a contributor of the money standing to his credit in the Members' Annuity Reserve Account

Section 29 Constitutional Provisions The provisions of this act are several and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 30 Effective Date This act shall become effective January first one thousand nine hundred and thirty-eight

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 839 (House Bill No. 1250), entitled:

An Act to prohibit the sale and offer for sale of the labeled artificial flowers of certain veterans' organizations except on the days appointed for such purpose

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 841 (House Bill No. 1277), entitled:

An Act to amend section one of the act approved the eighth day of April one thousand eight hundred and sixty-seven (Pamphlet Laws fifty) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" as amended prohibiting the peddling of labeled flowers of certain veteran's organizations and miniature American flags

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Bill No. 846, as follows:

An Act making an appropriation to the Department of Military Affairs to pay the traveling expenses of the respective Commanders of the Pennsylvania Departments of the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans of the Word War or their representatives in accompanying the members of the United States Battle Monuments Commission to Europe to dedicate certain monuments

Whereas The Government of the United States has designated that during the year 1937 the United States has designated that during the year 1937 the monuments erected by the Government and by Army Divisions and other Units who served in France during the World War be dedicated with fitting ceremony and

Whereas The Dedicatory Ceremonies will be supervised by the American Battle Monuments Commission a Commission composed of World War Veterans and appointed by the President of the United States and

Whereas The Commonwealth of Pennsylvania should be properly represented at the dedication of the monuments in view of the fact that the Commonwealth furnished approximately three hundred seventy-five thousand (375,000) men to the nation during the World War and

Whereas It would be most fitting for the recognized World War Veteran Organizations to represent the Commonwealth during the occasion now therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs for the purpose of paying the traveling expenses of the Commander of the Department of Pennsylvania Veterans of Foreign Wars of the United States the Commander of the Department of Pennsylvania American Legion and the Commander of the Department of Pennsylvania Disabled American Veterans of the World War or their designated representatives in proceeding to Europe with the members of the United States Battle Monuments Commission as representatives of the Commonwealth of Pennsylvania and recognized World War Veterans Societies

Section 2 The Adjutant General of the Commonwealth shall require from the Department Commanders of the Veterans of Foreign Wars the American Legion and the Disabled American Veterans of the World War proof of expenditures including itemized statements and receipts as evidence of expenditures and the Adjutant General shall furnish a complete accounting to the Auditor General for the expenditures herein authorized

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. RICE. Mr. President, I move that Senate Bill No. 846, the bill just read, be recommitted to the Committee on Appropriations.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 850, on reading, entitled:

An Act to consolidate, revise and amend the penal laws of this Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 873, as follows:

An Act making an appropriation to the Department of Forests and Waters for the purpose of improving and developing the Hemlock State Forest Park in the county of Perry

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of

Forests and Waters for the purpose of improving and developing the Hemlock State Forest Park in Perry County Pennsylvania Payments from said appropriation shall be made upon requisition of the Secretary of Forests and Waters by warrant of the Auditor General on the State Treasurer in the usual manner

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 940, as follows:

An Act authorizing the acquisition in the name of the Commonwealth by the Department of Forests and Waters of Braddock's Park and Jumonville Park by purchase control and for the management and the supervision thereof and appropriating funds for such acquisition

Whereas The act approved the twenty third day of June one thousand nine hundred and thirty-one (Pamphlet Laws 1204) authorized the acquisition by the Commonwealth of property in Wharton Township Fayette County containing approximately two hundred and thirty-four acres upon which Fort necessity was erected and where occurred the Battle of Fort Necessity which was the first military battle in which George Washington was Commander and

Whereas The Fort has been restored and a Museum established and the grounds beautified and improved and is known as Fort Necessity Park and has become of National importance as a patriotic shrine visited by many thousands of American citizens and by many visitors from foreign countries and

Whereas Braddock Park containing twenty-three acres is located along the old Braddock Trail about one mile west from Fort Necessity Park and on which is erected a monument to General Braddock and other improvements and where General Braddock lies buried and

Whereas Jumonville Park containing approximately thirty-four acres located along old Braddock Trail about four and one-half miles west from Fort Necessity Park and upon which was fought the battle where General Jumonville was killed and lies buried and

Whereas Fort Necessity Park Braddock's Park and Jumonville Park constitute a chain of interrelated Memorial Parks of National importance and should all be under one control and management and

Whereas The title to the Braddock Park and Jumonville Park is said to be vested in Fort Necessity Chapter of the Sons of the American Revolution a corporation and the corporation has agreed to convey the same to the Commonwealth for the sum of three thousand dollars ($3,000) clear of encumbrances contributing the remainder of the true value to the Commonwealth therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand dollars ($3,000) or so much thereof as may be necessary is specifically appropriated to the Department of Forests and Waters for the acquisition in the name of the Commonwealth of Braddock Park and Jumonville Park (described in the preamble hereof) situated in Fayette County along the old Braddock Trail including the cost of engineering attorneys' fees and other incidental expenses necessary for carrying out the purposes of this act

Section 2 Upon the acquisition of said property the Department of Forests and Waters shall have full control management and supervision thereof and shall have power to adopt and carry into effect plans for the improvement and maintenance thereof and to make and enforce rules and regulations for the preservation of the property and the visitation thereof by the public

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1024, as follows:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" to further except from subdivision (b) of article six of that act policies of group health and accident insurance defining group health and accident insurance

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 629 Limitations (a) Nothing in subdivision (b) of this article shall apply to or affect any policy of workmen's compensation insurance or any policy of group health and accident insurance [or any general or blanket policy of insurance issued to any municipal corporation or department thereof or to any corporation or individual employer police or fire department where the fficers members or employes or classes or departments thereof are insured for their individual benefit against specified accidental bodily injuries or sickness while exposed to the hazards of the occupation or otherwise in consideration of a premium intended to cover the risks of all the persons insured under such policy]

(b) Nothing in subdivision (b) of this article shall apply to nor in any way affect life insurance endowment or annuity contracts or contracts supplemental thereto which contain only such provisions relating to accident and health insurance as (a) provide additional benefits in case of death by accidental means and as (b) operate to safeguard such contracts against lapse or to give a special surrender value or special benefit or an annuity in the event that the insured or annuitant shall become totally and permanently disabled as defined by the contract or suplemental contract The Insurance Commissioner shall have power to make reasonable rules and regulations concerning such provisions and contracts or supplemental contracts containing such provisions shall not be issued or delivered to any person in the Commonwealth unless and until a copy of the form thereof has been filed with the Insurance Commissioner in accordance with the provisions of section four hundred nine of an act approved May seventeen one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two)

(c) Nothing in subdivision (b) of this article shall be applicable to policies issued by companies organized under the provisions of the act approved April twenty-eighth one thousand nine hundred and three (Pamphlet

Laws three hundred and twenty-nine) entitled "An act to provide for the incorporation and regulation of corporations for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death therein limiting the amount for which such corporations may issue policies and providing the manner in which certain existing corporations may become reincorporated under this act"

(d) The provisions contained in clause (e) of section six hundred and seventeen (617) and clauses (b) (c) (h) and (i) of section six hundred and eighteen (618) may be omitted from railroad ticket policies sold only at railroad stations or at railroad ticket offices by railroad employees

Section 630 Definition of Group Health and Accident Insurance (a) Group Health and Accident insurance is hereby declared to be insurance against loss and/or expense from sickness or loss and/or expense or damage from bodily injury or death of the insured by accident or accidental means written under a policy covering not less than fifty employees with or without medical examination issued to the employer the cost of which is to be borne by the employer or by the employer and employees jointly and insuring only all of his employees or all of any class or classes thereof determined by conditions pertaining to the employment for amounts of insurance based upon some plan which will preclude individual selection for the benefit of persons other than the employer Provided however that when the cost is to be borne by the employer and employees jointly and the benefits of the policy are offered to all eligible employees not less than seventy-five per centum of such employees may be so insured such Group policy may provide that the term "employees" shall include the officers managers and employees of subsidiary or affiliated corporations and the individual proprietors partners and employees of affiliated individuals and firms when the business of such subsidiary or affiliated corporations firms or individuals is controlled by the common employer through stock ownership contract or otherwise

(b) The following forms of health and accident insurance are hereby declared to be Group Health and Accident insurance within the meaning of this Act (1) Health and Accident Insurance issued to any municipal corporation or department thereof where the officers employees or classes or departments thereof are insured for their individual benefit against specified bodily injury or sickness and written under a policy issued to such municipal corporation or department thereof which shall be deemed to be the employer for the purposes of this act the cost of which is to be borne by the municipal corporation or department thereof or by the municipal corporation or department thereof and its employees jointly and insuring its employees for amounts of insurance based upon some plan which will preclude individual selection for the benefit of persons other than the municipal corporation or department thereof Provided however that when the cost is to be borne by the municipal corporation or department thereof and its members jointly and the benefits are offered to all eligible employees not less than seventy-five per centum of such employees may be so insured (2) Health and Accident Insurance covering the members of one or more companies bateries troops battalions divisions of other units of the National Guard and Naval Militia of any state written under a policy issued to the commanding general of the National Guard or commanding official of the Naval Militia as the case may be who shall be deemed to be the employer for the purposes of the act the premium on which is to be borne by the members of such units for the benefit of persons other than the employer Provided however that when the benefits of the policy are offered to all eligible members of the unit of the National Guard or Naval Militia not less than seventy-five per centum of the members of such unit may be so insured and (3) Health and Accident Insurance covering the members of any troop or any units of the state troops and state police of any state written under a policy issued to the commanding officer of the state troops or state police who shall be deemed to be the employer for the purposes of this act the cost on which is to be borne by the members of such units for the benefit of persons other than the employer Provided however that when the benefits of the policy are offered to all eligible members of a unit of the state troops or state police not less than seventy-five per centum of the members of such a unit may be so insured and (4) Health and Accident insurance covering members of any labor union or organization of police employed by any municipal county or state authority or any organization or association of state employees or public school teachers or nurses written under a policy issued to such union or organization who shall be deemed to be the employer for the purposes of this act the cost on which is to be borne by the union or organization or by the union or organization and its members jointly and insuring its members for hte amounts of insurance based upon some plan which will preclude individual selection for the benefit of persons other than the union or organization or the officials of either Provided however that when the cost is to be borne by the union or organization and its members jointly the benefits are offered to all eligible members not less than seventy-five PER CENTUM OF SUCH MEMBERS MAY BE SO INSURED

Except as provided in this act it shall be unlawful to make a contract of Health and Accident Insurance covering a group in this Commonwealth

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1030, (House Bill No. 1216), as follows:

An Act providing that investment in shares of Federal Savings and Loan Associations or shares of other institutions insured under the Federal Savings and Loan Insurance Corporation shall be legal investments for certain corporations and certain funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That on and after the passage of this act the investment by any title insurance company stock fire insurance company stock marine insurance company stock fire and marine insurance company stock casualty insurance company stock life insurance company mutual life insurance company mutual fire insurance company or the invsetment of funds of any state insurance fund state sinking fund state school fund firemen's relief and pension fund police fund or other pension fund or the investment by any building and loan association or by any administrative department board commissioner or officer of the State Government authorized by law to make investments of funds in the custody or under the control of such department board commission or officer guardian trustee or other fiduciary school district or township in shares of any Federal Savings and Loan Association or other institution within the Commonwealth to the extent to which the withdrawal or repurchasable value of such shares now are or may hereafter be insured by the Federal Savings and Loan Insurance Corporation under acts of Congress of the United States of America now in effect or which may hereafter be enacted shall be lawful

Section 2 The legality of such investment shall not be impugned whether the person or persons firm or corporation or association board or commission making the same be foreign or domestic or whether such investment be made from capital reserves or surplus or whether made in a fiduciary or other capacity

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1032, (House Bill No. 1567), entitled:

An Act to amend section two and section nine as amended of the act approved the fifth day of January one thousand nine hundred and thirty-four (Pamphlet Laws two hundred twenty-three (1933-34) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties" further regulating the making of payments to representatives of persons who cannot personally receive compensation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1036, (House Bill No. 1977), entitled:

An Act to amend sections three seven eight thirteen twenty-four and twenty-eight sections fourteen thirty-four and thirty-eight as amended sections eighteen and sixty-one as amended sections fifty-four and fifty-seven as amended and to repeal section nineteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" by providing for the reorganization of the division changing the designation Staff Corps and Departments to Staff Staff and Detachment defining the powers of the division commander providing for the vacation of commissions upon transfer to the Inactive National Guard making the period of enlistment and qualifications conform to the National Guard Bureau requirements defining the duties of the Adjutant General providing for the elimination of officers or warrant officers by courts of inquiry changing the basic annual allowance for mounted troops and increasing the minimum allowance providing expenses of headquarters for more than one division and eliminating the allowance for headquarters of trains providing a term of office for staff and warrant officers and eliminating an obsolete reference to five year terms providing that any sheriff or constable may receive and confine military offenders providing that any division commander may appoint a general court-martial providing for the collection of court-martial fines and execution of sentence of court-martial and rescinding obsolete provisions referring to staff officers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1075, entitled:

An Act to protect the public health and welfare by regulating employment in this Commonwealth with respect to hours and conditions of employment providing for certain exceptions imposing duties liabilities and conditions on employers defining the powers and duties of the Department of Labor and Industry and its officers and representatives and providing penalties.

Mr. SHAPIRO. Mr. President, I desire to interrogate the sponsor of this bill, Mr. Frey from Allegheny

The PRESIDENT. Will the Senator from Allegheny, Mr. Frey, permit himself to be interrogated?

Mr. FREY. Mr. President, I will.

Mr. SHAPIRO. Mr. President, will the Senator from Allegheny Mr. Frey, state whether or not this is a bill regulating the hours for men and women?

Mr. FREY. Mr. President, it does.

Mr. SHAPIRO. Mr. President, is the Senator from Allegheny aware of the fact that a bill regulating hours for women has passed this Senate?

Mr. FREY. Mr. President, yes, sir.

Mr. SHAPIRO. Mr. President, will the Senator from Allegheny Mr. Frey, tell us what is the benefit of passing this bill?

Mr. FREY. Mr. President, is it a general bill, covering both men and women.

Mr. SHAPIRO. Mr. President, it is the same as the other bill, limiting the hours from 8 to 10?

Mr. FREY. Mr. President, it does.

Mr. SHAPIRO. Mr. President, the spread in this bill is from 8 to 10 hours?

Mr. FREY. Mr. President, and subsequently amended to 14.

Mr. SHAPIRO. Mr. President, would there not be an inconsistency between two bills? You have in one bill a spread of 8 hours to 10, and another of 8 hours to 14?

Mr. FREY. Mr. President, this bill has no connection with the other bill.

Mr. SHAPIRO. Mr. President, but this bill does regulate the hours of women as it does in the first bill regulating the hours of women.

Mr. FREY. Mr. President, that is right.

Mr. SHAPIRO. Mr. President, therefore, we have one bill regulating the hours from 8 to 10 and the other from 8 to 14; is not that inconsistent?

Mr. FREY. Mr. President, we have no assurance that the other bill is going to pass finally and become a law.

Mr. SHAPIRO. Mr. President, is it not true that our reason for changing the first bill was because we felt that a reasonable spread would be from 8 to 14 hours.

Mr. FREY. Mr. President, not necessarily, for the reason that these amendments have a provision here not contained in the other bill, namely, this particular provision: "Where the strict application of the schedule of hours provided for by this section imposes an unnecessary hardship and violates the intent and purpose of this act the Department of Labor and Industry with the approval of the Industrial Board may make alter amend and repeal general rules and regulations prescribing variations from said schedule of hours."

Mr. SHAPIRO. Mr. President, I do not want to debate this question, and I would suggest, if it is agreeable to

the Senate that action be postponed on this bill so that amendments may be prepared making the spread period in this bill consistant with the bill as originally passed.

Mr. FREY. Mr. President, in view of the great importance of this bill, I hesitate to be a party to any further delay in the passage of this bill. I would suggest that we amend the bill today so that the bill will be printed with these amendments and action taken upon it tomorrow.

Mr. SHAPIRO. Mr. President, I desire to further interrogate the Senator from Allegheny, Mr. Frey.

The PRESIDENT. Will the Senator from Allegheny, Mr. Frey, permit himself to be further interrogated?

Mr. FREY. Mr. President, I will.

Mr. SHAPIRO. Mr. President, does the Senator from Allegheny realize that this bill has passed second reading and is on third reading, and that it will require unanimous consent to amend the bill?

Mr. FREY. Mr. President, I do.

Mr. SHAPIRO. Mr. President, does the Senator realize that the Senator from Bucks is very active in his objections?

Mr. BUCKMAN. Mr. President, not with everybody.

Mr. SHAPIRO. Mr. President, I ask unanimous consent that this bill go over in its order.

The PRESIDENT. The Chair does not see how any time can be saved by having it amended until tomorrow.

Mr. FREY. Mr. President, allright.

The PRESIDENT. Is there objection? The Chair hears none.

The bill goes over in its order.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1095, (House Bill No. 1343), entitled:

An Act to further amend the first paragraph of section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred seven) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by permitting the filing of claims in more than one county in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1098, (House Bill No. 1475), entitled:

An Act to amend section eleven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws four hundred eighty-three) entitled "An act relating to practice in the courts of common pleas in actions of assumpsit and trespass except actions for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" providing that the defendant in a counter-claim may ask for an account in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1113, as follows:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Edinboro State Teachers College to acquire certain tracts of land for the use of said college and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Edinboro State Teachers College is hereby authorized to purchase in the name of the Commonwealth such lands contiguous to the present property of said college as may be needed to rectify the property lines thereof and make possible the proper location of a new campus training school

Section 2 Said tracts of land when purchased shall be added to the lands of the Edinboro State Teachers College The deeds of conveyance shall be deposited with the Secretary of Internal Affairs

Section 3 The said lands shall not be acquired until the titles thereto have been approved by the Department of Justice

Section 4 The sum of eight thousand dollars ($8,000) or so much thereof as may be necessary is hereby appropriated to the Department of Property and Supplies for the payment of the purchase price of said tracts of land and the expenses incidental thereto including title searches

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1117, as follows:

An Act to amend the act of the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws 922) by restricting the sale and transportation of goods wares and merchandise prepared and manufactured within and without this Commonwealth by convicts and prisoners and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no goods wares or merchandise prepared wholly or in part or manufactured by convicts

or prisoners of other states except convicts or prisoners on parole or probation shall be sold or exchanged on the open market within this Commonwealth

Section 2 No printing shall be done in any state prison penitentiary or reformatory for the state or any political division thereof or for any public institution owned or managed and controlled by the state or any such political division except such printing as may be required for or used in the state correctional institutions and charitable institutions maintained exclusively by state taxes and for the Department of Welfare

Section 3 Any person or any agent or manager for any person who shall violate any of the provisions of this act shall upon conviction thereof be sentenced to pay a fine of not more than five hundred dollars ($500.00) or to undergo an imprisonment of not more than one year or both at the discretion of the court

Section 4 This act shall become effective immediately upon its final enactment

Section 5 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1139, as follows:

An Act to authorize cities of the first class of this Commonwealth to provide for the payment of deficits arising from non-receipt of revenue during the year 1937 in three equal annual instalments and to authorize the making of contracts the drawing of warrants and the approval thereof without appropriation for the payment of such deficits except as provided by this act and to levy and fix the tax rate and to make appropriations and prepare and formulate the financial programs of such cities upon the basis of the discharge of such deficits in the manner provided by this act and repealing any inconsistent legislation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That cities of the first class be and they are hereby authorized to pay the amount of deficits which have arisen and which may arise from non-receipt of estimated annual revenue during the year 1937 in three equal annual instalments during the years 1938 1939 and 1940 and to provide by appropriation for the payment thereof during the said years The Council of said cities in levying and fixing the tax rate and in making appropriations and in framing and formulating their annual financial programs or budgets during the said years shall not be required to provide for or include therein the amount of such deficits except as to one-third thereof for each of said years and the City Controller in furnishing data for the preparation of the financial programs or budgets for said years as required by law shall take into account as a current liability of said cities by reason of such deficit to be discharged during each of said years only the said one-third of such deficits for each year and in countersigning and approving contracts and warrants he is hereby duly authorized to approve and countersign the same notwithstanding that no provision has been made by appropriation for the payment of the balance of the amounts of such accrued deficits and contracts may be entered into and warrants drawn and issued by the municipal authorities of such cities and duly approved by the City Controller although no appropriations have been made to discharge such deficits except as herein provided

Section 2 So much of ARTICLE XVII of the Act approved the twenty-fifth day of June One thousand nine hundred and nineteen Pamphlet Laws 581 entitled "An act for the better government of cities of the first class of this Commonwealth" and of all other parts of such act or other acts inconsistent herewith be and the same are repealed to the extent of such inconsistency

Section 3 This act shall become effective immediately upon the final passage hereof

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1143, as follows:

An Act making an appropriation to the Department of Forests and Waters for acquisition of lands in connection with George W Childs State Forest Park

Whereas The Commonwealth has acquired by gift fifty-two (52) acres of forest land for park purposes which contains three beautiful waterfalls and a splendid grove of forest trees which are visited by many thousands of people each year and

Whereas The present park area is inadequate to permit a varied recreational use such as tent camping picnicking and similar uses thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand ($15,000) dollars is hereby specifically appropriated to the Department of Forests and Waters for the acquisition in the manner provided by law of additional lands adjacent to or in the immediate vicinity of the George W Childs State Forest Park and for the expense of surveys and title searches in connection therewith

Section 2 The amount of land acquired under the provisions of this act shall be in discretion of the Department of Forests and Waters and such lands shall be acquired with a view of improving the recreational use of said State Park

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1168, as follows:

An Act to amend section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 662) entitled "An act relating to retirement from the Pennsylvania National Guard" as amended by the act approved the twelfth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 681) by providing that service in excess of thirty-nine years and five months may be counted as more than forty years of service

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 662) as amended by the act approved the twelfth day of July one thousand nine hundred thirty-five (Pamphlet Laws 681) is hereby further amended to read as follows

Section 1 Grade of Retired Officer or Enlisted Man When any person now retired or who may hereafter be retired from the Pennsylvania National Guard has served in the Pennsylvania National Guard whether as an enlisted man or officer or both for a period of more than forty years he shall upon application made to the Adju-

tant General be placed upon the retired list as of the next higher grade but not higher than Major-General and if he shall have served in the Pennsylvania National Guard for more than thirty years whether as an enlisted man or officer or both he shall upon application made to the Adjutant General be placed upon the retired list as of the next higher grade but not higher than Colonel Provided however That in considering the period of service aforesaid the military service by such enlisted man or officer whether in the Pennsylvania National Guard engaged in the Federal service or in the United States Army Navy or Marine Corps in any war or military service in which the United States has participated including the Spanish-American War the Philippine Insurrection the Mexican Border service or the World War or other United States foreign military service shall be included and counted double in calculating the period of service for retirement with increased grade under the provisions of this act Provided further that for the purpose of retirement an officer who has served for more than thirty-nine years and five months shall be deemed to have had more than forty years of service All retired officers shall be entitled to wear the uniform of their grade as retired officers of the Pennsylvania National Guard on all proper military and semi-military occasions This act shall be construed to include deceased officers and enlisted men heretofore retired who had more than forty years of service if application is made to the Adjutant General by some society post or camp of honorably discharged soldiers that the name of such officer or enlisted man be placed upon the retired list as of the next higher grade but not higher than Major General

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1172, entitled:

An Act making an appropriation to the Supreme Court for a portrait of the former Chief Justice of said court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1173, (House Bill No. 142), entitled:

An Act making an appropriation to the Supreme Court for a portrait of the Chief Justice of said court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1175, (House Bill No. 392), entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1177, (House Bill No. 564), as follows:

An Act making an appropriation to the Department of Agriculture to advance the tobacco interest of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) is hereby specifically appropriated to the Department of Agriculture for the purpose of advancing the interest of tobacco growers in this Commonwealth by experimental work and through other means with a view to improving existing types of tobacco and other nicotine bearing plants overcoming diseases and insects injurious to tobacco and other nicotine plants improving cultural practices and giving attention to such other matters relating to the cultivation use and disposal of these crops as the Secretary of Agriculture may deem necessary and advisable.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1181, (House Bill No. 956), entitled:

An Act making an appropriation out of the Motor License Fund to the Auditor General, State Treasurer and Secretary of Highways as the Commission of the Commonwealth of Pennsylvania, for the acquisition of a bridge over the Delaware River between the Commonwealth of Pennsylvania and the State of New York at Lackawaxen.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1182, (House Bill No. 957), entitled:

An Act making an appropriation out of the Motor License Fund to the Delaware River Joint Toll Bridge Commission for the purpose of acquiring the toll bridge at Dingman's Ferry over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and con-

sideration of Senate Bill No. 1184, (House Bill No. 1021), entitled:

An Act for the protection of employes by prohibiting those in authority over such employes to threaten or intimidate employes failing or refusing to sign petitions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1185, (House Bill No. 1133), entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1186, (House Bill No. 1144), entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1187, (House Bill No. 1145), entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1188, (House Bill No. 1151), entitled:

An Act providing for the return to the State Insurance Fund of moneys transferred therefrom to the General Fund

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1195, (House Bill No. 1508), entitled:

An Act making an appropriation to the Department of Agriculture for a suitable exhibit at the Seventh World's Poultry Congress

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1198, (House Bill No. 1644), entitled:

An Act to amend sections one two four and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as amended extending the provisions of said act to additional buildings providing additional safety regulations and for the closing of certain buildings.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1202, (House Bill No. 1745), entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1215, as follows:

An Act making an appropriation to the Department of Forests and Waters for the acquisition of certain lands as state forest lands

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the acquisition of a tract of land

as state forest lands known as the Lick Hollow Track located in South Union Township Fayette County within the [illegible] Run Watershed and containing approximately two thousand and fifty acres of land Said appropriation shall be available for the payment of the cost of surveys and title searches in the acquisition of said tract of land the Department shall not be bound by the terms fixed by existing laws which fix a limit on the amount which may be paid per acre for state forest lands

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1220, as follows:

An Act to validate conveyances purporting to be the act and deed of a corporation heretofore erroneously executed and acknowledged or executed and acknowledged by persons purporting to be agents of or trustees for a corporation which has since been dissolved

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any deed of conveyance heretofore executed purporting to be the act and deed of a corporation shall have failed therein to specifically name the corporation as the grantor and shall have been erroneously executed by failure to affix the corporate seal or otherwise and shall have been erroneously acknowledged or where any deed of conveyance has been executed and acknowledged by persons purporting to act as agents of or trustees for a corporation although failing therein to specifically name the corporation and the said real estate so conveyed was in fact the property of the corporation and the consideration money was in fact received by said corporation and said corporation has been since dissolved such deed is hereby ratified confirmed and made valid as the act and deed of the said corporation and shall be taken to be of the same validity and effect as if properly executed and acknowledged in the manner prescribed by law for the execution and acknowledgement of deeds by corporations Provided That no case now in litigation shall be affected by this act

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1223, as follows:

An Act to amend section one of the act approved the tenth day of May one thousand nine hundred twenty-seven (Pamphlet Laws 879) entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods wares or merchandise of any kind fixtures machinery equipment or real estate by every corporation joint-stock association limited partnership or imposing certain duties upon the seller and buyer and company providing certain requirements therefor and fixing penalties" providing for the payment of unemployment compensation contributions

Section 1 Be it enacted by the Senate and House of Representatives of the Comomnwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the tenth day of May one thousand nine hundred twenty-seven (Pamphlet Laws 879) entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods wares or merchandise of any kind fixtures machinery equipment or real estate by every corporation joint-stock association limited partnership or company providing certain requirements therefor and imposing certain duties upon the seller and buyer and fixing penalties" is hereby amended to read as follows

Section 1 Be it enacted &c That every corporation joint-stock association limited partnership or company now or hereafter incorporated or organized under the laws of this Commonwealth or under the laws of the United States or any other state and engaged in business in this Commonwealth which shall sell in bulk fifty-one per centum or more of any stock of goods wares or merchandise of any kind fixtures machinery equipment buildings or real estate shall give the Auditor General ten days' notice of the sale prior to the completion of the transfer of such property It shall also be the duty of every corporation joint-stock association limited partnership or company to file all State tax reports with the Auditor General to the date of such proposed transfer of property and pay all taxes and unemployment compensation contributions due the Commonwealth to said date The seller shall present to the purchaser of such property a certificate from the Auditor General showing that all State tax reports have been filed and all State taxes unemployment compensation contributions paid to the date of the proposed transfer The failure of the purchaser to require this certificate shall render such purchaser liable to the Commonwealth for the unpaid taxes owing by the seller or transfer Provided further That nothing contained in this act shall apply to sales made under any order of court or to any sales made by assignees for the benefit of creditors executors administrators receivers or any public officer in his official capacity or by any officer of a court

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1225, as follows:

An Act making an appropriation out of The State Stores Fund to the Department of Property and Supplies for the acquisition of land (with or without buildings thereon) and for the erection construction and equipment of an office building thereon for the use of the Pennsylvania Liquor Control Board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million dollars ($1,000,000) or so much thereof as may be necessary is hereby appropriated out of The State Stores Fund to the Department of Property and Supplies for the purchase in the name of the Commonwealth of land (with or without buildings thereon) and for the erection construction and equipment of an office building thereon suitable for the proper conduct of the administrative work of the Pennsylvania Liquor Control Board The Pennsylvania Liquir Control Board with the approval of the Governor is hereby authorized to select the land to be used for the purposes of this act Provided That such land shall be situated in the City of Harrisburg of this Commonwealth The title to any land acquired hereunder shall be approved by the Attorney General The procedure for the acquisition of land and the erection construction and equipment of the office building authorized in this act shall be in accordance with the procedure prescribed by the act approved the ninth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) designated as "The Administrative Code of 1929"

Section 2 The appropriation made by this act shall

be available for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering fees required for the purposes of this act

Section 3 Any balance of the appropriation made by this act that remains unexpended and unencumbered on May 31 1941 shall lapse into The State Stores Fund upon that date

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1230, as follows:

An Act providing for the creation of a trade school in cities of the first class and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor within thirty days of the passage of this act shall appoint five commissioners who shall serve without compensation but shall be paid necessary expenses actually incurred in the performance of their duties and they shall arrange for the building of a school on such plot of ground as the council of any city of the first class may donate for the purpose aforesaid for the education and training of persons over sixteen years of age in the various trades and the training shall be of such character and thoroughness as to adequately prepare such persons to follow the trades upon their graduation from such school

Section 2 The plot of ground so donated shall be accepted by the commissioners only if in their judgment its location is such as to be conveniently reached by those persons likely to attend such a school The plot of ground so donated shall be approved in writing by the Governor and the deed for the same shall be taken in the name of the Commonwealth

Section 3 If council of any city of the first class shall fail to make a donation of a plot of ground suitable for the aforesaid purposes within sixty days of the passage of this act then in the absence of any other satisfactory gift or grant of land the commssioners shall purchase a plot of ground of a convenient location for such a school after approval thereof by the Governor

Section 4 The plans for said school shall be prepared by the said commissioners or by others under their direction and shall be such as shall provide adequate facilities for the instruction of youth in the practical trades according to the intent of this act

Section 5 The commissioners are hereby empowered and shall enter into such contract as shall be necessary for the construction of said school in accordance with the plans as approved by the Governor

Section 6 The said building shall contain the necessary workshops and shall be completely and properly furnished with the necessary tools and equipment and on such a scale as to accommodate three thousand students and the said school shall be so constructed and located on the plot as to allow for additions being made thereto as future demands for space may require

Section 7 Said commissioners shall proceed to have the said school completed within eighteen months from the passage of this act and shall make an itemized quarterly report to the Auditor General of all moneys expended by them and of the progress made in the erection of said school building

Section 8 The said commissioners upon the completion of the said institution shall surrender their trust to a board of trustees to consist of nine members who shall serve without compensation and be appointed by the Governor by and with the advice and consent of the senate Said trustees shall be a body politic or corporate of the name of the Pennsylvania State Trade School They shall manage and direct the affairs of the school and make all necessary by-laws and regulations not inconsistent with either the provisions of the constitution or the laws of the Commonwealth of the trustees first appointed three shall serve for one year three for two years and three for three years and at the expiration of the respective periods the vacancies shall be filled by the Governor by appointment for three years as hereinbefore provided and should any vacancy occur by death or resignation or otherwise of any trustee such vacancy shall be filled by appointment as aforesaid for the unexpired term of said trustee The superintendent of Public Instruction shall be ex-officio member of the board of trustees

Section 9 The said Board of Trustees shall have authority to solicit and receive for the use of said institution gifts donations legacies endowments devices and conveyances of property real or personal that may be made given or granted to or for the said school or in its name or in the name of said board

Section 10 It shall be the duty of the board of trustees as soon and as often as the exigencies of the school shall require to employ a principal and such other teachers and instructors who shall be qualified by actual experience in working at the various trades for at least five years The board shall also make such rules and regulations as shall bring about the successful training of persons over sixteen years of age in the knowledge and practice of the prevailing trades

Section 11 The sum of one million dollars ($1,000,000) or so much thereof as may be necessary is hereby specifically appropriated for the purpose of carrying out the provisions of this act Of the total appropriation herein provided the commissioners shall be limited to the sum of eight hundred thousand dollars ($800,000) for the purchase of ground if necessary the cost of erection of the school and the furnishing and equipping thereof The board of trustees shall be limited to the sum of two hundred thousand dollars $200,000) for the operation of the school until the first day of June one thousand nine hundred thirty-nine All payments shall be made by warrants drawn by the Auditor General upon the treasury and the necessary statements or vouchers to be furnished and approved by the Governor before any such warrants are issued

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. RICE. Mr. President, I move that Senate Bill No. 1230, the bill just read be recommitted to the Committee on Appropriations.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF SENATE BILL No. 783

Mr. McGINNIS. Mr. President, I move to reconsider the vote by which Senate Bill No. 783, on page 28 of the calendar, passed second reading.

Mr. KUNKEL. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

Mr. McGINNIS. Mr. President, I now desire to withdraw the amendments.

Mr. KUNKEL. Mr. President, I withdraw my second.

The PRESIDENT. If there is no objection the request will be granted. The Chair hears none and the amendments are withdrawn.

BILL OVER IN ORDER

Mr. McGINNIS. Mr. President, I ask unanimous consent that Senate Bill No. 783, on second reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

REPORTS FROM COMMITTEES

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO from the Committe on Welfare, reported as committed, the following resolution:

CONTINUANCE OF UNEMPLOYMENT RELIEF SEWING PROJECTS RECOMMENDED

In the Senate, May 19, 1937.

Whereas, Withdrawal of the S. E. R. B. from the sponsorship of the State Sewing projects means the return of approximately nine thousand (9,000) women in the State of Pennsylvania alone to direct relief rolls financed by the Commonwealth, and

Whereas, The work relief plan for these women and their families has been definitely proven the cheaper plan, and withdrawal of same will react unfavorably on the communities who have received the pay-roll benefit of the plan, and the clothing provided to the needy of our own community has proven a wonderful asset, together with the restoration of human value, and juvenile delinquency has been decreased through the return of standard decency in homes, which was caused previously by inadequate relief grants, and

Whereas, Luzerne County is faced with the dismissal of five hundred fifty (550) families involving two thousand two hundred (2,200) persons from the sewing project who are at the present time receiving grants from the sewing projects. The closing of these projects at the present time would cause the possibility of increasing relief rolls supported by the State and cause these families to again become discouraged and victims of undernourishment caused by the present inadequate relief grants. It is certain that the State of Pennsylvania can save money by the continuance of the sponsorship of these projects by the S. E. R. B. and

Whereas, Luzerne County would save the sum of five thousand sixty-nine ($5,069.00) dollars monthly, by the contribution of the material cost of these projects. The county has benefited greatly, the business men have benefited and the Commonwealth has benefited by the process of a "orwk" of gainful quality instead of "relief" and its demoralizing effect, therefore be it

Resolved, (if the House of Representatives concur), That the General Assembly direct the Bureau of Assistance of the Department of Welfare to prevent the cessation of these sewing projects and that the State Relief Director be instructed to continue the sponsorship of these projects and retain former relief families in gainful employment with a minimum of State Relief expenditure.

Mr. RICE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE from the Committee on Appropriations, rereported as committed, Senate Bill No. 880, entitled:

An Act appropriating to the Department of Public Assistance for public assistance all restitutions and overpayments collected by or for such department.

Mr. RICE from the Committee on Appropriations, rereported as committed, Senate Bill No. 881, entitled:

An Act making an appropriation to the State Veterans' Commission for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war or their dependents.

Mr. MUNDY. Mr. President, I ask unanimous consent that Rule 39, which requires concurrent resolutions reported from committee to lie on the table one day, be suspended and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any objection?

The PRESIDENT. Resolutions under the rules must lie over for one day, unless the rule is waived. Since there is objection the resolution must lie over until tomorrow.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate to the second reading and consideration of Senate Bill No. 1234, as follows:

An Act prohibiting during a declared emergency foreclosure entry of judgment and issuance of execution on agreements bonds and mortgages affecting real property because of failure to fully discharge municipal liens against such property where such liens pursuant to ordinance or resolution are being paid in installments

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it is hereby declared that a serious public emergency affecting and threatening the welfare comfort and safety of the people of the Commonwealth and resulting from the abnormal disruption in economic and financial processes the abnormal credit and currency situation in the state and nation the abnormal deflation of real property values and the curtailment of incomes and unemployment and other adverse conditions still exist Therefore in the public interest the necessity for legislative intervention by the enactment of the provisions hereinafter prescribed such provisions to be operative until the legislature shall find their further operation unnecessary is hereby declared as a matter of legislative determination

Section 2 Whenever any agreement bond or mortgage affecting any real property contains any stipulation authorizing foreclosure entry of judgment and the issuance of execution upon failure of the owner of such property to pay and discharge municipal liens and no other breach of the terms of such agreement bond or mortgage has occurred notwithstanding the terms of such stipulation no foreclosure shall be had judgment entered or execution issued if and so long as the owner of the real property is complying with the terms of an ordinance or resolution permitting the payment of the assessment or tax constituting the lien in installments

Section 3 The provisions of this act shall become effective immediately upon its final enactment and shall continue in force only until the thirty-first day of May one thousand nine hundred and thirty-nine

Section 4 All acts and parts of acts inconsistent herewith are suspended while this act is in effect

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1239 (House Bill No. 393), entitled:

An Act making an appropriation to the Department of Health for the purpose of draining flooded mines and quarries in this Commonwealth to recover human bodies lost therein

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1241 (House Bill No. 1764), entitled:

An Act relating to certain existing beneficial societies conferring certain rights powers and duties upon them their officers and members authorizing the payment of benefits by them in the event of sickness accident disability or death regulating such societies and corporations and limiting the amount for which they may issue membership certificates or policies providing for reserves imposing penalties and repealing certain existing laws and parts of law

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1244, as follows:

An Act making an appropriation to the American Legislators Association and the Interstate Legislative Reference Bureau

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four thousand dollars ($4,000) is hereby specifically appropriated for the support of the American Legislators Association and the Interstate Legislative Reference Bureau established by it to coordinate the work of the various state Legislative Reference Bureaus and other official agencies dealing with legislative matters One-half of said appropriation shall be paid during each fiscal year of the biennium in equal quarterly installments on requisition drawn by the Auditor General Warrants for such payment shall be drawn to the order of the Director of the Interstate Legislative Reference Bureau

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1252, entitled:

An Act Regulating the hearing before boards of view and jury trials and the awards and verdicts in cases arising from the taking injury or destruction of private property under the right of eminent domain where both the owner of the fee and any lessee or lessees under such owner shall claim damages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases arising from the injury or destruction of private property under the right of eminent domain where the owner or owners of the fee and any lessee or lessees under such owner or owners shall be claimants for damages all such claims shall be heard or tried together and there shall be awards by a board of view or verdicts by the jury on appeals which shall fix first the total amount of damage to the property in question and second the apportionment distribution or division of the total damages so awarded between or among the several claimants therefor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1259, as follows:

An Act To amend sections one and four of the act approved the ninth day of March one thousand nine hundred and thirty-seven (Act Number 11) entitled "A Joint Resolution authorizing the appointment of a commission to make a fair and impartial investigation of the general practice and procedure in the courts of oyer and terminer general jail delivery and quarter sessions of the peace in the various counties of the Commonwealth and the Municipal Court in the City and County of Philadelphia with special reference to the prosecution trial and disposition of all criminal cases and the probation and parole of persons guilty of crime conferring upon the commission full power to issue subpoenas requiring the commission if possible to make a report of its findings to the present session of the General Assembly together with its recommendations as to such legislation as may be necessary or desirable otherwise to make such report and recommendations to the Governor authorizing the commission to employ counsel and employes and making an appropriation" by empowering the commission to sit after the adjournment of the General Assembly and increasing the amount of the appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one and four of the act approved the ninth day of March one thousand nine hundred and thirty-seven (Act Number 11) entitled "A Joint Resolution authorizing the appointment of a commission to make a fair and impartial investigation of the general practice and procedure in the courts of oyer and terminer general jail delivery and quarter sessions of the peace in the various counties of the Commonwealth and the Municipal Court in the City and County of Philadelphia with special reference to the prosecution trial and disposition of all criminal cases and the probation and parole of persons guilty of crime conferring upon the commission full power to issue ubpoenas requiring the commission if possible to make a report of its findings to the present session of the General Assembly together with its recommendations as to such legislation as may be necessary or desirable otherwise to make such report and recommendations to the Governor authorizing the commission to employ counsel and employes and making an appropriation" is hereby amended to read as follows

Section 1 Be it resolved by the Senate and House of Representative sof the Commonwealth of Pennsylvania in General Assembly met that there is hereby created a commission which shall be composed of four Senators to be appointed by the President Pro-Tempore of the Senate one of whom shall be designated chairman and four Members of the House of Representatives to be appointed by the Speaker thereof whose duty it shall be to make a careful thorough and impartial investigation of the general practice and procedure in the courts of quarter sessions of the peace oyer and terminer and general jail delivery in the various counties of the Commonwealth and the Municipal Court in the City and County of Philadelphia with special reference to the prosecution trial and disposition of all criminal cases and the probation and parole of persons guilty of crime to ascertain whether or not such practices are being exercised in accordance with the spirit and letter of the law and to report to the General Assembly at this session as early as possible its findings and its

recommendations as to such changes revisions or improvements as it may find to be necessary or desirable to correct any imperfections insufficiencies and defects in the laws and to correct any abuses and evils in the aforesaid practice and procedure in the aforesaid courts or any of them provided however that if the commission is unable to complete its investigation during the current session of the General Assembly it shall have power to sit and continue its investigations after the adjournment of the current session [then if and it shall then make its report and recommendations to the Governor

Section 4 The sum of [twenty-five] fifty thousand dollars [($25,000)] ($50,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission for the payment of the expenses of the members and for the payment of the compensation and expenses of counsel experts clerks and assistants of the commission for postage telegraph and telephone charges for the use of automobiles for witness fees allowed by the commission for supplies and printing and for all other expenses deemed necessary and proper by the commission

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time nd agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. PYTKO. Mr. President, I ask unanimous consent that Senate Bill No. 1269 on second reading, entitled:

An Act to further amend Article VI of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled 'An 'Act relating to insurance, amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by adding thereto sub-article VI (h) consisting of Sections 685 to 696 inclusive defining the specific powers and financial requirements of title insurance companies and providing for the regulation and supervision thereof and prohibiting the guaranteeing of mortgages by such companies.

Go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1270, as follows:

An Act to amend sections one and three of the act approved the eighteenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" by further regulating the preparation and keeping of indexes of deeds and mortgages by recorders of deeds and prescribing the effect thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one and three of the act approved the eighteenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" are hereby amended to read as follows

Section 1 Be it enacted etc That in addition to the indexes which the recorder of deeds in each county of this Commonwealth is required to keep the said recorder shall carefully and accurately prepare and keep in his office two general indexes of all deeds recorded therein in one of which to be known as the direct index he shall enter in their order the name of the grantor the name of the grantee the volume and page wherein the deed is recorded the date when the deed is recorded and the exact locality by city borough town or township or other political subdivision in the county wherein the property is situate or if the property is situated in more than two political subdivisions by general reference to the county and in the other to be known as the ad sectum index he shall enter in their order the name of the grantee the name of the grantor the volume and page wherein the deed is recorded the date when the deed is recorded and the exact locality by city borough town or township or other political subdivision in the county wherein the property is situate or if the property is situated in more than two political subdivisions by general reference to the county He shall in like manner also prepare and keep two general indexes one direct and the other ad sectum of all mortgages recorded in his office including in the mortgage indexes the date of recordation of the mortgage and the locality of the property in the same manner as herein provided for the indexing of deeds

Said indexes shall be arranged alphabetically and in such a way as to afford an easy and ready reference to said deeds and mortgages respectively and shall be written in a plain and legible hand Provided however That in any county where such indexes have already been prepared and in use or where any special law relating to any of said indexes is now in force they shall be adopted and kept as if made in pursuance of this act

Section 3 The entry of recorded deeds and mortgages in said indexes respectively shall be notice to all persons of the recording of the same and of the other information required by this act to be placed upon said indexes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS RECOMMITTED

Mr. CAVALCANTE. Mr. President, I move that Senate Bill No. 1273 (House Bill No. 523), on second reading, entitled:

An Act to amend section two of the act approved the eleventh day of May one thousand nine hundred and twenty-three (P. L. 203) entitled "An act providing that any person who was engaged in the military or naval service of the United States during any war in which the United States was engaged and having an honorable discharge therefrom shall receive credit for the experience and training derived from such service in civil service examinations" by giving such persons certain additional preferences in civil service examinations.

Be recommitted to the Committee on Military Affairs.

Mr LAW. Mr. President, I second the motion.

The motion was agreed to.

Mr. CAVALCANTE. Mr. President, I move that Senate Bill No. 1274 (House Bill No. 524), on second reading, entitled:

An Act to amend section nine of the act approved the thirty-first day of May one thousand nine hundred and

thirty-three (P. L. 1108) entitled "An act providing for the appointment promotion reduction removal and reinstatement of paid officers firemen and employes of fire departments and of fire alarm operators and fire box inspectors in the bureau of electricity in cities of the second and third class defining the powers and duties of civil service commissions for such purposes and fixing penalties" by providing for preferences to veterans in the appointment of such officers firemen operators and inspectors.

be recommitted to the Committee on Military Affairs.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

Mr. CAVALCANTE. Mr. President, I move that Senate Bill No. 1275 (House Bill No. 525), on second reading, entitled:

An Act to amend clause A of section three hundred two of the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-1934) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of fees and imposing penalties" as re-enacted and amended providing further preferences to veterans in civil service examinations.

be recommitted to the Committee on Military Affairs.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1284 (House Bill No. 1755), entitled:

An Act providing for the regulation by the Insurance Department of non-profit corporations organized to provide hospitalization for subscribers; prescribing legal investments for the funds of such corporations and the hospitals with which such corporations may enter into contracts for hospitalization; conferring powers on the Insurance Department and the Department of Welfare; exempting such corporations from taxation; and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1287 (House Bill No. 1780), entitled:

An Act to amend section five and sections sixteen, seventeen and twenty-one, as amended, of the act, approved the fourteenth day of June, one thousand nine hundred and twenty-three (P. L. 710), entitled "An act allowing and regulating boxing, sparring and wrestling matches and exhibitions; establishing a State Athletic Commission; making an appropriation therefor; and appropriating moneys received for monument and memorial purposes; and prescribing penalties," by providing for; promoters, partnerships and co-promoters; a bond to protect contestants, managers and officials; changing license fees for promoters, boxers, seconds, managers and wrestlers; and requiring payments to the Commonwealth for complimentary tickets.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1294 (House Bill No. 2102), entitled:

An Act to add section four hundred ninety-one and one tenth to the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing counties of the sixth seventh and eighth classes to pay bounties for the destruction of rattlesnakes copperhead snakes and porcupines

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1304, as follows:

An Act for the conveyance to the United States of America of title in and to certain lands in the Township of Fairview County of York and ceding to the United States jurisdiction over said lands

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Property and Supplies with the approval of the Governor of the Commonwealth of Pennsylvania is hereby authorized to convey to the United States of America title to the following described lands this conveyance being made pursuant to an agreement between the Secretary of War of the United States of America and the Commonwealth of Pennsylvania dated May 29 1936

Section 2 The Governor of the Commonwealth of Pennsylvania is authorized to furnish the Attorney General of the United States without cost to the United States such evidences of a valid title to the aforesaid lands as may be necessary to permit the said Attorney General to approve said title

Section 3 The consent of the Commonwealth of Pennsylvania is hereby given in accordance with the seventeenth clause eighth section of the first article of the Constitution of the United States to the acquisition by the United States of the aforesaid lands and exclusive jurisdiction in and over the aforesaid lands when acquired by the United States is hereby ceded to the United States for all purposes except the service thereon of all civil and criminal processes of the courts of this Commonwealth but the jurisdiction so ceded shall continue no longer than the said United States shall own such lands and so long as the said lands shall remain the property of the United States and no longer the same shall be and

continue exempt and exonerated from all State county and municipal assessment taxation or other charges which may be levied or imposed under the authority of this Commonwealth

Section 4 All acts or parts of acts in conflict herewith are hereby repealed

Section 5 This act shall be effective immediately upon its approval by the Governor

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1308, as follows:

An Act to amend section four hundred and one of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by further regulating depositories of funds of counties of the second class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred and one of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" is hereby amended to read as follows

Section 401 Deposits of Money Received Interest All monies received by the commission at any time shall immediately be deposited in one or more banks or banking institutions which are now or hereafter shall be designated as county depositories [not less than two percent interest on daily balances shall be paid to the said commission for the use of said monies] the rate of interest to be paid by depositories to the commission shall be the highest rate obtainable calculated on daily balances The commission may reinvest said interest with the other income from the bonds in their possession

Section 2 The provisions of this act shall become effective immediately upon its final enactment

Section 3 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in committee of the whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1312, as follows:

An Act defining sales of real property in partition and dower proceedings to be judicial sales discharging the real property so sold from the lien of certain encumbrances and providing for their payment out of the proceeds of the sale

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all sales of real property hereafter made by virtue of any order issuing out of any court having jurisdiction thereof in any case of dower or partition shall be deemed to be and are hereby declared to be judicial sales

Section 2 All such sales shall discharge the real property so sold and every part thereof and every undivided interest therein of and from all liens thereon except the lien of a mortgage which shall constitute a first lien upon the whole of the estate or interest in any of the real property sold and except the lien of ground rents purchase money due the Commonwealth inheritance and other taxes assessed thereon assessments and municipal claims whose lines though thereafter accruing have priority by law

Section 3 The claim of any such lien so discharged shall be transferred to the fund arising from the sale of the land or of the interest therein bound by the lien so discharged and shall participate in the distribution of such fund as the court directing the sale of the real property shall order

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

HOUSE MESSAGE

HOUSE CONCURS IN AMENDMENTS TO HOUSE BILL NO 2039

The Clerk of the House of Representatives being introduced, informed the Senate that the House had concurred in amendments made by the Senate to House Bill No. 2039, entitled:

An Act to amend section five of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 599), entitled "Sunday Motion Pictures Law," further providing when referendums may be held; and making persons filing petitions liable for the cost of printing ballots.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Mr. Harvey Huffman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 455, entitled:

An Act to amend section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred seventy-nine) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as amended increasing the compensation of members of the General Assembly

HOUSE BILL No. 666, entitled:

An Act to authorize boroughs, incorporated towns and townships to sue out writs of scire facias on certain tax or municipal claims, or where writs of scire facias have been issued and judgment not entered within five years from the date of issuance, to proceed to judgments in certain cases, or to revive judgments on such claims where more than five years have elapsed since said claims were filed or such judgments were entered or revived, and to reduce such claims to judgment, or to revive such judgment; and providing for the revival and collection of such judgments; and the liens thereof.

HOUSE BILL No. 872, entitled:

An Act providing that officials charged with the duty of assessing real estate for taxation, may at any time split or separate the assessment on any tract of real estate in order to permit the payment of taxes due on a portion of such tract; requiring tax collectors to accept payment of such taxes and validating all such split or separated assessments heretofore made.

HOUSE BILL No. 1184, entitled:

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire by gift approximately 7.224 acres of land in Tinicum Township Delaware County sometime known as "Printz Park" or as "Printz-Lindberg Park" to be known hereafter as "Governor Printz Park" providing for the control management supervision restoration improvement and maintenance thereof authorizing the Commission to make and enforce rules and regulations for the preservation maintenance and visitation thereof.

HOUSE BILL No. 1400, entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," as amended, regulating the sale and further regulating the installation, use and operation of traffic regulation devices, signals, signs and markings, and the operation of motor vehicles on the highways; affecting the powers of municipal authorities in certain cases and of the Secretary of Highways; and changing and imposing penalties

HOUSE BILL No. 1540, entitled:

An Act to repeal section ten of the act, approved the nineteenth day of July, one thousand nine hundred and thirty-five (P. L. 1356), entitled "Licensed Weighmasters Act."

HOUSE BILL No. 1732, entitled:

An Act to amend sections three hundred seventy-one and six hundred seventy, section seven hundred thirty-two as amended, sections seven hundred thirty-three, eight hundred seventy-six, and eight hundred ninety-six of, and to add section seven hundred thirty-seven to, the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," further regulating tax levies, bond issues, appropriations, and the procedure for rebuilding bridges in such counties.

HOUSE BILL No. 2039, entitled:

An Act to amend section five of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 599), entitled "Sunday Motion Pictures Law," further providing when referendums may be held; and making persons filing petitions liable for the cost of printing ballots.

HOUSE BILL No. 1788, entitled:

An Act to amend section five hundred and forty-five, of the act approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "The Second Class Township Law," as amended providing for the audit of the accounts of justices of the peace.

Whereupon,

The PRESIDENT PRO TEMPORE (Mr. Harvey Huffman) in the presence of the Senate signed the same.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 178, entitled:

An Act to further amend section two of the act approved the eighteenth day of June, one thousand nine hundred and nineteen (P. L. 498) entitled, "An act defining consolidation of schools; providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools." by requiring the recommendation of the county board of school directors before the approval of consolidated and joint consolidated schools in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 191, entitled:

An Act to further amend section four hundred and one of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing school districts to establish nursery schools and junior colleges.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 488 (House Bill No. 99), entitled:

An Act to re-enact and amend the title and the act, approved the second day of June, one thousand nine hundred fifteen (Pamphlet Laws, seven hundred and thirty-six), entitled "An act defining the liability of an employer to pay damages for injuries, received by an employe in the course of employment; establishing an elective schedule of compensation; and providing procedure for the determination of liability and compensation thereunder" by changing, adding to and increasing the schedules of compensation; prescribing and changing certain presumptions and rules of evidence; increasing the requirements to be met by employers desiring to be self-insurers; conferring certain powers and duties upon the Department of Labor and Industry; imposing additional duties and liabilities upon employers and insurance carriers, including the cost of administering the workmen's compensation system including the rehabilitation of employes providing for the payment of compensation for certain second injuries and for the rehabilitation of injured employes, and for the payment of reopened cases after a certain lapse of time, by the Commonwealth out of moneys required to be paid into the State Treasury by certain employers and insurance carriers in death cases where there are no dependents; imposing new and changing certain existing penalties; and generally amending, clarifying and changing the provisions of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 534, entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May, one thousand nine hundred and seventeen (P. L. 208) entitled, "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," as amended; naming medicinal agents which may be sold by storekeepers, and removing intestinal enzymes and all liver products from the exception to the provision which prohibits the sale of medicines containing substances of

glandular origin except by registered pharmacists and assistant pharmacists.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 536, entitled:

An Act to prevent fraud and deception by defining and regulating cemetery memorial dealers and cemetery memorial salesmen; providing for the service of process in certain cases; vesting certain powers and duties in the State Board of Examiners of Cemetery Memorial Dealers of the Department of Public Instruction, in the Department of Public Instruction and in the Court of Common Pleas of Dauphin County; and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 537, entitled:

An Act to amend section two hundred two of and to add section four hundred twenty-five and one-tenth to, the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177) entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating and providing for the appointment of the State Board of Examiners of Cemetery Memorial Dealers in the Department of Public Instruction, and prescribing the powers and duties of such board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 608, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further defining the duties of the secretary of the board of school directors.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 620 (House Bill No. 1075), entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending and consolidating the laws relating thereto," by authorizing the district attorney in counties of the third class to purchase and maintain police radio equipment.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 856, entitled:

An Act to amend the act approved the eighteenth day of April, one thousand nine hundred and twenty-nine (P. L. 549) entitled, "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries in any county, city, borough or township of the Commonwealth, at the option of the electors thereof; prescribing regulations with reference to the adoption, requirements, examinations, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used, placing duties upon county commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act," by adding a new section thereto 11-A, providing that in counties of the first class, all appointments shall be equally divided between majority and minority commissioners.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 869 (House Bill No. 1978), entitled:

A Supplement to the act, approved the eighteenth day of May, one thousand nine hundred eleven (Pamphlet Laws, three hundred nine), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith" providing for certain additions to minimum annual salaries for members of the teaching staffs of schools in fourth class school districts; and authorizing the suspension of this supplement in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 899 (House Bill No. 1761), entitled:

An Act creating a commission to study certain conditions relating to municipal ordinances, defining its powers and duties and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 915, entitled:

An Act to amend the act approved the twenty-fifth day of July, one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred ninety-five) entitled, "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agriculture associations; and regulating the payment thereof;" as amended, providing for aid to counties holding agricultural exhibitions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 947, entitled:

An Act authorizing the Department of Public Instruction and its departmental administrative boards to post notices of suspensions and revocation of licenses and registrations of persons engaged in professions or working at trades or occupations, requiring licensing or registration by such department or boards, on premises occupied by such persons as their offices or places of business; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 952, entitled:

An Act to amend section twenty-four of the act approved the sixteenth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws two hundred seven) as amended, entitled, "An act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates, sewer rates and lighting rates for the procedure upon claims filed therefor, the methods for preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened, the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," as amended; by and increasing the term for which sequestrators may lease sequestrated property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 966 (House Bill No. 731), entitled:

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class an dimposing certain charges on counties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 987, entitled:

An Act to regulate nominations and elections for all offices of judge of a court of record; providing for non-partisan nominations and elections for said offices; abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices; imposing certain duties upon the Secretary of the Commonwealth, county commissioners, and election officers and clerks; and providing penalties for the violation of the provisions hereof, and the punishment of certain offenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 988, entitled:

An Act to amend section twenty-one of the act approved the seventh day of June, one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled, "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits, requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births, marriages, deaths and diseases, practitioners of medicine and surgery of midwives, nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages and diseases throughout the State as provided in section ten of an act entitled, 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April, nineteen hundred and five and providing penalties for violations of this act," as amended, providing that certified copies of birth certificates shall omit certain information.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 990, entitled:

An Act to amend section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers, fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments; boards, and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," by making further provisions for the appointment, salary, and powers and duties of a Secretary of a State Athletic Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1026 (House Bill No. 563), entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws 912) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties' further regulating bakeries and the importation of bakery products providing for injunctions in certain cases and changing the penalties prescribed

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1048, entitled:

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1063 (House Bill No. 2070), entitled:

An Act to repeal the act approved the twenty-ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred fifty-one) entitled, "An act fixing the time of holding elections on questions submitted to electors of boroughs."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1069, entitled:

An Act relating to and regulating the mining of anthracite coal; providing for the health, safety and welfare of persons employed in and about the anthracite coal mines, and for the protection and preservation of property connected therewith; amending, consolidating, revising and changing the law relating thereto; and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1077 (House Bill No. 812), entitled:

An Act relating to cities of the first class authorizing the issuance of non-debt revenue bonds to finance sewer improvements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1087, entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred twenty-five (Pamphlet Laws, four hundred forty-eight) entitled "An act relating to fish; and amending, revising, consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," as amended, by changing the method of issuance of licenses, and making further provisions for records and returns thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1089, entitled:

An Act to supplement the act approved the twenty-fifth day of June, one thousand nine hundred nineteen (Pamphlet Laws five hundred eighty-one) entitled, "An act for the better government of cities of the first class of this Commonwealth," supplying a new Article XIX, providing for the better government of such cities by regulating and improving the civil service of such cities; establishing and regulating the powers and duties of Civil Service Commissions; providing for the appointment of Civil Service Commissioners; providing for the appointment and regulating the duties and powers of Civil Service Directors; defining certain crimes and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1102 (House Bill No. 1504), entitled:

An Act to further amend the act approved the first day of May, one thousand nine hundred and thirteen (P. L. 138), entitled "An act defining vocational education, providing for the establishment and regulation of vocational schools; and providing for State aid in the maintenance thereof; and for the payment of tuition by certain school districts, and reimbursement thereof by the State." by further defining and extending the scope of vocational education, and enlarging the provisions for State subsidies under certain conditions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1144, entitled:

An Act to further amend section one of the act approved the thirteenth day of June, one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled, "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth, one thousand eight hundred and seventy-four and the supplements thereto; for the insurance of owners of real estate mortgages and others interested in real estate, from loss by reason of defective titles, liens and encumbrances; and of companies entitled to the benefits of, and of companies having any of the powers of, companies entitled to the benefits of an act entitled, 'An act conferring upon certain fidelity, insurance, safety deposit, trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled, "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto approved June twenty-seventh, one thousand eight hundred and ninety-five, commonly known as title insurance or trust companies" providing that certain companies shall not be subject to the tax.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill 1179 (House Bill No. 718), entitled:

An Act to describe define and officially adopt a system of coordinates for designating the positions of points on the surface of the earth within the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1180 (House Bill No. 729), entitled:

An Act to permit the entry of engineers and surveyors and their representatives onto private property for the purpose of using survey stations established by or under the direction of the United States Coast and Geodetic Survey or as a part of the Pennsylvania Coordinate System and providing a penalty for the injuring defacing and destruction of marks and monuments

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1193 (House Bill No. 1355), entitled:

An Act to amend paragraphs one three and five of section one of the act approved the twelfth day of June one thousand eight hundred and ninety-three (Pamphlet Laws 457) entitled "An act to provide for the erection maintenance and regulation of public morgues in the several counties of this Commonwealth for the care and disposal of bodies removal thereto and providing for the payment of certain expenses of the same by the proper county or district or by the estate of the deceased person and providing for the disposal of the personal effects of unclaimed dead" as amended by transferring certain powers from the county commissioners to the coroner in counties of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1194 (House Bill No. 1453), entitled:

An Act to amend section five hundred and fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions and officers, thereof, including the boards of trustees of State Normal Schools or Teachers Colleges, abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers, fixing the salaries of the Governor, Lieutenant Governor and certain other executive and administrative officers, providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments, boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, permitting State institutions and sanatoria to supply water to individuals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1206 (House Bill No. 1997), entitled:

An Act to amend sections one and two of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws 450) entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties" conferring police and building inspection powers on assistants appointed by the superintendent of State Police

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1210, entitled:

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor to enter into contract with persons, firms or corporations to erect an office building, and to lease such office building for the use of the Commonwealth, the same to become the property of the Commonwealth upon termination of said lease.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1216, entitled:

An Act to further amend subsection (e) of section eight hundred and one of the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws nine Hundred five) entitled, "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof; owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties; providing for the dispostion of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," requiring all motor vehicles, trailers and semi-trailers to have red reflectors at the rear.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1217, entitled:

An Act to enable the courts of quarter sessions to restore to the possession and ownership of former owners thereof certain intoxicating liquors seized for violation of law, notwithstanding the conviction of the owner of said liquor of an offense in respect thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1224, entitled:

An Act to amend Article nine of the act approved the fifth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws three hundred sixty-four) entitled, "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," providing that a domestic business corporation formed by merger of one or more domestic business corporations and one or more foreign business corporations shall be entitled to a credit on the bonus due the Commonwealth equal to the amount of the bonus paid under existing laws by the corporations so merging.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1226, entitled:

An Act authorizing the Joint Commission having jurisdiction over bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New York to sell and dispose of certain real and personal property, to lease real estate and to license Public Utility Companies to occupy with their facilities parts of such bridges as are within the jurisdiction of the Commission and providing for the disposal of the proceeds thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1228, entitled:

An Act authorizing county commissioners of any county to hold in trust for the inhabitants and citizens of the county, any real estate and property appropriate for agriculture fairs or exhibits, and to lease the same without expense or liability to the county, to any incorporated agriculture association; to operate and conduct an annual fair within the county.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1229, entitled:

An Act to repeal section thirty of the act approved the first day of May, one thousand eight hundred sixty-one (Pamphlet Laws four hundred fifty) entitled, "An act relating to Allegheny County."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1240 (House Bill No. 947), entitled:

An Act to amend section three of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing acts" as amended requiring buildings to be equipped with certain equipment in connection with gas meters to prevent or retard the escape of gas

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1245, entitled:

An Act to define and regulate, as a profession and in the public interest, the practice of public accountancy; to prohibit the practice of public accountancy by unauthorized persons; to establish the Pennsylvania State Board of Accountancy; to grant to the board usual and necessary administrative powers; to define the status of a certified public accountant; to provide for granting and issuing certificates and registration cards to accountants who qualify under and comply with the provisions of this act to provide for revoking and cancelling or suspending certificates and registration cards; to prescribe the conditions under which partnerships may engage in the practice of public accountancy to fix the fees to be paid to the State for certificates and registration card; to provide for the annual publication of the names and addresses of the persons and partnerships engaging in the practice of public accountancy; to determine the ownership of professional papers defining privileged communications and information to recognize certain specifically limited exemptions; to provide penalties for violation of the provisions of this act conferring jurisdiction on common pleas courts to restrain violations and to repeal all acts and parts of acts inconsistent with the provisions thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1258, entitled:

An Act to further amend sections five and eight of the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 208) entitled, "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drugs' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said drugs, and providing for the purchase of samples

of drugs for determining their quality, strength, and purity," by providing for annual renewals of the registration of pharmacists and assistant pharmacists.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1261, entitled:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (P. L. 549) entitled, "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county, city, borough, or township of the Commonwealth at the option of the electors thereof; prescribing regulations with reference to the adoption requirements, examination, purchase, installation, preparation, custody and demonstration of use of voting machines, providing rules and regulations for the conduct of elections held with voting machines, prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used, placing duties upon county commissioners and the Secretary of the Commonwealth; providing for redivision of war of cities and boroughs into election districts and the consolidation of election districts, providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act," by adding a new section thereto 11-A providing that in counties of the first class all appointments shall be equally divided between majority and minority commissioners.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1262, entitled:

An Act providing for the sale of Fort Necessity Park, in Wharton Township, to the government of the United States, for National Military Park purposes, and giving consent to the purchase of said park, other lands of historical importance; and, with certain reservations, ceding jurisdiction over such lands.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1267 (House Bill No. 1282), entitled:

An Act to further amend the act approved the nineteenth day of March, one thousand nine hundred and nine (P. L. 46) entitled, "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act," by changing the preliminary educational requirments for licenses to practice osteopathy and operative surgery further defining osteopathy, providing for issuing licenses to perform operative surgery to licensees of other states, requiring annual renewals of osteopathic surgeons' licenses, fixing fees, extending the functions and authority of osteopathic physicians and surgeons and prescribing additional penal provisions.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1268, entitled:

An Act requiring certain candidates at primary elections to be enrolled as members of the political party whose nomination they seek.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1282 (House Bill No. 1499), entitled:

An Act prohibiting certain persons from selling, taking order for delivering or being interested in the manufacture or sale of machinery, equipment, materials, feed supplies or other things used by milk producers and prescribing penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1288 (House Bill No. 1792), entitled:

An Act concerning elections, including general, municipal, special and primary elections, the nomination of candidates primary and election expenses and election contests, creating and defining membership of county boards of elections, imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners, imposing penalties for violation of the Act and codifying, revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1289 (House Bill No. 1820), entitled:

An Act to amend section three of the act approved the twenty-fifth day of July, one thousand nine hundred and seventeen (P. L. 1195) entitled, "An act for the encouragement of agriculture and the holding of agricultural exhibitions, providing State aid for certain agricultural associations and regulating the payment thereof," reducing the number of days during which exhibitions need be held.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1300, entitled:

An Act to amend section eleven of the act approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485) entitled, "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporation engaging in the care, preparation, and disposition of the bodies of deceased persons and providing penalties," authorizing the examination of certain persons who presumed they were registered as apprentices.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1301, entitled:

An Act providing for the erection, construction and equipment of armories for the use of the Pennsylvania National Guard; designating the manner of acquiring or setting aside of land for the erection and construction of armories thereon by The General State Authority; authorizing the Commonwealth to lease such armories and their grounds from The General State Authority upon their completion and the Armory Board of the State of Pennsylvania to manage and operate the same; and conferring powers and imposing duties upon certain State departments and boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1302, entitled:

An Act providing that in all cases where writs of habeas corpus are granted the judge may inquire into the facts of the case, including an examination into the record proceedings and evidence produced against the person committed or detained before the committing judge, officer or magistrate, and making such records, proceedings and evidence available for inspection by the petitioner or his counsel.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1311, entitled:

An Act providing for the erection, construction and equipment of buildings for a new State sanatorium or new buildings at existing sanatoria; designating the manner of acquiring or setting aside of land for the erection and construction of such buildings by The General State Authority; authorizing the Commonwealth to lease such new sanatorium or building or buildings and the grounds connected therewith from The General State Authority upon their completion, and the Department of Health to manage and operate the same; and conferring powers and imposing duties upon certain State departments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1313, entitled:

An Act to add section five hundred and fifty-three to the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682) entitled, "An act relating to insurance; amending, revising and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties, and repealing existing laws," providing additional penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1314, entitled:

An Act to amend sections two hundred fifteen, and two hundred seventeen of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789) entitled as amended, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties and repealing existing laws;" by providing for supervision over fire rating bureaus; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1315, entitled:

An Act requiring collectors of city, county, borough, town, township, school, and poor district taxes to file certain reports with the Quarter Sessions Court and the Department of Internal Affairs; directing such Department to prepare and furnish forms for such reports; making such reports available for public inspection; requiring all payments to such collectors for compensation and expenses to be by warrant or order; prohibiting such collectors from deducting their compensation and expenses from public funds in their possession; and making violation of the act a misdeameanor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1317, entitled:

An Act to amend section two of the act approved the seventh day of July, one thousand nine hundred and thirty-six (P. L. 37) entitled, "An act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes, and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof," by limiting appropriations to amounts realized by the sale of such certificates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1322, entitled:

An Act to further amend section one of the act approved the eleventh day of May, one thousand nine hundred eleven (P. L. 275) entitled, "An act to provide for their compensation and expenses prescribing their duties, prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions thereof," by eliminating certain conditions of removal of inspectors and providing for their appointment in counties of the first class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1324, entitled:

An Act to amend section five of the act approved the third day of May, one thousand nine hundred and thirty-three (P. L. 242) entitled, "An act to promote the public

health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers, and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by providing for limited certificates of registration for operators and managers engaged in particular types of beauty culture, subject to rules of the Department of Public Instruction.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1353 (House Bill No. 1214), entitled:

An Act to further amend the act approved the third day of May, one thousand nine hundred and thirty-three (P. L. 242) entitled, "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops, schools, students, apprentices, echers, managers and operators, conferring powers and duties upon the Department of Public Intruction, providing for appeals to certain courts by applicants and licensees and providing penalties," by further defining beauty culture, making certain changes, regarding the examination and registration of those who desire to engage in the occupation of beauty culture, modifying and increasing the regulations and requirements to be met and complied with by beauty culture schools, shops, students, apprentices, teachers, managers, operators, manicurists and demontrators, prescribing certain qualifications for examiners, inspectors, investigators and supervisors, making certain changes in the powers and duties of the Department of Public Instruction and in the procedures to be followed in the enforcement of the act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

ADJOURNMENT

Mr. RICE. Mr. President, I move that the Senate do now adjourn until twelve o'clock noon tomorrow.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 p. m. until twelve o'clock noon tomorrow, Thursday, May 20, 1937.

HOUSE OF REPRESENTATIVES

WEDNESDAY, May 19, 1937.

The House met at 1:00 p. m.

The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev.. EPHRAIM Z. GALLAHER, offered the following prayer:

Our heavenly Father we would ask that Thou would teach us all to pray, how to pray and what to pray for. In Christ's name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. STRODE, the further reading was dispensed with and the Journal approved.

RESOLUTIONS INTRODUCED AND REFERRED

By Mr. SAMUEL A. WEISS. RESOLUTION No. 90.

In the House of Representatives, May 18, 1937.

Whereas, There have been several efforts to license horse racing and other forms of racing in Pennsylvania with legalized betting on the result thereof; and

Whereas, The Legislature has resisted all efforts to place such enactments on the statute books, and

Whereas, It is rumored that in various sections of the Commonwealth horse racing and dog racing is functioning in defiance of the existing law prohibiting the same, to the detriment of the peace and good order of the Commonwealth, therefore be it

Resolved, That should it appear to the Governor that horse racing or dog racing with pari-mutuel betting is continuing in this Commonwealth after the adjournment of this session of the General Assembly, the Governor shall appoint a commission consisting of two members of the House of Representatives, two members of the Senate and three citizens whose duty it shall be to investigate the prevalance of horse and dog racing in this Commonwealth and make report thereof to the Governor together with its recommendations as to the manner in which such unlawful activities may be ended, through the employment of existing law enforcement agencies.

Referred to the Committee on Rules.

By Messrs JAMES A. SMITH and BLANK.

RESOLUTION No. 91.

In the House of Representatives, May 18, 1937.

Whereas, In the Fortieth Ward of the City of Philadelphia, Pennsylvania, there has been for many years an imperative need for additional recreation facilities by reason of it being a congested residential district, peopled almost exclusively by a wage-earning class; and

Whereas, The people of this section, realizing the need and appreciating the fact that proper supervision of the activities of children and healthful recreation will tend to improve the children's morals, as well as their health, and thus give the promise of a clearer and more wholesome citizenship in the years to come, have petitioned the Mayor and City Council of the City of Philadelphia, through its representation in that August Body, to construct a playground in their neighborhood; and

Whereas, The reason that such a playground has not been constructed is because of lack of funds; and

Whereas, The Congress of the United States by an Act of Congress has made available to the President of the United States the power and administration of expending large sums of Federal money for public improvements as a means of alleviating unemployment; and

Whereas, It is believed that the construction of a playground in the Fortieth Ward of the City of Philadelphia, Pennsylvania, would come within the purpose and intent of the Act of Congress providing for this expenditure of public fund; therefore be it

Resolved, That the Mayor and the Council of the City of Philadelphia, Pennsylvania, are hereby requested to petition the President of the United States to allocate out of moneys available for the construction of public works a sum sufficient for the construction of a playground on the site known as "Connell Park" situated in the vicinity of 64th Street and Elmwood Avenue in the Fortieth Ward of the City of Philadelphia, Pennsylvania; and be it further

Resolved. That the Chief Clerk of the House of Representatives transmit a copy of this resolution to the Mayor and the Council of the City of Philadelphia, Pennsylvania.

Referred to the Committee on Rules.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

FINDINGS OF ANTHRACITE COMMISSION

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 18, 1937.

To the Honorable, the General Assembly of the Commonwealth of Pennsylvania:

I am presenting herewith, for the study and consideration of your honorable body, the findings of the Anthracite Commission. This Commission was established at the present session to investigate coal "bootlegging" in the anthracite regions and to make appropriate recommendations.

I have not waited to study these findings before presenting them to you. Because of the nearness of adjournment I felt it would be more advisable to forward the reports immediately. Not having made the necessary study, I am not prepared to comment or to make any recommendations at this time.

I do wish, however, to call your attention to some salient points upon which all members of the Commission are in agreement.

1. Intervention of armed forces to end "bootlegging" is not recommended by any member of the Commission.

2. All are agreed that the price of coal must be reduced to meet the competition of labor-less fuels, through better merchandising methods and a reduction in the present freight rates for anthracite coal.

I am sure your honorable body will find these reports most valuable in demonstrating the evils which exist in our anthracite regions, and in pointing out possible ways and means of ending the desperate conflict between property rights and human rights which exists in our so-called "bootleg" areas.

GEORGE H. EARLE.

The SPEAKER. The communication will be noted in the Journals of the House and the report will be printed in full in the Appendix to the Legislative Journal.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 232, 233, 555, 646 and 655

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 232, Printer's No. 527, entitled "An Act validating municipal claims of cities and boroughs where not filed within the time specified by law."

House Bill No. 233, Printer's No. 20, entitled "An Act validating amicable writs of scire facias to revive municipal claims entered by boroughs and townships of the first class where more than five years have elapsed since original claims were filed or a prior revival thereof made."

House Bill No. 555, Printer's No. 783, entitled "An Act to amend sections two four five eight thirteen fifteen sixteen seventeen and twenty-three of the act approved the twenty-sixth day of May one thousand nine hundred and thirty-three (P. L. 1076) entitled "An act to provide for the organization incorporation operation and supervision of cooperative savings and credit association to be termed credit unions designating such credit unions as corporations and defining their powers and duties conferring powers and duties on the Department of Banking and providing penalties" changing certain requirements for incorporation providing for the scope of membership permitting compensation to directors and committee members clarifying the basis for the collection of interest and fines providing for refunds of interest on obligations paid before maturity and permitting officers directors and committee members a limited right of borrowing further regulating the maintenance of reserve funds and the determination and payment of dividends and providing for further tax exemptions."

House Bill No. 646, Printer's No. 727, entitled, "An Act to promote the public health safety morals and welfare by providing for the creation of corporations to be known as limited dividend housing companies for the purpose of eliminating unsanitary and dangerous housing conditions and constructing and operating safe and sanitary dwellings and apartments to be let at reasonable rentals or sold providing for the acquisition of property by the exercise of the power of eminent domain through the State Board of Housing providing for the supervision and regulation of the activities of such companies by the State Board of Housing in the Department of Health and regulating the supervision by the State Board of Housing any such companies aided by the Federal Government or agencies thereof defining the rights powers and duties of such companies and of persons investing in or dealing with such companies authorizing such companies to lease and operate or to manage projects of any housing authority and borrow money from agencies of the United States Government exempting all such companies from the payment of any capital stock tax making certain securities of such corporations legal investments for funds in the hands of municipal officers insurance companies and associations savings banks and savings institutions authorizing certain existing companies to accept the provisions of this act and repealing inconsistent acts."

House Bill No. 655, Printer's No. 726, entitled, "An Act to amend section thirty of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred thirty-seven) entitled "An act effecting marital relations prescribing grounds and regulating proceedings for divorce and the annulment of bigamous marriages and amending revising and consolidating the law relating thereto" providing for service on respondents who are lunatics or persons non compos mentis or confined in institutions for mental treatment."

GEORGE H. EARLE.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 620 and 744

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 620, Printer's No. 52, entitled "An Act to authorize cities of the third class boroughs and townships to sue out writs of scire facias on certain municipal claims, or to proceed to judgment upon writs of scire facias issued, or to revive judgments on such claims, where more than five years have elapsed since said claims were filed, such writs of scire facias were issued, or such judgments were entered or revived, and to reduce such claims to judgment, or to revive such judgment; and providing for the revival and collection of such judgments and the liens thereof."

House Bill No. 744, Printer's No. 280, entitled "An Act expressing assent of the General Assembly of the Com-

monwealth of Pennsylvania to the provisions and purposes of the Act of Congress approved the twenty-ninth day of June one thousand nine hundred thirty-five (Public No. 182, 74th Congress)."

GEORGE H. EARLE.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 915.

An Act authorizing the Department of Public Instruction to fix the annual expiration date for licenses and registration certificates for professions trades and occupations.

HOUSE BILL No. 1358.

An Act abolishing the Municipal Court of Philadelphia and transferring actions books records documents and papers in the possession of said court to other courts of the County of Philadelphia.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL AND MESSAGE TAKEN FROM TABLE

Mr. SPENGLER. Mr. Speaker, I move that House Bill No. 1159, Printer's No. 731, together with the communication from the Governor, which was laid on the table, be taken from the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1159

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 18, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 1159, Printer's No. 731, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

RECONSIDERATION OF VOTE

Mr. SPENGLER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. HONTZ. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Dauphin, Mr. Spengler, vote on the final passage of this bill?

Mr. SPENGLER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Carbon, Mr. Hontz, vote on the final passage of this bill?

Mr. HONTZ. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SPENGLER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. SPENGLER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 1 of the title, by inserting after the word "To" and before the word "amend" the word "further"

Amend page 2, line 13 of the title, by striking out after the word "acts'" and before the word "by" the following: "[as amended]"

Amend section 1, page 3, line 12 by inserting after the word "amended" and before the word "is" the following: "by the act approved the twenty-first day of June one thousand nine hundred thirty-five (Pamphlet Laws three hundred eighty-two)"

Amend section 1, page 3, line 13 by inserting after the word "hereby" and before the word "amended" the word "further"

Amend section 1, page 4, line 13 by striking out after the word "or" and before the word "any" the word "[to]" and inserting in lieu thereof the word "of"

Amend section 1, page 4, by striking out line 22 and inserting in lieu thereof the word "person"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

LEAVE OF ABSENCE

Mr. Lepresti asked and obtained leave of absence for Mr. CHERVENAK on account of illness in the family.

REPORTS FROM COMMITTEES

Mr. COAKLEY, from the Committee on Education, reported as amended, House Bill No. 1238, entitled:

An Act to validate certain debts and obligations of school districts.

Mr. O'CONNOR, from the Committee on Education, reported as committed, House Bill No. 934, entitled:

An Act to amend section five hundred and six of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, authorizing any school district to incur or increase its indebtedness in order to purchase perpetual fire insurance and to issue bonds to secure the same; providing for the deduction of the deposit money in ascertaining the net indebtedness of any such school district, and providing for the application of such deposit.

Mr. HARKINS, from the Committee on Judiciary General, reported as committed, House Bill No. 1362, entitled:

An Act making the insurer in an action in tort involving the operation of a motor vehicle a proper party to the action in certain cases; and providing for the effect of such joinder.

Mr. DeNOTE, from the Committee on Judiciary General, reported as amended, House Bill No. 1262, entitled:

An Act to amend section seven of the act, approved the thirty-first day of March, one thousand eight hundred and sixty (P. L. 427), entitled "An act to consolidate, revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings," by vesting in coroners the power to admit to bail persons accused of murder or manslaughter.

Mr. READINGER, from the Committee on Judiciary General, reported as committed, House Bill No. 1762, entitled:

An Act to further amend section one of the act, approved the twenty-eighth day of April, one thousand eight hundred and ninety-nine (P. L. 117), entitled "An act making it unlawful for any person to hold himself out or advertise himself as a lawyer, attorney-at-law, or counsellor-at-law in any county of the State of Pennsylvania, unless duly admitted to practice by a Court of Record of any county in this Commonwealth, and providing a penalty therefor," by defining and prohibiting certain acts related to the practice of the law by persons, partnerships, associations, and corporations not duly and regularly admitted to practice law, and defining the practice of law and defining those who may engage in the practice of law, and providing for penalties.

Mr. ZAPPALA, from the Committee on Counties, reported as committed, House Bill No. 1735, entitled:

An Act to amend section sixteen of the act, approved the seventeenth day of June, one thousand nine hundred and thirteen (P. L. 507), entitled "An Act to provide revenue for State and county purposes, and, in cities coextensive with counties, for city and county purposes; imposing taxes upon certain classes of personal property; providing for the assessment and collection of the same; providing for the duties and compensation of prothonotaries and recorders in connection therewith; and modifying existing legislation which provided for raising revenue for State purposes," by providing that the taxes hereafter or heretofore imposed by the first section shall be a first lien on all real property of the resident against whom the same are assessed.

Mr. FLANNERY, from the Committee on Cities, reported as committed, House Bill No. 1324, entitled:

An Act authorizing cities of the third class to surrender their charter and be constituted a borough or boroughs; providing the procedure therefor and terminating the terms of the officers of such city when the borough government or governments are organized.

Mr. HIRSCH, from the Committee on Education, reported as amended, House Bill No. 1126, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by requiring that coaches of athletics shall be teachers regularly employed by the school district; conferring upon the State Council of Education authority to designate the minimum program of instruction in elementary and secondary schools and to set up standards and regulations for the establishment and classification of secondary schools; and allowing certain pupils to attend school in other districts.

Mr. HIRSCH, from the Committee on Education, reported as committed, House Bill No. 1840, entitled:

An Act to amend section one thousand one hundred two of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," as amended, providing that county, district, assistant and associate superintendents shall not be otherwise employed for remuneration.

Mr. TOOLE, from the Committee on State Boards, reported as amended, House Bill No. 1785, entitled:

An Act to further amend section sixteen of the act, approved the seventeenth day of May, one thousand nine hundred and seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of a samples of drugs for determining their quality, strength, and purity," by providing for special registration of veterans in certain cases.

Miss BRANCATO, from the Committee on State Boards, reported as amended, House Bill No. 1757, entitled:

An Act to further amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1216), entitled "An act to define real estate brokers and real estate salesmen; and providing for the licensing, regulation, and supervision of resident and non-resident real estate brokers and real estate salesmen and their business," by further defining real estate brokers and real estate salesmen; and further providing for the licensing, regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business.

Mr. McFALL, from the Committee on Agriculture, reported as committed, House Bill No. 2333, (Senate Bill No. 148), entitled:

An Act to amend the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws 730) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" as amended by further regulating the manufacture and sale of carbonated beverages and still drinks changing the penalties prescribed and providing for injunctions in certain cases.

Mr. JAMES W. PATTERSON, from the Committee on Cities, reported as amended, House Bill No. 2325, (Senate Bill No. 1154), entitled:

An Act to amend article four of the act approved the seventh day of March, one thousand nine hundred one (P. L. 20), entitled "An act for the government of cities of the second class." transferring to the Department of Public Works the powers and duties relative to the removal and disposal of all offal garbage and swill.

Mr. COLEMAN, from the Committee on Counties, reported as committed, House Bill No. 2295, (Senate Bill No. 1007), entitled:

An Act to add section four hundred seven and one-tenth to the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing and regulating the designation of certain banking institutions as deputy county tax collectors by the board for the selection of depositories in counties of the second class; and defining their powers and duties.

Mr. BROWN, from the Committee on Cities, reported as amended, House Bill No. 2327, (Senate Bill No. 1157), entitled:

An Act authorizing and empowering cities of the second class to erect and construct waterworks as herein defined within and without their corporate limits to acquire property within and without their corporate limits by purchase lease gift and the power of eminent domain and to use sell and purchase water within and without their corporate limits prescribing the powers and duties of such cities providing for the assessment of damages and repealing inconsistent laws.

Mr. BROWN, from the Committee on Cities, reported as committed, House Bill No. 2339, (Senate Bill No. 743), entitled:

An Act to amend sections five six and twelve of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for th management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its fund and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by providing for a secretary-treasurer in lieu of a secretary and a vice president of the board and establishing a method for determining classification of beneficiaries.

Mr. ACHTERMAN, from the Committee on State Government, reported as committed, House Bill No. 2188, (Senate Bill No. 679), entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a certain lot of ground in the Township of North Annville Lebanon County.

Mr. SHAW, from the Committee on Counties, reported as committed, House Bill No. 2290, (Senate Bill No. 871), entitled:

An Act to amend the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by conferring on such counties the power to adopt ordinances and resolutions; providing for the zoning and the regulation of the location, height, bulk and use of buildings and other structures and of the uses of land, and the requirement of building permits, in the portions of counties lying outside of cities, boroughs and townships of the first class; providing for the creation, organization, powers and duties of county zoning commissions and boards of adjustment; imposing duties on the State Planning Board and on State officials, departments and agencies; and prescribing penalties.

Mr. SHAW, from the Committee on Welfare, reported as committed, House Bill No. 2356, (Senate Bill No. 1122), entitled:

An Act providing for the erection construction and equipment of a Maximum Security State Penitentiary for the detention care maintenance and employment of maximum security prisoners transferred thereto from the Eastern and Western State Penitentiary designating the manner of acquiring or setting aside of land for the erection and construction thereon of the Penitentiary by The General State Authority authorizing the Commonwealth to lease the penitentiary and its grounds from The General State Authority upon its completion and the Department of Welfare to manage and operate the same providing that the cost of maintaining convicts therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of convicts in State penitentiaries and conferring powers and imposing duties upon certain State departments boards commissions and officers.

Mr. SHAW, from the Committee on Counties, reported as committed, House Bill No. 2291, (Senate Bill No. 872), entitled:

An Act to amend article six of the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for county and regional planning, and the creation, organization and powers of county and regional planning commissions, and imposing duties on certain city, borough, town and township authorities.

Mr. MOONEY, from the Committee on Cities, reported as amended, House Bill No. 2324, (Senate Bill No. 1153), entitled:

A Supplement to the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of the cities of the second class;" establishing a Department of Lands and Buildings in said cities; providing for its officers and employes; defining the powers, duties and jurisdiction of said department and in certain cases transferring the same from existing departments.

Mr. FALKENSTEIN, from the Committee on Municipal Corporations, reported as committed, House Bill No. 2349, (Senate Bill No. 1076), entitled:

An Act to amend section one as amended and sections two and three of the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (Pamphlet Laws 129), entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" requiring cities to make certain appropriations to the police retirement fund increasing the maximum payments by members and generally clarifying the provisions of said act.

Mr. POWERS, from the Committee on Cities, reported as committed, House Bill No. 2326, (Senate Bill No. 1156), entitled:

An Act authorizing and regulating the issuing by cities of the second class of non-debt revenue bonds for the construction or acquisition of waterworks and for extensions and improvements to waterworks providing for the redemption of such bonds and the payment of interest thereon from rentals and charges, imposing upon consumers and establishing the rights of bondholders.

Mr. WHALEN, from the Committee on Counties, reported as amended, House Bill No. 1417, (Senate Bill No. 197), entitled:

An Act to amend section one of the act, approved the twenty-sixth day of June, one thousand nine hundred and thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuations for taxation is concerned; and providing for the acceptance of this act by cities"; providing for the appointment of the members of the boards for the assessment and revision of taxes by the Auditor General of the Commonwealth; terminating the terms of the existing members of such boards; and fixing the membership of the county salary boards for certain purposes.

Mr. HIRSCH, from the Committee on Education, reported as committed, House Bill No. 2313, (Senate Bill No. 144), entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the powers and duties of district superintendents supervising principals and county superintendents changing the qualifications of county district assistant and associate superintendents and supervising principals increasing the terms of county and district superintendents and conferring powers and imposing duties on the State Council of Education.

Mr. LEVY, from the Committee on Banking, reported as committed, House Bill No. 2346, (Senate Bill No. 1047), entitled:

An Act to amend the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the Court of Common Pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durants absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by further modifying the terms qualifications and other conditions under which the investment of trust funds may be made by fiduciaries by further providing for additional investments of trust funds by fiduciaries and by further providing with respect to the retention or sale of certain investments in the hands of fiduciaries.

Mr. WAGNER, from the Committee on Cities, reported as committed, House Bill No. 993, (Senate Bill No. 85), entitled:

An Act to amend sections four thousand four hundred and one and four thousand four hundred and two of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one, (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising and consolidating the law relating thereto," placing under civil service salaried positions in connection with the operation and maintenance of a water supply system.

Mr. REUBEN E. COHEN, from the Committee on Cities, reported as committed, House Bill No. 2299, (Senate Bill No. 1046), entitled:

An Act imposing upon the Board of Revision of Taxes in cities of the first class the duty of reading water meters; authorizing the employment of assistants for the performance of such duties; fixing the salaries of such assistants; and repealing inconsistent acts

Mr. DOWNEY, from the Committee on Highways, reported as committed, House Bill No. 2148, (Senate Bill No. 571), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, Superintendents of Highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers so the State highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages

in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein, providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State-aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of townships, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same, providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to the Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, by empowering viewers appointed to ascertain and assess damages upon petition of the county commissioners or property owners to also assess any benefits.

Mr. WEIDEMANN, from the Committee on Counties, reported as committed, House Bill No. 2294, (Senate Bill No. 950), entitled:

An Act relating to the settlements of accounts of collectors of county taxes providing for procedure in such cases and for appeals to Courts of Common Pleas.

Mr. SCHROCK, from the Committee on Counties, reported as committed, House Bill No. 2313, (Senate Bill No. 999), entitled:

An Act to amend section three hundred eleven, as amended, of the act approved the second day of May, one thousand nine hundred twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," further regulating the rights of persons elected by vote of the people who become members of the retirement system in counties of the second class.

Mr. PERRY, from the Committee on Judiciary General, reported as committed, House Bill No. 2360, (Senate Bill No. 1167), entitled:

An Act to define and restrict the obligation of persons engaged on connected with or employed by certain newspapers or press associations in testifying as to the source of information procured or obtained by such persons

Mr. LONGAKER, from the Committee on State Government, reported as committed, House Bill No. 2202, (Senate Bill No. 654), entitled:

An Act fixing the salary of the stenographer to the President of the Senate and the clerk of the President Pro Tempore of the Senate.

Mr. LONGAKER, from the Committee on State Government, reported as committed, House Bill No. 2321, (Senate Bill No. 1211), entitled:

An Act providing for the erection construction and equipment of a new Pennsylvania Industrial School to take the place of the present Pennsylvania Industrial School at Huntingdon designating the manner of acquiring or setting aside of land for the erection and construction of the new school by The General State Authority authorizing the Commonwealth to lease the new school and its grounds from The General State Authority upon its completion and the Department of Welfare to manage and operate the same providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon and conferring powers and imposing duties upon certain State departments boards commissions and officers.

Mr. GANSER, from the Committee on Agriculture, re-reported as committed, House Bill No. 1894, entitled:

An Act relating to soil conservation and soil erosion and regulating land use practices contributing to soil wastage and soil erosion providing for the organization of soil conservation districts as governmental subdivisions of the Commonwealth with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources prescribing the officers and employes thereof and defining their powers and duties creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act providing financial assistance to such soil conservation districts prescribing penalties and making an appropriation.

Mr. JOHN A. SMITH, from the Committee on Agriculture, re-reported as amended, House Bill No. 1959, entitled:

An Act to provide for the conservation protection improvement and profitable use of agricultural land resources in the State of Pennsylvania and for corporation with the governments and agencies of other states and of the United States pursuant to the provisions of section seven of an Act of the Congress of the United States known as the Soil Conservation and Domestic Allotment Act to assent to and accept the provisions of said act to constitute and establish the Pennsylvania Agricultural Conservation and Adjustment Committee and in conformity with the provisions of said act to designate and authorize said committee as the State agency of this State in conformity with such provisions to formulate submit to the Secretary of Agriculture of the United States and administer State plans to carry out the provisions of this act to define the powers and duties of said committee as such State agency to provide for the selection of its members and otherwise to provide for the administration of this act and making an appropriation.

Mr. TRONZO, from the Committee on State Boards, re-reported as amended, House Bill No. 1800, entitled:

An Act to provide for the better protection of life and property by the examination and licensure by the Department of Public Instruction of engineers having charge of stationary steam or mercury boilers engines turbines and such power hoisting and portable machinery as shall be used in all construction work not operated by electric power designating the requirements necessary to secure the licensure providing for the collection of fees making it a misdemeanor to operate or cause to be operated such apparatus without licensure and providing penalties.

Mr. BROWNFIELD, from the Committee on Education, re-reported as amended, House Bill No. 1465, entitled:

An Act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational schools departments or classes providing for their government prescribing their powers and duties concerning powers and imposing duties on school districts and on the State Board for Vocational Education and providing for referendum in certain cases.

Mr. SHUGARTS, from the Committee on Counties, reported as amended, House Bill No. 151, entitled:

An Act to amend the act approved the eleventh day of May one thousand nine hundred and twenty-five (Pamphlet Laws five hundred sixty-one) entitled "An act to provide for the selection of jurors to serve in the several courts criminal and civil of counties of the second class and defining the qualifications of such jurors providing for the organization of a commission for the selection of jurors in such counties and prescribing its powers and duties and authorizing it to investigate as to the qualifications of prospective jurors imposing the expense of maintaining and operating said commission upon said counties and requiring the county commissioners to provide suitable quarters equipment and supplies authorizing the employment of the necessary clerks and other employes and providing for a salary board composed of the commission the county commissioners and the controller of said counties to fix the number and compensation of such employes requiring county officers and boards to furnish information to said commission concerning taxables resident in said county as to their eligibility for jury service repealing inconsistent legislation and prescribing punishment for the violation hereof" as amended by extending the provisions of said act to counties of the third fourth fifth sixth seventh and eighth class and repealing inconsistent and supplied legislation.

BILL ON FIRST READING

Mr. LEVY asked and obtained unanimous consent for House Bill No. 2346, (Senate Bill No. 1047) to be read for the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2346, (Senate Bill No. 1047), entitled:

An Act to amend the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the Court of Common Pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by further modifying the terms qualifications and other conditions under which the investment of trust funds may be made by fiduciaries by further providing for additional investments of trust funds the retention or sale of certain investments in the hands of fiduciaries

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

REPORT FROM COMMITTEE

Mr. HAGERTY from the Committee on Cities, reported as committed, Senate Concurrent Resolution, Serial No. 102.

The resolution was read by the Clerk as follows:

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, January 11, 1937.

Whereas, The City of Philadelphia has experienced difficulty in balancing its budget for the year 1937; and

Whereas, Government costs in the city and county are deemed high and it is necessary to materially reduce these costs in order to prevent an increase in the tax on real property; and

Whereas, It is deemed desirable to make a thorough investigation of governmental costs in said city and county in order to ascertain where savings can be effected, and where additional revenues may be secured if the same becomes necessary; therefore be it

Resolved, (if the House of Representatives concur), That a commission is hereby created which shall be composed of three members of the Senate to be appointed by the President of the Senate, and four members of the House of Representatives to be appointed by the Speaker of the House, whose duty it shall be to make a careful, thorough and impartial investigation of all governmental costs in the City and County of Philadelphia, including each and every agency expending public moneys raised by taxation, to ascertain the business and activities of the various governmental agencies and the present allocation of such business among such agencies of the city and county; and to devise ways, means and methods of raising revenue and effecting savings in the cost of government;

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases;

Resolved, That said committee shall make a report of its findings and recommendations to the General Assembly at this session as early as possible.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE BILL FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 883. (HOUSE BILL No. 2378).

An Act relating to public assistance providing for and regulating assistance to certain classes of persons designated and defined as dependent children aged persons blind persons and other persons requiring relief providing for the administration of this act by the Department of Public Assistance and county boards of assistance hereby created for this purpose authorizing the Department of Public Assistance to cooperate with and to accept and disburse moneys received from the United States government for assistance to such persons providing for the liquidation of the State Emergency Relief Board Boards of Trustees of the Mothers' Assistance Fund and Boards of Trustees of Pension Fund for the Blind and repealing laws relating to mothers' assistance pensions for the blind old age assistance and the State Emergency Relief Board.

Referred to the Committee on Welfare.

Mr. FLINCHBAUGH in the Chair.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 638, entitled:

An Act making an appropriation to the Trustees of Lincoln University Chester County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1141, entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1153, entitled:

An Act making an appropriation to the Department of Property and Supplies for repairs, alterations, and additions to or replacements of existing buildings and equipment to eliminate fire and other hazards to safety at State institutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1372, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such Department with the General State Authority for the use and structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 486, entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 865, entitled:

An Act making an appropriation to the Elwyn Training School, at Elwyn in the County of Delaware Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2330, entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1974, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating a National Shrines Commission in the Department of Military Affairs and prescribing its powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1301, entitled:

An Act authorizing vaudeville exhibitions in conjunction with moving picture exhibitions in certain cities boroughs towns or townships where the voters have approved the exhibition of moving pictures on Sundays.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 867, entitled:

An Act providing for the registration with the Secretary of the Commonwealth of names and marks branded on containers of milk cream and other dairy products regulating the purchase sale possession use and destruction of containers so branded imposing penalties providing for the issuing of search warrants and prescribing what shall be prima facie evidence of a violation of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 283, entitled:

An Act relating to basket-ball on Sunday prohibiting basket-ball on Sunday unless the electors of a municipality or townships are in favor of the same and requiring certain cases that a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. MELCHIOIRE. Mr. Speaker, I move that this bill be recommitted to the Committee on Law and Order for the purpose of amendment.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1841, entitled:

An Act to amend section three hundred and eighteen of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws three hundred sixty-four) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas and certain State departments commissions and officers authorizing certain State departments boards comissions or officers to collect fees for service required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" further regulating financial reports of corporations to shareholders

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1934, entitled:

An Act for the public safety requiring and regulating the installation of gas shut-off valves and accessory appliances in and in connection with certain buildings and conferring powers and duties on the Department of Labor and Industry and cities of the first second and second A classes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1537, entitled:

An Act relating to Sunday music permitting musicians to receive compensation for services rendered on Sunday authorizing pay concerts to be given and broadcast on Sunday under certain circumstances and allowing school and certain public buildings and parks to be used therefor and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2252, (Senate Bill No. 357), entitled:

An Act to amend sections one thousand six and one thousand thirty-five as amended and section one thousand sixty-two of the act approved the fourth day of May one thousand nine hundred twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for and regulating the method of making appropriations expenditures employments contracts and purchases by boroughs relating to the preparation of the annual budget on forms to be prepared by representatives of the State Association of Boroughs and Department of Internal Affairs providing for public notice of the preparation of such budget relating to the filing of such budget with the Department of Internal Affairs regulating the preparation of the auditors' statement requiring the controller or secretary to file an annual report with such department conferring jurisdiction of certain cases upon aldermen magistrates and justices of the peace and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2181, (Senate Bill No. 274), entitled:

An Act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, re-enactments and repeals of statutes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2166, (Senate Bill No. 610), entitled:

An Act providing for the creation of a legal holiday on September 17 1937 to be known and observed as "Constitution Day"

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1350, (Senate Bill No. 222), entitled:

An Act to amend sections five hundred and fifty-nine and five hundred and sixty-two of the act, approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the collection of taxes for which collectors have been exonerated and other delinquent taxes and authorizing the appointment of collectors of delinquent taxes therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2287, (Senate Bill No. 314), entitled:

An Act to amend the act approved the twenty-fourth day of March one thousand eight hundred and sixty-five (Pamphlet Laws forty-nine) entitled "An act supplementary to an act regulating railroad companies approved the nineteenth day of February Anno Domini one thousand eight hundred and forty-nine" so as to provide for merger as well as consolidation of railroad companies or corporations in certain cases and modifying limitations restrictions and conditions under which such consolidation or merger may be made the effect thereof and the rights of dissenting stockholders

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2282, (Senate Bill No. 773), entitled:

An Act relating to the dissemination of information pertaining to affairs of the Commonwealth including information pertaining to civil rights and constitutional guarantees and conferring powers and duties with respect thereto upon the Department of State

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2211, (Senate Bill No. 643), entitled:

An Act regulating and prescribing the computation and running of sentences for criminal offenses

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2284, (Senate Bill No. 1105), entitled:

An Act concerning proxies authorizing representation and voting of capital stock of railroad corporations at meetings and elections thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2258, (Senate Bill No. 1086), entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections, and in case any bonds have been sold by a municipality and the publication of notices of the sale have been defective, to cure such defective publication of sale notices and validate the sale thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2199, (Senate Bill No. 359), entitled:

An Act authorizing any street railway company or any motor power company of this Commonwealth owning all of the capital stock of any company having power to transport persons in common carriage by trackless trolley car, incorporated under the law of this Commonwealth, to acquire the corporate powers, franchises, property, rights, and credits of such company.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2288, (Senate Bill No. 339), entitled:

An Act to amend the act approved the thirteenth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws two hundred five) entitled "An act prescrbiing the amount of stock and bonds which may be issued by railroad companies heretofore or hereafter consolidated and merged" by making the same applicable to the surviving company in case of a merger and by modifying the limitations restrictions and conditions affecting the issue of stock and bonds

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2304, (Senate Bill No. 1133), entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections and in case any bonds have been sold by a municipality and the publication of notices of the sale have been defective to cure such defective publication of sale notices and validate the sale thereof

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2257, (Senate Bill No. 1045), entitled:

An Act to amend the title and sections one, two, three, four and five of the act, approved the nineteenth day of July, one thousand nine hundred and thirty-five (P. L. 1349), entitled "An act providing for the purchase and for

the distribution of vitamin products, as defined in this act, to certain pupils in the public schools; conferring powers and imposing duties on the Department of Health, the Department of Public Instruction, the Department of Property and Suplies, school districts, teachers, and medical inspectors of schools; and making an appropriation;" extending the provisions of said act to children under twelve years of age.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2292, (Senate Bill No. 931), entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens in the several cities of the third class, boroughs, and townships of the first class of this Commonwealth; and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor, and the proceedings for the collection of such assessments, claims, and liens.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2296, (Senate Bill No. 1023), entitled:

An Act to amend section six hundred and nine of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance cmpanies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" requiring certain existing corporations to comply with the provisions of the aforementioned act

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2267, (Senate Bill No. 740), entitled:

An Act to re-enact and amend the act approved the tenth day of March one thousand nine hundred and thirty-seven (Act No. twenty-one) entitled "An act to protect miners in the bituminous coal regions of this Commonwealth from fraudulent deprivation of wage providing standard weights and measurements for coal mined and prohibiting the use of other standards providing methods for the ascertainment of proper weights and measurements through check-weighmen and check-measurers elected by the miners imposing duties and liabilities upon operators and imposing penalties" clarifying the provisions of said act providing for the filing of complaints with the Court of Common Pleas and for the procedure thereon and providing additional penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2271, (Senate Bill No. 189), entitled:

An Act to amend section two hundred and two of the act, approved the second day of May, one thousand nine hundred twenty-five (P. L. 448), entitled "An act relating to fish, and amending, revising, consolidating, and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth," by providing additional penalties for killing fish by pollution or explosions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2207, (Senate Bill No. 670), entitled:

An Act to further amend section four of the act approved the seventh day of August one thousand nine hundred thirty-six (Pamphlet Laws one hundred six) entitled "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships the Department of Highways and the Department of Property and Supplies" by providing for recording of completed suitable plans and the effect thereof as constructive notice to owners of property taken damaged or destroyed

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The SPEAKER (Roy E. Furman) in the Chair.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess for one-half hour. Are there objections? The Chair hears none, and declares a recess for one-half hour.

AFTER RECESS

The SPEAKER (Roy E. Furman) in the Chair.

The time of recess having expired, the House was called to order.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 19, 1937.

Resolved, (if the House of Representatives concur), That Senate Bill No. 756, Printer's No. 422, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associa-

tions or exchanges providing penalties and repealing existing laws" by providing penalties for any insurance company association or exchange which exceeds the powers granted under a certificate of authority.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 99.

An Act to amend sections thirty-two and thirty-eight of the act approved the nineteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws five hundred forty-three) entitled as amended "An act relating to the sale of goods and choses in action" by providing for the negotiation of documents of title.

SENATE BILL No. 219.

An Act to amend section two hundred and seventy-eight of the act approved the second day of May one thousand nine hundred and tyenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended providing for the appointment and compensation of [a] detective to the district attorney in counties of the fifth class.

SENATE BILL No. 421.

An Act to validate indebtedness incurred by cities of the third class for the extension enlargement and improvement of the water-works of such city.

SENATE BILL No. 945.

An Act to provide for a Sinking Fund in cities of the first class in this Commonwealth requiring the Sinking Fund Commission to estimate the amount annually needed for such Sinking Fund and to transmit such estimate or copy thereof to the City Council the Mayor and the City Controller making it the duty of the council to appropriate and provide the sum so estimated to be required and repealing inconsistent legislation.

SENATE BILL No. 946.

An Act to amend section two of an act approved the sixteenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws seventeen hundred and seventy-three) entitled "An act to supplemnnt an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled 'An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for illegal increases thereof' by authorizing the sale of property purchased by a public corporation out of funds provided by increase of indebtedness of such corporation and providing for the disposition of the funds realized from such sale" by eliminating the requirement that the proceeds of the sale of property acquired in fee simple with funds raised by a public corporation through an increase of its indebtedness in an amount exceeding two (2) per centum of the last preceding assessed valuation of the taxable property therein shall be deposited in the funds of such corporations for the redemption of bonds of said corporation when the said bonds issued for the acquisition of such property or bonds refunding such original issue shall have been redeemed and paid.

SENATE BILL No. 1021.

An Act providing for the creation of sewer districts in cities of the first class for the construction of sewers and sewer systems and providing the method of assessing the expenses of such construction upon properties abutting such sewer or served and accommodated thereby.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

REPORTS FROM COMMITTEES

Mr. BROWN, from the Committee on Appropriations, reported as committed, House Bill No. 408, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Mr. BROAD, from the Committee on Mines and Mining, reported as committed, House Bill No. 2289, (Senate Bill No. 413), entitled:

An Act to amend section six as amended in part, and section ten of the act, approved the thirty-first day of May one thousand nine hundred and twenty-three (P. L. 481), entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen, assistant mine foreman ,and fire bosses in the bituminous coal mines of this Commonwealth; prescribing the qualifications; defining the powers and duties, and fixing the compensation of such examiners; authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations, and to designate the boards before whom applicants in the various inspection districts shall appear; providing for the issuance of certificates of qualification to successful applicants; fixing the fees to be paid by applicants, and providing for their disposition; forbidding the employment of unqualified persons as mine foremen, assistant mine foremen, and fire bosses; providing a penalty for forging or making false statements regarding certificates;" further regulating the qualifications and examination of applicants for said certificates of qualification, and the employment of foremen and assistant foremen in such mines.

Mr. ROBINSON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 2320, (Senate Bill No. 1120), entitled:

An Act to amend section ten and section fifteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred seven) entitled "An act providing when ow upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under oath and prior acts of Assembly" by providing further procedure for preserving such liens and enforcing payment of such claim.

Mr. MARINO, from the Committee on Mines and Min-

ing, reported as committed, House Bill No. 2367, (Senate Bill No. 365), entitled:

An Act to further amend the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" and repealing inconsistent acts.

Mr. BRADLEY, from the Committee on Corporations, reported as committed, House Bill No. 2368, (Senate Bill No. 485), entitled:

An Act to re-enact and amend the act approved the seventh day of June one thousand eight hundred and eighty-seven (Pamphlet Laws 365) entitled "An act to encourage and authorize the formation of cooperative associations productive and distributive by farmers mechanics laborers or other persons" by extending and changing the provisions thereof.

Mr. PRESTON, from the Committee on Corporations, reported as committed, House Bill No. 2246, (Senate Bill No. 874), entitled:

An Act to amend section forty of the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" providing for the renewal of charters of corporations the charters franchises and property of which have been purchased by another corporation

Mr. CAPUTO, from the Committee on Appropriations, reported as amended, House Bill No. 2362, (Senate Bill No. 1238), entitled:

A Joint Resolution creating a commission to make certain studies in respect to bituminous mines defining its powers and duties and making an appropriation.

Mr. WRIGHT, from the Committee on Mines and Mining, reported as committed, House Bill No. 2275, (Senate Bill No. 415), entitled:

An Act providing for the examination and certification of and regulating the employment of shot-firers and mining machine runners employed in gaseous bituminous coal mines imposing duties upon the Secretary of Mines and providing penalties.

Mr. MORAN, from the Committee on Labor, reported as amended, House Bill No. 2334, (Senate Bill No. 199), entitled:

An Act to amend section one section three as amended sections seven and thirteen and section seventeen as amended and to repeal section six of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (Pamphlet Laws 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishment in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations of by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as amended by excepting from the provisions of the act certain occupations and professions further regulating the hours of labor eliminating existing provisions permitting over-time work in certain cases and the exemption for the canning industry' imposing duties on employers and conferring powers and imposing duties on the Department of Labor and Industry and providing penalties.

Mr. SPENGLER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 2358, (Senate Bill No. 1158), entitled:

An Act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto.

Mr. WATKINS, from the Committee on Mines and Mining, reported as committed, House Bill No. 2276, (Senate Bill No. 416), entitled:

An Act providing for the examination and certification of and regulating the employment of mine electricians in bituminous coal mines imposing duties upon the mine foremen's examining board and the Secretary of Mines and providing penalties.

Mr. SHAW, from the Committee on Welfare, reported as committed, House Bill No. 2359, (Senate Bill No. 1162), entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws 1199) entitled "An act for the acceptance of a site from the University of Pittsburgh and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital providing for the erection construction and equipment of said hospital when appropriations are made available and for its management by the Department of Welfare" providing for the conveyance of said tract to the General State Authority for the construction of said hospital and for the leasing thereof by the Commonwealth after construction.

Mr. BAINE, from the Committee on Ways and Means, reported as committed, House Bill No. 2343, (Senate Bill No. 911), entitled:

An Act providing for the payment into the State Treasury without escheat of certain moneys and property subject to escheat under existing law namely unclaimed dividends and profits debts and interest on debts proceeds of policies of insurance stock and customers deposits held by certain limited partnerships and unincorporated associations joint-stock associations companies and corporations doing business under the laws of this Commonwealth declaring the legislation intent with respect to such payments requiring reports of such money and property by and imposing other duties upon such partnerships associations and corporations conferring powers and imposing duties on certain State officers boards and departments providing for jurisdiction of courts and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue providing for refunds of such moneys and property and prescribing penalties.

Mr. FINNERTY, from the Committee on Municipal Corporations, reported as committed, House Bill No. 2307, (Senate Bill No. 486), entitled:

An Act to further amend section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims

for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" making additional provision for the filing of tax claims.

Mr. DONOHOE, from the Committee on Corporations, reported as committed, House Bill No. 2140, (Senate Bill No. 481), entitled:

An Act to amend a part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws seventy-three) entitled "An act to provide for the incorporation and regulation of certain corporations" vesting discretion in the governor with respect to the approval of the charter of certain corporations

Mr. SHAW, from the Committee on Legislative Apportionment, reported as amended, House Bill No. 1817, entitled:

An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution.

Mr. SARRAF, from the Committee on Appropriations, re-reported as amended, House Bill No. 2263, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Mr. AUKERMAN, from the Committee on Appropriations, re-reported as committed, House Bill No. 1962, entitled:

An Act making an appropriation to the Department of Internal Affairs for the completion of certain geologic and topographic surveys and studies and the publication of the results thereof and also the re-publication of certain surveys and studies in order to make the same available to the citizens of the State.

Mr. ALEXANDER, from the Committee on Appropriations, re-reported as amended, House Bill No. 2264, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Mr. GERARD, from the Committee on Appropriations, re-reported as amended, House Bill No. 1177, entitled:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-seven.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 408, entitled:

An Ac. making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

The SPEAKER. House Bill No. 1364. Printer's No. 996, is erroneously on the second reading calendar. It should be on the first read calendar.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1364, entitled:

An Act relating to ice hockey and ice skating exhibitions on Sunday prohibiting ice hockey and ice skating exhibitions on Sunday unless the electors of a municipality or township are in favor of the same and requiring in certain cases that a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2026, entitled:

An Act to further amend the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" by defining the jurisdiction of the Pennsylvania Milk Control Commission over such associations and regulating the sale and marketing of milk thereby

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the next to the last paragraph of section four of the act approved the thirteith day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agricultural dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" is hereby amended to read as follows

Said articles of association accompanied with proof of publication of the notice hereinbefore provided to be given shall then be presented to the Governor of this Commonwealth who shall examine the same and [if he] shall refer it to the Pennsylvania Milk Control Commission If the Governor finds it in proper form and within the purpose mentioned in this act and if the Milk Control Commission shall find and so certify to the Governor that the application is a genuine one and not made for the purpose of avoiding full compliance with the provisions of the act approved the twenty-eighth day of April one thousand nine hundred and thirty-seven known as the "Milk Control Law" he shall indorse his approval thereon and direct letters patent to issue in form similar to those issued to business corporations [of the second class] in this Commonwealth which letters patent shall incorporate the subscribers and their associates and successors into a body politic and corporate in deed and in law by the name chosen Said articles of association shall be recorded in the office of the Secretary of the Commonwealth in a book to be by him kept for the purpose

On the question,

Will the House agree to the section?

Mr. JOHN A. SMITH. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk

The amendment was read by the Clerk as follows:

Amend section 1 (section 4), page 5, lines 14 to 18 by striking out the words "In the event that such association or corpo-" in line 14 and all of lines 15 to 18.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were separately read and agreed to as follows:

Section 2 Section sixteen of said act as amended by section four of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 645) is hereby further amended to read as follows

Section 16 Any such association after making provision for the payment of dividends on the preferred stock and before payment of dividends on the common stock or the distribution of any patronage refund or dividend shall set aside ten per centum of the total net earnings annually for a reserve fund until the reserve fund shall equal at least thirty per centum of the paid up capital stock The reserve fund shall be available for such purposes as shall be designated and authorized by the vote of two-thirds of the members of the board of directors at a duly assembled meeting of said board subject to such limitations and conditions as shall be provided for in the by-laws Any such association handling processing or marketing milk or milk products shall file such annual and other periodic report with the Pennsylvania Milk Control Commission concerning its transactions as the said board may require containing such information as the said board may require Any cooperative agricultural association or corporation organized under the laws of this Commonwealth and any similar association or corporation organized under the laws of this or any other state and engaged in making collective sales or marketing of milk for the producers thereof may any other law of this Commonwealth to the contrary notwithstanding blend the net proceeds of its sales in all its markets or of its sales within any particular market in various classes and whether in fluid form or as manufactured products both within and without the Commonwealth and pay its producers such blended price with such deductions and differentials as may be authorized under contract between such association or corporation and its producers and may make collective sales of the milk of its members and other producers represented by it at a blended price based upon sales thereof in the various classes and whether in fluid form or as manufactured products both within and without the Commonwealth and which price is to be paid either directly to the producers or to the cooperative agricultural association or corporation Any milk dealer may any other law of this Commonwealth to the contrary notwithstanding contract for his milk with any such cooperative agricultural association or corporation upon such basis Neither the contracts of such cooperative agricultural association or corporation with its producers nor the rights and powers of such an association or any of its operations shall be affected or abridged by any provision of any law of this Commonwealth regulating the production distribution or sale of milk unless such contracts or operations are determined by the Milk Control Commission to discriminate unfairly between or to be otherwise injurious to producers of milk This section shall not however be construed to exempt such association or corporation from the jurisdiction of the Milk Control Commission over the prices at which it may sell milk to milk dealers stores or consumers If the Milk Control Commission determines that the blended or other prices paid by or through any arrangement with such association or corporation are unreasonable or do not conform with the contacts or operations discriminate unfairly between or are otherwise injurious to producers such association or corporation shall be deemed to have waived all exemptions provided in this section In any such case the board shall have power by official order to fix or blend the prices to be paid for milk by or through any arrangement with such association or corporation to producers and others In the event that such association or corporation violates any such act or any rule order or regulation of the Milk Control Commission each officer and director thereof shall be deemed to have committed such violation

An Act to further amend the act approved the thirtieth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 885) entitled "An act to provide for the incorporation and regulation of cooperative agricultural associations having capital stock and defining agriculture so as to include persons engaged in agriculture dairying livestock raising poultry raising floriculture mushroom growing beekeeping horticulture and other allied occupations and providing penalties" by defining the jurisdiction of the Pennsylvania Milk Control Commission over such associations and regulating the sale and marketing of milk thereby

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 2253, Senate Bill No. 358, Printer's No. 390, was passed over at the request of The SPEAKER.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2108, entitled:

An Act to carry into effect section eleven of Article one of the Constitution of the Commonwealth of Pennsylvania by designating the manner the courts and the cases in which suits may be brought against the Commonwealth defining the procedure in such cases and providing for the payment of judgment interest and cost by the Commonwealth

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That suits in assumpsit upon contracts express or implied and suits in trespass for negligence growing out of the construction operation or maintenance of any public work building or highway may be brought against the Commonwealth of Pennsylvania in the Court of Common Pleas in the county in which the cause of action arose or in the county where the seat of government is located and such suits may be prosecuted to final determination subject to appeal in the same manner and within the same limitations as to time as in the case of suits in assumpsit and trespass between individuals Nothing contained in this section however shall be construed to repeal or impair the provisions of the Workmen's Compensation Act of one thousand nine hundred and fifteen or its amendments or supplements

On the question,

Will the House agree to the section?

Mr. KANE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend page 1, section 1, line 8, by striking out at the end thereof the word "in".

Amend page 2, section 1, line 1, by striking out before the word "county" the word "the", and inserting in lieu thereof the words "of Dauphin"

Amend page 2, section 1, line 1, by striking out after the word "county" the words "in which the cause of action arose or in".

Amend page 2, section 1, line 2, by striking out the words "the county where the seat of government is located".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second to the fifth sections inclusive and title were separately read and agreed to as follows:

Section 2 No action shall be instituted nor cause maintained under the provisions of this act which shall have arisen prior to the date of the approval of this act

Section 3 Process in actions commenced under the provisions of this act shall be served upon the Attorney General or any of his deputies in the same manner and with like effect as in the case of suits between individuals The Attorney General or any of his deputies are authorized to accept service of any process in any such suit against the Commonwealth The practice and proceedings shall conform in all respects to the laws of this Commonwealth and the rules of court regulating similar cases between individuals

Section 4 In all suits brought under the provisions of this act it shall be incompetent to maintain as a defense that the Commonwealth is a sovereign power and is immune from liability

Section 5 In all cases where final judgment is obtained against the Commonwealth the records of such judgment shall be certified to the Auditor General who shall thereupon draw his warrant upon the State Treasurer for the payment of such judgment interest and costs All such judgment shall be paid out of the moneys appropriated by the General Assembly from time to time for the payment of such judgments.

An Act to carry into effect section eleven of Article one of the Constitution of the Commonwealth of Pennsylvania by designating the manner the courts and the cases in which suits may be brought against the Commonwealth defining the procedure in such cases and providing for the payment of judgment interest and cost by the Commonwealth.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1116, as follows:

An Act to provide a system to provide for a uniform system of poor relief administration throughout the Commonwealth through county bureaus of welfare under the county commissioners and through the Department of Public Welfare in cities coextensive with counties providing for referendums prescribing the powers and duties of the agencies charged with the care of the poor abolishing certain poor districts and terminating the terms of poor district officers providing for the disposition of poor district property for the transfer of poor persons and for the purchase of lands and the erection of buildings and providing for the levy of taxes

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Creation of County Bureau of Welfare Where Poor Districts Not Coextensive With County In any county where a poor district coextensive with the county has not heretofore been created there may be submitted to the electors of the county at any general or municipal election in the manner provided by the election laws the question whether the various local poor district in the county shall be abolished and a county bureau of welfare be created under the county commissioners to take over and administer the functions of the various local poor districts within the county In counties coextensive with cities the question shall be whether the Department of Public Welfare of the city shall take over and administer said functions instead of creating a bureau under the county commissioners

Section 2 Creation of County Bureau of Welfare in Lieu of Elected or Appointed Directors of the Poor In any county where a poor district coextensive with the county has heretofore been created which is managed and operated by elected or appointed directors or guardians of the poor or house of employment there may be submitted to the electors of the county at any general or municipal election in the manner provided by the election laws the question whether the elected or appointed directors or guardians of the poor or house of employment as the case may be shall be abolished and a county bureau of welfare be created under the county commissioners to take over and administer the functions of the county poor district

Section 3 Submission of Questions to Electors Either of the questions hereinbefore provided shall be submitted to the electors of a county at any such election whenever a petition signed by electors at least equal in number to five per centum of the highest vote cast in the county for any office at the last preceding general or municipal election asking for the submission of one of said questions is filed with the county commissioners Such petition shall be filed at least sixty days before the election at which it is to be submitted

The said question shall be printed on separate official ballots by the county commissioners and sufficient number of ballots shall be furnished to the election officers of each election district of the county so that said ballot may be supplied to each voter at such election In districts where voting machines are used such question shall appear on the face of the machine if the machine is properly equipped for such purpose

Said question if defeated at any election may again be submitted at a future election but not oftener than one in four years

Section 4 Returns and Computation of Votes The votes cast on such question shall be counted by the election officers and returns thereof made by them and by election officers where voting machines are used to the prothonotary of the county who shall lay the same before the return board for computation at the same time and in the same manner as other returns The return board shall compute the said returns for the county and certify the results of the vote cast on the question to the county commissioners.

Secion 5 Effect of Vote If a majority of the electors of a county voting on any such question shall vote in favor of the same then on the first Monday of January next following such election a county bureau of welfare shall be created to take over and administer the laws relating to the care of the poor in such county and the existing local poor district except as hereinafter pro-

vided with respect to the transfer of the poor which are not coextensive with a county are hereby abolished The terms of all overseers guardians and directors of the poor in any such county shall on said date cease and terminate Provided however That the elected or appointed directors and guardians of the poor of a county poor district shall thereupon become appointees in the bureau of welfare for a term equal to the remainder of the term for which they were elected or appointed and shall be entitled to receive the same compensation as they received while acting as director or guardian of the poor And provided further That in counties coextensive with a city the Department of Public Welfare shall take over and administer the laws relating to its care of the poor

Section 6 Creation of Bureau of Welfare Where County Commissioners Act as Directors of the Poor In every county where the commissioners are now acting as directors of the poor a county bureau of welfare may be created by the county commissioners to take over manage and administer the affairs of the poor district in like manner as is provided in this act in the case of counties where the electors shall vote in favor of creating such a bureau

Section 7 Organization and General Powers and Duties of Bureau of Welfare Every county bureau of welfare created under this act shall be organized in such manner and staffed by such personnel as the county commissioners may provide The county bureau of welfare shall have power and its duties shall be subject to the supervision and control of the county commissioners to administer and enforce the laws of the Commonwealth relating to the case of the poor and to have the management and operation of the county home almshouse house of employment and asylum and any and all property which is vested in the county or in the county poor district in accordance with existing law vesting such management in directors or guardians of the poor or house of employment Provided however That in cities coextensive with counties said powers and duties shall be vested in the Department of Welfare

Section 8 Disposition of Poor District Property Whenever any county bureau of welfare has been created or a city department of public welfare shall have taken over the care of the poor for the entire county as provided in this act the title to all real and personal property equipment and supplies now owned by the various township borough city or other local poor districts wholly or partly within such county shall be disposed for as follows

That of each township borough or city poor district except a township or borough district within a city coextensive with a county shall be transferred to be vested in the township borough or city in which located The township borough or city authorities are hereby given power and authority to sell the same and transfer title thereto and the proceeds thereof together with all moneys of such districts shall be used for general township borough or city purposes That of each township or borough district within a city coextensive with a county shall be vested in such city which shall have power to use such property or to sell the same and the moneys derived from such sale together with all other moneys and assets of the districts shall vest in such city

That of any other local poor district embracing territory in more than one political subdivision wholly within such county shall be transferred to and vested in the county The county commissioners of such county are hereby given powers and authority to use the same if suitable for the care and maintenance of the poor All moneys in the hands of any such poor district and other assets shall be turned over to the county for its use If such property is not suitable for the use the same shall be sold and the proceeds of such sale turned over to the county

In the case of a local poor district embracing territory in two counties where one or both such counties shall come within the provisions of this act the property and assets of the poor district shall belong proportionately to the county or counties coming under this act as the assessed value of the property within one county but within such poor district bears to the assessed value of the property within the other county but within the same poor district Where both counties come within the provisions of said act said real property may be used by the county wherein it shall be located and in such cases and in cases where only one of such counties comes within this act an adjustment for the value of such property and all other assets of the poor district shall be made by the county commissioners of the county and if such adjustment cannot be made amicably it shall be made by the Court of Common Pleas of the county having jurisdiction over the poor district upon petition of the county commissioners of either of said counties

Section 9 Transfer of Poor From Local Districts As soon as the county bureau of welfare or city department of public welfare is prepared to accommodate the poor of the county they shall give notice of the same by personal notice upon each of the directors or overseers of the poor of each township borough city county or other poor district within said county

Thereupon it shall be the duty of the directors or overseers of the poor of each township borough city county or other poor district within said county to remove if such removal be required all poor persons entitled to relief to the poorhouse or county home as designated by the bureau of welfare or Department of Public Welfare and from and after such time no expense for help assistance and maintenance of poor and destitute shall be incurred by such directors or overseers When by sickness or other sufficient cause any poor person cannot be removed to said poorhouse the overseers or directors shall represent the case to the nearest justice of the peace or alderman who being satisfied that said person cannot be removed shall certify the same to the bureau of welfare or Department of Public Welfare with an order directing the bureau of Welfare or Department of Public Welfare to maintain such poor persons until he or she can be removed and the charge and extra expense of such maintenance shall be paid from the funds of the county

Section 10 Provisions for Suitable Lands and Buildings Whenever in any county coming within the provisions of this act no adequate site or suitable buildings are available for the care of the poor or whenever the lands buildings furnishings and equipment for maintaining the poor in such county poor district are inadequate unsuitable and unsafe for the proper maintaining of the poor within such county the county commissioners or other tax levying body are authorized to purchase or acquire by right of eminent domain and take title in the name of the district such lands as to them may appear most eligible and suitable for the purpose of the erection thereon of proper adequate and suitable buildings for the employment and support of the poor in such county Any such purchase or acquisition shall be only with the approval of the Court of Quarter Sessions.

Section 11 Taxation The basis of taxation for poor purposes shall be the last preceding assessment for county purposes and in cities coextensive with counties for city purposes

The county commissioners or city council of any city coextensive with a county shall have authority to levy and collect a tax not exceeding in one year ten mills on the dollar of the assessed valuation for the purpose of supporting the poor paying officials and employes and the current expenses of managing the buildings and any farm connected therewith The taxes shall be levied at the same time and collected in the same manner as other county and city taxes

Section 12 Effective Date This act shall become effective on the first day of June one thousand nine hundred and thirty-seven

Section 13 Repeal All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare for the purpose of further study and amendment.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1114, as follows:

An Act providing for the administration of public assistance laws including mothers assistance old age assistance unemployment relief assistance and blind pensions creating county boards of assistance and abolishing boards of trustees of the Mothers Assistance Fund boards of trustees of Pension Fund for the Blind and various unemployment relief agencies and prescribing the powers and duties of such boards conferring powers on the Governor and county commissioners imposing certain duties on county treasurers the Auditor General and the Department of Welfare and relieving counties from certain costs and expenses

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Short Title This act shall be known and may be cited as the "Public Assistance Administration Act"

Section 2 Definitions The word "board" as used in this act shall be construed to mean the County Board of Assistance created by this act in each county of this Commonwealth

The words 'public assistance" as used in this act means financial aid and assistance to dependent children known as mothers assistance assistance to and burial of indigent aged residents pensions for the blind and assistance to the unemployed

The masculine gender when used in this act shall be construed to include the feminine

Section 3 County Boards of Assistance Created There is hereby created in each county of this Commonwealth a County Board of Assistance composed of seven citizens Four members of each of such boards shall be appointed by the Governor by and with the advice and consent of two-thirds of all the members of the Senate and the three remaining members of the board shall be appointed as follows One by each one of the three county commissioners of the county Each member before assuming the duties of his office shall take an oath of office before an officer qualified to administer oaths that he will faithfully and impartially perform the duties of his office as a member of the County Board of Assistance in accordance with the laws of this Commonwealth Said oath of office signed by the member shall be filed with the Department of Welfare All appointments made by the Governor shall be for terms of four years each from the dates of their respective appointments and until their successors are appointed and qualified The appointments made by the county commissioners shall be for terms running concurrently with the terms of the commissioner by whom appointed

The boards herein created shall organize on the first day of June one thousand nine hundred and thirty-seven and annually thereafter by electing a chairman and vice-chairman The executive director hereinafter provided for shall be the secretary of the board

Section 4 Eligibility of Members No person shall be eligible to be appointed a member of a board unless he shall have been a bona fide resident of the Commonwealth for at least five years and of the county for at least one year immediately preceding his appointment No person shall be appointed to or be eligible to be a member of a board who has at any time made social service work his vocation or who has taken a course of training in any school or college in social service work

Section 5 Meetings of Board Compensation and Expenses Each board created by this act shall meet from time to time as required by its rules Each member of a board shall receive compensation at the rate of five dollars ($5) for each meeting attended not exceeding however compensation for more than one meeting each week and shall also be entitled to be reimbursed for all expenses necessarily incurred in the discharge of his duties Such compensation and expenses shall be considered an item of administrative expense

Section 6 Employes of Boards Each board shall have power to employ an executive director and to fix his salary The executive director shall keep the minutes of the board and shall have full charge of the offices and records of the board subject to the directions of the board Each board shall also have power to employ such assistants investigators and other employes as may be deemed necessary to administer this act and the laws relating to various forms of public assistance The compensation of all such assistants investigators and other employes shall be fixed by the board and such compensation the compensation of the executive director and all expenses of the employes shall be considered an item of administrative expense

Section 7 Offices and Supplies Each board shall maintain such room or rooms as an office at the county seat for the transaction of its business and the keeping of its records and proceedings Each board shall have power to enter into such lease for such office as may be deemed appropriate and to purchase such supplies equipment including motor vehicles furniture and furnishings as may be deemed necessary The rental of such office and its maintenance and the cost of supplies equipment furniture and furnishings and the storage operation and maintenance of motor vehicles shall be deemed an item of administrative expense

Section 8 County Treasurer to Act as Treasurer Requisitions The county treasurer of each county shall be the treasurer of the county board created by this act and all moneys allocated by the Department of Welfare shall be payable to the county treasurer for the use of the board Each board shall allow to the county treasurer such moneys for expenses as may be deemed reasonable in order to reimburse him for handling the moneys of the board and in drawing checks in accordance with the requisitions of the board All requisitions drawn on the county treasury shall be signed by the chairman or vice-chairman and the executive director of the board The expenses allowed to the county treasurer shall be considered an item of administrative expense

Section 9 General Powers of County Boards Each County Board of Assistance shall have power and its duty shall be to administer enforce and carry into effect the laws of this Commonwealth (as herein modified) relating to

(a) Aid to dependent children known as mothers' assistance in accordance with the provisions of the act approved the tenth day of July one thousand nine hundred and nineteen (Pamphlet Laws 893) entitled "An act providing for assistance to certain mothers providing for the appointment of boards of trustees for the several counties of the Commonwealth and for the appointment of a State supervisor and assistants and fixing the salaries of such State supervisor and assistants defining the powers and duties of boards of trustees including the power of appointing assistants and investigators and the distribution of funds at their disposal providing for the apportionment of the State appropriation among the several counties and requiring counties coming under the provisions of the act to appropriate certain moneys and providing penalties" and the amendments thereto

(b) Assistance to and burial of certain aged indigent residents in accordance with the provisions of the act approved the twenty-fifth day of June one thousand nine hundred and thirty-six (Pamphlet Laws 28) entitled "An act providing for and regulating assistance to and the burial of certain aged indigent persons and the administration of this act by the department of welfare and the boards of trustees of the mothers' assistance funds of the several counties authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to such persons authorizing the appointment of trustees

for certain persons providing for the recovery of moneys expended for assistance in certain cases prohibiting political activity by employes of the board providing substitute provisions in case Federal grants for old age assistance shall fail for any reason providing penalties and repealing inconsistent acts"

(c) Pensions for the blind in accordance with the provisions of the act approved the ninth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 621) entitled "An act providing for and regulating subject to certain restrictions limitations and liabilities the granting of pensions by the Commonwealth to certain blind persons providing for the administration of this act by the Department of Welfare the trustees who administer mothers' assistance in the several counties or by other trustees in certain cases authorizing appointment of trustees for the pensions payable to certain individuals authorizing the Department of Welfare to cooperate with and to accept and disburse moneys received from the United States Government for assistance to the blind and providing penalties"

(d) Assistance to the unemployed in accordance with appropriations made by the laws of this Commonwealth for the purpose of furnishing direct relief to such persons and their families

Section 10 Rules and Standards Appeals Subject to such supervision as may be required by Federal law with respect to Federal moneys granted to this Commonwealth for public assistance each board shall have power to formulate and to adopt its own rules and regulations and from time to time set its own standards of public assistance to be granted to those eligible under the laws of this Commonwealth to receive public assistance subject at all times to the maximum limits fixed by law Each board shall have full power to determine whether applicants for particular types of assistance are eligible under the laws of the Commonwealth to receive public assistance and the decision of the board shall be final except in those cases where an appeal is required to be allowed by Federal law in order to receive Federal grants Such appeals shall be taken in the manner and in the cases provided by law for appeals from actions of the boards of trustees of the Mothers' Assistance Fund and boards of trustees of Pension Fund for the Blind

Section 11 Trustees for Certain Beneficiaries Any county board may appoint a trustee to take charge of the expenditure of moneys granted by it to any beneficiary when in its opinion such trustee is necessary In such cases payment shall be made direct to such trustee A trustee shall serve without compensation and shall be subject to such rules regulations and accounting as the board may prescribe Hereafter no such trustees shall be appointed by the Department of Welfare

Section 12 Limitation of Administrative Expenses All administrative expenses incurred by any County Board of Assistance shall be paid from State and Federal moneys allocated from time to time to the board by the Department of Welfare The total amount expended by any such board in any year shall not exceed per centum of the total amount allocated to such county for such year for all forms of public assistance

Section 13 Monthly Reports Each board shall transmit to the Department of Welfare on forms prescribed and furnished by said department a monthly detailed statement of its expenditures for the various forms of public assistance and administrative expenses the number of persons assisted during such month through various forms of public assistance the average grants per person the number of cases applying investigated allowed or rejected the number of cases not investigated the number of cases on the waiting list and such other information as the Department of Welfare may require Such statements shall be furnished on or before the fifteenth day of each month for the preceding calndar month

Section 14 Audit of Accounts It shall be the duty of the Department of the Auditor General to audit annually the accounts of all boards in the manner provided by law for the audit of accounts of State moneys and a copy of each such audit shall be furnished by the Department of the Auditor General to the Department of Welfare

Section 15 Liability of Counties Eliminated From and after the effective date of this act the entire cost of providing public assistance to dependent children to the aged to the blind and to the unemployed and the entire cost of administering such systems of public assistance shall be paid from moneys appropriated by the Commonwealth and from Federal moneys made available for one or more forms of such public assistance No county shall hereafter be liable for any of said costs and expenses

Section 16 Certain Agencies Abolishing and Powers Transferred The boards of trustees of the Mothers' Assistance Fund and the boards of trustees of Pension Fund for the Blind of the several counties of this Commonwealth and all boards and agencies in the various counties and districts of this Commonwealth created by the State Emergency Relief Board for the distribution of unemployment relief assistance are hereby abolished as of the effective date of this act All books papers records documents furniture furnishings supplies equipment including motor vehicles and moneys in the possession of said boards and agencies shall be and are hereby transferred to the respective County Boards of Assistance created by this act and such County Boards of Assistance shall have and possess all powers conferred and perform all duties imposed by law upon the boards of trustees of the Mothers' Assistance Fund boards of trustees of Pension Fund for the Blind and said boards and agencies created by the State Emergency Relief Board

Section 17 Effective Date This act shall become effective on the first day of June one thousand nine hundred and thirty-seven except section three hereof which shall become effective immediately upon final enactment

Section 18 Repeal All acts and parts of acts inconsistent with this act are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare for the purpose of further study and amendment.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1115, as follows:

An Act to amend article twenty three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" prescribing the powers and duties of the Department of Welfare with respect to the administration of public assistance laws

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article twenty-three of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers hereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding thereto section two thousand three hundred and twenty-two to read as follows

Section 2322 Powers and Duties With Respect to Public Assistance The Department of Welfare shall have power and its duty shall be

(a) To allocate on the basis of need to the County Boards of Assistance of the various counties moneys appropriated to it by the General Assembly and moneys made available by the Federal Government or any of its agencies to this Commonwealth for (1) aid to dependent children known as mothers' assistance (2) assistance to and burial of certain aged indigent residents (3) pensions for the blind (4) direct relief for the unemployed and (5) the expenses of administration of County Boards of Assistance

(b) To counsel and advise with but not to control the actions and discretions vested by law in County Boards of Assistance in the distribution of public assistances and to supervise as may be required by Federal Law the disbursement of Federal moneys

(c) To prescribe uniform accounts ot be kept by County Boards of Assistance

(d) To compile statistics relating to public assistance in this Commonwealth

(e) To cooperate with the Social Security Board in carrying out the provisions and purposes and the administration of the Federal Social Security Act and is further empowered to supervise the disbursement of all funds provided by the Federal Government for use in this Commonwealth for aid and assistance to dependent children and aged and blind persons to make such reports in such form and containing such information as the Social Security Board may from time to time require and to comply with such orders and regulations as such Board may from time to time make to assure the correctness and certification of such reports

(f) To hear appeals in the manner provided by law from refusals of a County Board of Assistance to grant public assistance or in cases where public assistance is discontinued

(g) To make reports from time to time to the Governor and to the General Assembly for changes and improvements in the system of administering public assistance in this Commonwealth

Section 2 The State Emergency Relief Board is hereby abolished as of the effective date of this act and all books papers records documents supplies equipment furniture and furnishings in the possession of said Board are hereby transferred to and vested in the Department of Welfare

Section 3 The act approved the nineteenth day of August one thousand nine hundred and thirty-two (Pamphlet Laws 88) entitled "An act creating the State Emergency Relief Board consisting of the Governor the Lieutenant Governor the Auditor General State Treasurer and the Speaker of the House of Representatives prescribing its powers and duties empowering the Governor to disburse moneys received from the Federal Government for the relief of the unemployed in accordance with plans adopted by the board and making an appropriation" and its amendments are hereby repealed

Section 4 This act shall become effective on the first day of June one thousand nine hundred and thirty-seven

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. ACHTERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Welfare for the purpose of further study and amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2242, as follows:

An Act to amend section six of the act approved the twenty-first day of May one thousand nine hundred thirty-one (Pamphlet Laws 149) entitled "An Act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing certain State officers and departments providing for refunds imposing penalties and making an appropriation" by making further provision regarding the discount allowed to distributors if reports are filed and taxes paid on time

Section 1 Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the twenty-first day of May one thousnad nine hundred thirty-one (Pamphlet Laws 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" is hereby amended to read as follows

Section 6 Distributors Report and Payment of Tax For the purpose of ascertaining the amount of tax payable under this act it shall be the duty of every distributor on or before the last day of each month to transmit to the department upon a form prescribed prepared and furnished by the department a report under oath or affirmation of the liquid fuels used or delivered by him

within this Commonwealth during the preceding month Such report shall show the number of gallons of liquid fuels used or delivered within the Commonwealth during the period for which it is made and such further information as the department shall prescribe A distributor having more than one place of business within this Commonwealth shall combine in each report the use or delivery of liquid fuels at all such separate places of business

Every distributor at the time of making every report required by this section shall compute and pay to the department the tax due to the Commonwealth on liquid fuels used or sold and delivered by him during the preceding month less a [two per centum] discount if the report is filed and the tax paid on time computed as follows two per centum if such tax shall amount to fifty thousand dollars ($50,000) or less one and one-half per centum on tax in excess of fifty thousand dollars ($50,000) and not exceeding seventy-five thousand dollars ($75,000) one per centum on tax in excess of seventy-five thousand dollars ($75,000) and not exceeding one hundred thousand dollars ($100,000) and one-half of one per centum on tax in excess of one hundred thousand dollars ($100,000) The amount of all taxes imposed under the provisions of this act for each month shall be due and payable on the last day of the next succeeding month and shall bear interest at the rate of one per centum per month or fractional part of a month from the date they are due and payable until paid

If any distributor shall neglect or refuse to make any report and payment as herein required an additional ten per centum of the amount of the tax shall be added by the department and collected as hereinafter provided and in addition hereto the liquid fuels permit of such distributor may be suspended or revoked by the department

Section 2 This act shall become effective the first day of June one thousand nine hundred thirty-seven

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2268 (Senate Bill No. 759), as follows:

An Act to amend sections one two seven and nineteen of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand five hundred thirteen) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by further regulating the construction and maintenance of boilers and extending the provisions of the act to certain boilers heretofore exempt therefrom and repealing existing laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one two seven and nineteen of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand five hundred thirteen) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" are hereby amended to read as follows

Section 1 Definitions Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That as used in this act "boiler" shall mean a vessel in which power or heat is generated and including all piping and apparatus connected thereto up to and including the stop-valve or valves nearest the boiler

"Boilers used on farms" shall mean any boilers used for threshing grain bailing hay or straw filling silos and shredding fodder grinding feed sawing wood crushing or pulverizing stone operating dairy equipment or other similar agricultural operations except boilers owned or operated by any person regularly engaged in such business

"Department" shall mean the Department of Labor and Industry of the Commonwealth of Pennsylvania

"Establishment" shall mean any room building or place within this Commonwealth where persons are employed or permitted to work for compensation of any kind to whomever payable and any place of business to which the public has access except farms or private dwellings

"Inspector" shall mean an inspector examined and authorized by the Department of Labor and Industry to inspect boilers in this Commonwealth or boilers destined for use in this Commonwealth

"Person" shall mean any individual firm partnership unincorporated association corporation or municipality and shall include the Commonwealth

"Place of public assembly" shall mean any building or portion thereof designed intended and used for occupation by persons for purposes of entertainment instruction or amusement

"School" shall mean any building or portion thereof where persons assemble for purposes of education and shall include public and private schools academies colleges and universities

Whenever the singular is used in this act it shall be construed to include the plural and wherever the masculine gender is used it shall be construed to include the feminine and neuter

Section 2 General Requirement Every boiler used or destined for use by any establishment and every boiler used or destined for use in any school or place of public assembly in this Commonwealth shall be so constructed installed maintained and operated with respect to the thickness and strength of the materials used in construction stay bolts and braces drums headers tubes doors riveting welding steam air and water gauges safety valves blow offs all necessary piping and all other parts and appurtenances as to safely sustain the pressure at which the said boiler is designed and intended to operate Provided That nothing in this act shall be construed to apply to boilers [carrying a pressure of not more than fifteen pounds per square inch which are equipped with safety devices approved by the department nor to apply to boilers in municipalities wherein provision is now made by ordinance for their inspection nor to boilers] subject to Federal inspection and control on steam locomotives railroad cars or steam boats nor to equipment used in connection with the operation of trains nor to boilers on other common carriers [nor to boilers on other common carriers nor to boilers used in the operation of oil wells] nor to boilers carrying a pressure of not more than fifteen pounds per square inch which are equipped with safety device approved by the department except such boiler located in theatres motion picture theatres hospitals schools and colleges

Section 7 Inspection of Uninsured Boilers If such boiler is not so insured [or is not located in a city having a department established by ordinance for the inspection of boilers] then such inspection shall be made by an inspector in the employ of the department and there shall be a fee charged for each inspection as hereinafter provided for in this act

Section 19 Repealer Section nineteen of an act approved the second day of May one thousand nine hundred and five (Pamphlet Laws three hundred and fifty-two) entitled "An act to regulate the employment in all kinds of industrial establishments of women and children employed at wages or salary by regulating the age at which

minors can be employed and the mode of certifying the same and by fixing the hours of labor for women and minors to provide for the safety of all employes in all industrial establishments and of men women and children in schoolhouses academies seminaries colleges hotels hospitals storehouses office buildings public halls and places of amusement in which proper fire-escapes exits and extinguishers are required to provide for the health of all employes and of men women and children in all such establishments storehouses and buildings by proper sanitary appliances and to provide for the appointment of inspectors office clerks and others who with the Chief Factory Inspector shall constitute the Department of Factory Inspection to enforce the same and providing penalties for violations of the provisions thereof fixing the time and salaries of the Chief Factory Inspector and his appointees" and its amendments [and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed] All acts and parts of acts general local or special inconsistent with or supplied by this act are hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1869, entitled:

An Act to further amend sections eight ten and clause (a) of section fourteen of the act approved the tenth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" by providing additional grounds for refusing suspending or revoking licenses authorizing the State Board of Undertakers to impose penalties and extending its power to make rules and regulations and giving associations of funeral directors the right of appeal in certain cases

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections eight ten and clause (a) of section fourteen of the act approved the tenth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" as amended by section one of the act approved the nineteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1324) are hereby further amended to read as follows:

Section 8 The board by a majority vote thereof may refuse to grant refuse to renew suspend or revoke a license of any applicant or licensee for the following reasons

(a) The practice of any fraud or deceit in obtaining or attempting to obtain a license

(b) Violation of the health laws of this Commonwealth

(c) The conviction of a crime involving moral turpitude

(d) The use of misleading advertising

(e) Gross incompetncy negligence or misconduct in the carrying on of such business or profession

(f) Violation of or non-compliance with the provisions of this act or the rules and regulations of the board

(g) Loaning borrowing or using a license of another or of knowingly aiding or abetting in any way the granting of improper license

(h) Soliciting patronage other than by leigtimate advertisement or paying [a commission] or agreeing to pay a commission or benefit to any person or persons for soliciting or for business secured or paying any gratuity to any person with intent to have such person aid in securing business or being a party to any arrangement whereby business is obtained through the sale or solicitation of funeral contracts or burial associations or like unprofessional conduct

In lieu of refusing to renew or suspending or revoking any license the board may for any of said violations impose a penalty of not less than ten dollars ($10) nor more than five hundred dollars ($500) to be collected as penalties of like amount are by law collected and to be paid into the State Treasury through the Department of Revenue

Section 10 (a) Any applicant or licensee whose license has been refused suspended or revoked by or any association of funeral directors aggrieved by a decision of the board shall within thirty days have the right of appeal to the Court of Common Pleas of Dauphin County where the matter shall be heard by the court without a jury The action of said court shall be final The case shall be heard upon the record certified to the court by the board The court may in proper cases remit the record to the board for the taking of further testimony

(b) Any association of funeral directors or any party in interest shall be entitled to be heard by the board The said association of funeral directors or any person having an interest in the controversy may by an action in equity obtain an injunction to prevent the illegal operation of a person firm corporation or establishment in violation of law or the regulations of the board For such purposes the Common Pleas Court of the county where the violations occur or where the defendant may be served shall have jurisdiction

Section 14 (a) The board shall be charged with the enforcement of this act It shall be empowered to formulate necessary rules and regulations not inconsistent with this act for the proper conduct of the business or profession of undertaking [and] including use of trade names and such other matters as may be deemed necessary or proper to safeguard the interests of the public and the standards of the profession and the board may require an embalming school training of apprentices in addition to other requirements

On the question,

Will the House agree to the section?

Mr. CLIFF S. PATTERSON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1 (sec. 8), page 2, line 22, by inserting after the word "misleading" the following: "or unethical"

Amend sec. 1 (sec. 8), page 2, line 22, by inserting after the word "advertising" the following: "by means of posters, handbills, slides, motion pictures, radio, newspapers, magazines, or other publications, or advertising media which advertises (1) professional superiority, (2) the character or quality of his work, merchandise or facilities, (3) proposal to guarantee any of the foregoing, (4) prices, (5) free facilities or services, (6) by display of caskets or other funeral merchandise, Providing, however, That a licensee may issue a pamphlet showing statistics, analysis and costs in manner prescribed by the board."

Amend sec. 1 (sec. 10), page 3, line 20, by inserting after the word "days" the following: "after written notice of the decision"

Amend sec. 1 (sec. 14), page 4, line 9, by inserting after

the word "act" the following: "and subject to the approval by the Secretary of Health"

Amend sec. 1 (sec. 14), page 4, line 9, by striking out with light faced brackets, the word: "It"

Amend sec. 1 (sec. 14), page 4, line 12, by striking out the words "use of trade names" and inserting in lieu thereof: "interments, shipment of bodies, sanitation facilities, preparation of bodies dead of contagious diseases, grading and inspection of embalming schools"

Amend sec. 1 (sec. 14), page 4, line 17, by inserting after the word "requirements" the following: "The board shall mail a copy of all regulations to each licensee and registered apprentice annually."

Amend bill, page 4, by adding after line 17, the following:

"Section 2. If any part of this act shall be declared unconstitutional, it shall not affect the remaining provisions of this act.

"Section 3. This act shall become effective immediately upon its final enactment."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to further amend sections eight ten and clause (a) of section fourteen of the act approved the tenth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" by providing additional grounds for refusing suspending or revoking licenses authorizing the State Board of Undertakers to impose penalties and extending its power to make rules and regulations and giving associations of funeral directors the right of appeal in certain cases

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1255, entitled:

An Act to provide for the issuance and acceptance of certificates from duty licensed optometrists whenever such certificates may now or hereafter be required as to ocular and visual efficiency by any law of the Commonwealth and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any optometrist duly licensed by the Board of Optometrical Examiners to practice optometry is hereby authorized to issue certificates of ocular and visual efficiency as may be required by any law

On the question,

Will the House agree to the section?

Mr. SARRAF. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 1, line 6, by striking out the words "of ocular and visual efficiency" and inserting in lieu thereof "evidencing powers of vision"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 Whenever a certificate of ocular or visual efficiency is required by any law of the Commonwealth a certificate of an optometrist duly licensed to practice optometry by the Board of Optometrical Examiners of the State of Pennsylvania shall be accepted by all persons having to do with ocular fitness or requirements provided for by any law of the Commonwealth

On the question,

Will the House agree to the section?

Mr. SARRAF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 2, page 1, lines 8 and 9, by striking out the words "of ocular or visual efficiency" and inserting in lieu thereof "evidencing powers of vision"

Amend sec. 2, page 2, line 3, by striking out the words "ocular fitness or requirements" and inserting in lieu thereof "powers of vision"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 All acts and parts of acts general special or local that are in any way in conflict or inconsistent with this act or any part thereof are hereby repealed

Section 4 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the section?

Mr. SARRAF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 3, page 2, lines 5 and 6, by striking out the words "general, special or local that are in any way in conflict or"

Amend sec. 3, page 2, line 7, by striking out the words "or any part thereof"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to provide for the issuance and acceptance of certificates from duly licensed optometrists whenever such certificates may now or hereafter be required as to ocular and visual efficiency by any law of the Commonwealth and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith

On the question,

Will the House agree to the title?

Mr. SARRAF. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, lines 3 and 4 of title, by striking out the words "ocular and visual efficiency" and inserting in lieu thereof "powers of vision"

Amend title, page 1, lines 5 and 6 of title, by striking out the words "laws, general or local or" and inserting in lieu thereof "acts or"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1132, as follows:

An Act making appropriations for aid to free public non-sectarian county libraries and for the purchase and transportation of books

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-eight thousand dollars ($28,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the two fiscal years beginning June first one thousand nine hundred and thirty-seven for aid to free public non-sectarian county libraries and for the purchase and transportation of books to be used for demonstration and circulation purposes to carry into effect the provisions of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred three) entitled "An act providing aid by the Commonwealth to free public non-sectarian county libraries authorizing the Department of Public Instruction to provide books for demonstration purposes to encourage the establishment of such county libraries and making an appropriation"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1146, as follows:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers sailors marines female field clerks yeoman (female) and nurses who were killed in action or died during the World War and conferring certain duties upon the State Veterans' Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty thousand dollars ($40,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs to be used during the fiscal biennium beginning June first one thousand nine hundred thirty-seven for paying gratuities for the children between the ages of sixteen and twenty-one years of soldiers sailors marines female field clerks yeoman (female) or members of the enlisted nurse corps of the United States who were killed in action or died from other cause during the World War between the sixth day of April one thousand nine hundred and seventeen and the second day of July one thousand nine hundred and twenty-one Such children must have lived in the Commonwealth of Pennsylvania for five years immediately preceding the date upon which the application is filed

Section 2 Gratuities shall be paid out of the appropriation made by this act for the account of such children as shall be certified by the State Veterans' Commission as coming within the class described in section one of this act and as attending any State or State-aided educational or training instiution of a secondary or college grade or other institution of higher education business school trade school hospital providing training for nurses school or institution providing courses in beauty culture art radio or undertaking and embalming within this Commonwealth Payments not to exceed the sum of two hundred dollars ($200) per school year per child shall be made to such institutions upon the submission by such institutions of proof that bills have been incurred or contracted for matriculation fees and other necessary fees tuition board room rent books and supplies for such children in a definite amount for the current school year Such proof shall be submitted to the State Veterans' Commission which shall attach the same to the requisitions prepared for payments out of the appropriations made by this act

Where a child within the class described is completing an educational or training course and before completing the course the child arrives at the age of twenty-one years it shall be lawful for the gratuity to be paid until the course is completed Provided however That gratuities may not be paid for any child for a longer period than four scholastic years

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 973, as follows:

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in The Dixmont Hospital at Dixmont Allegheny County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four hundred sixty-seven thousand five hundred dollars ($467,500) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare for and during the two fiscal years beginning June first one thousand nine hundred thirty-seven to pay for the care treatment removal and maintenance of the indigent insane at The Dixmont Hospital Dixmont Allegheny County at a rate not exceeding the actual cost of such care treatment and maintenance of such indigent patients in said hospital after deduction of the amounts paid to said hospital by the respective counties or poor districts from which such indigent patients shall have come

No warrant shall be drawn or settlement made until

the directors or managers of the hospital shall have made on oath or affirmation to the Department of Welfare a monthly or quarterly report as may be required by the Department of Welfare setting forth the actual total number of weeks of service rendered to indigent patients in said hospital during the period for which the report is made and the amounts received by said hospital during such period from the counties or poor districts from which such indigent patients shall have come nor until the Secretary of Welfare shall have certified to the Auditor General that the monthly or quarterly report of the cost of such care and treatment contains no charge except for such care treatment removal and maintenance.

Section 2 It shall be the duty of the directors or managers of the hospital to make on oath or affirmation to the Department of Welfare a report on the fifteenth day of June one thousand nine hundred and thirty-seven setting forth the name of each and every indigent patient resident in the hospital on the first day of June preceding Such list shall show the date of admission or re-admission of each such patient the identification number of such patient and the county or poor district from which such patient was committed

Each month or quarter thereafter during the period covered by this appropriation as may be requested by the Secretary of Welfare the directors or managers of the hospital shall make on oath or affirmation a report to the Department of Welfare setting for the name of each indigent patient admitted or re-admitted during the period of the report together with the identification number of such patient the date of admission or re-admission the county or poor district from which such patient was committed and the amount received from such county or poor district for the maintenance of such patient during the period of the report Such report shall also contain the name of each indigent patient removed from the hospital by death discharge or parole together with the identification number of such patient the date of removal and the county or poor district from which such patient was committed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 278, as follows:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty-two thousand dollars ($52,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie for the purpose of dredging canal basins of accumulated mud filth removing unsanitary conditions and improving navigation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 307, as follows:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and eighty thousand dollars ($180,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Jefferson Medical College of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-seven for the support and promotion of medical education

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2259, as follows:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional Federal funds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the moneys appropriated for the rehabilitation of persons injured in industry and otherwise the sum of thirty thousand dollars ($30,000) is hereby appropriated to the Department of Labor and Industry for the two fiscal years beginning June first one thousand nine hundred and thirty-seven for the purpose of providing for the rehabilitation of those who are deaf and hard of hearing in order to secure for such persons placement in industry and for the payment of the compensation and expenses of persons employed by the Department in such rehabilitation work In addition to the powers granted to the said department it shall have like powers for the rehabilitation of the deaf and hard of hearing as provided by existing law for the rehabilitation of those injured in industry and otherwise The moneys hereby appropriated shall be available for the purpose of matching any re-allocations of Federal moneys made available to the states through the Couzen's Amendment or any other Federal Government appropriation for this purpose allotted to the states in any fiscal year

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1818, as follows:

An Act making an appropriation to the Department of Public Instruction for reimbursing fourth class school districts upon certain increases of the salaries of members of the teaching staffs of elementary schools in such school districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three million dollars ($3,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction out of the State School Fund for the two fiscal years beginning the first day of June one thousand nine hundred thirty-seven for reimbursing fourth class school districts upon the increase of the salaries of members of the teaching staffs of elementary schools of such districts in accordance with the provisions of an act enacted at this session of the General Assembly entitled "A supplement to the act approved the eighteenth

day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' providing for certain additions to minimum annual salaries for members of the teaching staffs of schools in fourth class school districts and authorizing the suspension of this supplement in certain cases"

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 473, as follows:

An Act making an appropriation to the Department of Forests and Waters for the construction of a masonry weir across the Shenango River near the Chestnut Street Bridge at Sharon and the construction of a shelter house for recording devices near the weir

Whereas The Pymatuning Reservoir was built for the promary purpose of conserving the water entering the Pymatuning Swamp and regulating the flow in the Shenango and Beaver rivers and

Whereas It is necessary to know accurately the amounts of water flowing in the Shenango River at all times in order to regulate its flow properly and

Whereas The bed of the Shenango River in the vicinity of the gaging station at Sharon is easily eroded and changes frequently rendering records made there unreliable and

Whereas The construction of a masonry weir across the Shenango River near the Chestnut Street Bridge at Sharon will facilitate securing the reliable stream flow measurements necessary for the proper operation of the Pymatuning Reservoir Project therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand dollars ($22,000) or so much thereof as may be required is specifically appropriated to the Department of Forests and Waters for the construction of a masonary weir across the Shenango River near the Chestnut Street Bridge at Sharon and the construction of a shelter house for recording devices near the weir

Section 2 The masonry weir and the shelter house shall be constructed in accordance with plans and specifications which have been or shall be prepared by or under the direction of the Water and Power Resources Board of the Department of Forests and Waters The Department of Forests and Waters shall advertise for proposals and award contracts for the construction of said weir and shelter house in the same manner and subject to the same conditions as proposals are advertised and contracts are awarded by the Department of Property and Supplies under section two thousand four hundred and eight of "The Administrative Code of 1929"

Section 3 The Department of Forests and Waters shall pay out of the appropriation made by this act the cost of supervision and engineering fees and other incidental expenses necessary for carrying out the purposes of this act

The sum appropriated by this act shall be available for use by the Department of Forests and Waters until the weir and shelter house provided for herein shall be constructed and built

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 348, as follows:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three hundred and two thousand dollars ($302,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to The Glen Mills Schools situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred and thirty-seven for the purpose of maintenance

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 349, as follows:

An Act making an appropriation to the Sleighton Farm School for Girls situate in Delaware County Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred and seventy thousand dollars ($270,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to Sleighton Farm School for Girls situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred and thirty-seven for the purpose of maintenance

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1346, as follows:

An Act making an appropriation to the Treasury Department for the payment of certain claims against the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three thousand sixty-five dollars and twenty-five cents ($3,065.25) or so much thereof as may be necessary is hereby specifically appropriated to the Treasury Department to pay claims against the Commonwealth heretofore adjusted and settled by the Auditor General and State Treasurer in the manner provided by law where it has been found that the State will benefit very substantially from the work time and efforts of the claimant but no award has been made inasmuch as no appropriation was available from which the claimant could be paid

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1896, as follows:

An Act making an appropriation to the Trustees of the University of Pennsylvania Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the University of Pennsylvania Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-seven for the support of the School of Animal Pathology of the University and the purchase of such apparatus and equipment as the trustees may deem necessary for the efficient operation of the school

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1152, as follows:

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in county and poor district hospitals

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three million two hundred thirty-one thousand dollars ($3,231,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in county and poor district hospitals for and during the two years beginning June first one thousand nine hundred and thirty-seven and to pay for any deficiency in the appropriation for the care treatment removal and maintenance of the indigent insane prior to June first one thousand nine hundred and thirty-seven

No warrant shall be drawn on this appropriation until the directors trustees or managers of such hopsitals shall have made on oath or affirmation to the Department a monthly or quarterly report as may be required by the Secretary of Welfare setting forth the actual total number of weeks of service rendered to indigent insane patients in such hopsitals respectively during the period for which the report is made nor until the Secretary of Welfare shall have certified to the Auditor General that the monthly or quarterly reports of the costs of such care and treatment contains no charge except for "care treatment removal and maintenance" which words as used in this act shall be construed to mean medical and surgical treatment nursing food and clothing

Section 2 It shall be the duty of the directors trustees or managers of such hospitals to make on oath or affirmation to the Department of Welfare a report on the fifteenth day of June one thousand nine hundred and thirty-seven setting forth the name of each and every indigent insane patient resident in such hospitals respectively on the first day of June preceding Such list shall show the date of admission or re-admission of each such patient the identification number of such patient and the county or poor district from which such patient was admitted

Each month or quarter thereafter during the period covered by this appropriation as may be requested by the Secretary of Welfare the directors trustees or managers of such hospitals shall make on oath or affirmation a report to the Department of Welfare setting forth the name of each indigent insane patient admitted or re-admitted during the period of the report together with the identification number of such patient the date of admission or re-admission and the county or poor district from which such patient was committed Such report shall also contain the name of each indigent insane patient removed from such hospital by death discharge or parole together with the identification number of such patient the date of removal and the county or poor district from such patient was committed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1138, as follows:

An Act making an appropriation to aid certain school districts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two million dollars ($2,000,000) is hereby specifically appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 558, as follows:

An Act authorizing the Water and Power Resources Board to make a survey and investigation to determine to what extent the beds of rivers lakes and streams title to which is in the Commonwealth have been and are occupied or encroached upon and making an appropriation

Whereas Land in whole or in part owned by the Commonwealth has been and is occupied by divers persons and corporations and

Whereas Under existing laws it is unlawful to so occupy such land and

Whereas A survey and investigation should be made to determine where such occupancy exists and the value of Commonwealth owned land so occupied and to determine upon reasonable rental values for such land heretofore and hereafter so occupied therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Water and Power Resources Board is hereby authorized and directed to make a survey and investigation to determine to what extent the beds of rivers lakes and streams title to which is in whole or in part in the Commonwealth have been and are occupied by fills wharves docks piers and other obstructions as defined in the act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphle Laws 555)

Section 2 The sums of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated to the Water and Power Resources Board for the payment of the salary compensation and wages of engineers experts clerks assistants and employes

deemed necessary in making the investigation and survey authorized by this act for the payment of postage travelling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment for printing and for all other incidental expenses necessary for carrying into effect the provisions of this act.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1384, as follows:

An Act making an appropriation to the Pennsylvania State College of Optometry of Philadelphia Pennsylvania for optometrical education

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Pennsylvania State College of Optometry of Philadelphia Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred and thirty-seven for the support and promotion of optometrical education.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1136, as follows:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands the payment of labor and the purchase of supplies materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap and imposing certain duties upon the State Military Reservation Commission and the Department of Property and Supplies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty thousand dollars ($50,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs for the acquisition by purchase or condemnation of additional lands to be used for or in connection with the Military Reservation at Indiantown Gap and for the payment of labor and the purchase of supplies material and equipment deemed necessary for the improvement of the said Military Reservation and for enlarging and making the same suitable and proper for military reservation purposes No expenditure shall be made for any such purpose except with the approval of the State Military Reservation Commission and no lands shall be purchased or condemned for such purpose except by the Department of Property and Supplies in the manner provided by the Administrative Code of one thousand nine hundred and twenty-nine.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideraion of House Bill No. 2145, as follows:

An Act making an appropriation to the Department of Agriculture to advance the potato interests of this Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) is hereby specifically appropriated to the Department of Agriculture for the purpose of potato breeding and advancing the interest of potato growers in this Commonwealth by experimental work and through other means with a view of developing new varieties and improving cultural practices and giving attention to such other matters relating to the cultivation use and disposal of this crop as the Secretary of Agriculture may deem necessary and advisable.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2201, (Senate Bill No. 560), entitled:

An Act providing for the acquisition of the Daniel Boone Homestead by the Department of Property and Supplies and for its management and development by the Pennsylvania Historical Commission and making an appropriation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2280, (Senate Bill No. 562), entitled:

An Act making an appropriation to the Seventy-fifth Anniversary of the Battle of Gettysburg Commission.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2270, (Senate Bill No. 23), entitled:

An Act making an appropriation out of the Motor Licenses Fund to carry into effect the provisions of the act approved the nineteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws one thousand three hundred forty-eight) entitled "An act creating a commissions to complete edit publish and distribute pamphlets descriptive of scenic and historic interest and making an appropriation" and its amendments and defining the purposes for which said appropriation may be expended

And said having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreetbly to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2203, (Senate Bill No. 682), entitled:

An Act making an appropriation for the expenses of the joint legislative commission created by Senate Concurrent Resolution Serial Number one hundred six approved March sixteenth one thousand nine hundred and thirty-seven

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of five thousand dollars ($5,000.00) or so much thereof as may be necessary is hereby specifically appropriated to the joint legislative commission created by Senate Concurrent Resolution Serial Number one hundred and six approved March sixteenth one thousand nine hundred and thirty-seven and authorized thereby to make an investigation of the tax burdens placed upon industries in Pennsylvania and other industrial and mining states For the payment of the expenses of such investigation by the commission including the cost of subpoenaing witnesses witness fees stenographic service the wages or other compensation of necessary clerical assistants and any other expenses of every kind and description which may be authorized by a majority of the commission in connection with the conduct of its work

On the question,

Will the House agree to the section?

Mr. SAMUEL A. WEISS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment wil be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend page 1, section 1, line 5, strike out the beginning of the line before the word "or" and insert in lieu thereof the words and figures: "fifteen thousand dollars ($15,000.-00)"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were seperately read and agreed to as follows:

Section 2 This act shall become effective immediately upon its final enactment

An Act making an appropriation for the expenses of the joint legislative commision created by Senate Concurrent Resolution Serial Number one hundred six approved March sixteenth one thousand nine hundred and thirty-seven

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 826, as follows:

An Act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the same That in order to commemorate the heroic achievements of the citizens of Pennsylvania who served on the battlefields of Europe and to perpetuate the memories of those who fell in the World War there is hereby appropriated the sum of twenty-five thousand dollars ($25,-000) or so much thereof as may be necesary for the compilation and the printing in book form of the history of the Eightieth Division

A commission is hereby constituted which shall be composed of five (5) citizens who were former Pennsylvania soldiers and who served with the Eightieth Division during the war with Germany The members of the commission shall be appointed by the Governor They shall serve without compensation but shall receive their actual and necessary expenses incurred in the performance of the duties imposed upon them by this act The commission shall organize at the call of the Governor Vacancies occurring in the membership of the commission shall be filled by appointment by the Governor Any member so appointed shall have the same qualifications as is required of the original appointees

Section 2 It shall be the duty of the commission after its organization to forwith make arrangements for the preparation of the history and the furnishing of photographs with accompanying maps and shall then make a complete report of its proceedings to the General Assembly as soon as possible In such report the commission shall state the amount of money required to print and furnish each citizen who served as a member of the Eightieth Division with a copy of the history in book form

Payment from said appropriation shall be made by requisition of the secretary of the commision under such regulations as the Auditor General shall prescribe

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1690, entitled:

An Act regulating the mining of coal prescribing duties for county commissioners and imposing penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any owner operator director or general manager superintendent or other person in charge of or having supervision over any coal mine or mining operation so to mine coal or so to conduct the operation of mining coal as to cause the caving in collapse or subsidence of

(a) Any public building or any structure customarily used by the public as a place of resort assemblage or amusement including but not being limited to churches schools hopsitals theatres hotels and railroad stations

(b) Any street road bridge or other public pasageway dedicated to public use or habitually used by the public

(c) Any track roadbed right of way pipe conduit wire or other facility used in the service of the public by any municipal corporation or public service company as defined by the Public Service Company Law

(d) Any dwelling or other structure used as a human habitation or any factory store or other industrial or mercantile establishment in which human labor is employed

(e) Any cemetery or public burial ground

On the question,

Will the House agree to the section?

Mr. YOURIHIN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 1, line 6, by inserting after the word "any" the following: "bituminous".

Amend sec. 1, page 1, line 7, by inserting after the word "mine" the following: "bituminous".

Amend sec. 1, page 1, line 8, by inserting after the word "mining" the following: "bituminous".

On the question,

Will the House agree to the amendments?

They were agreed to,

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 Every owner operator lessor lessee or general contractor engaged in the mining of coal within this Commonwealth shall make or cause to be made a true and accurate map or plan of the workings or excavations of such coal mine or colliery which shall be drawn to a scale of such size as to show conveniently and legibly all markings and numbers required to be placed thereon by the terms of this act Such maps or plans shall also show in detail and in markings of a distinctive color all contemplated workings which are intended to be undertaken or developed within the succeeding six months Such maps or plans shall be filed as often as once in six months with the county commissioners of the proper county Such maps or plans shall be considered public records and shall be open to the inspection of the public and copies or tracings may be made therefrom No mining shall be done which is not shown on the map or field at least ten days previously

On the question,

Will the House agree to the section?

Mr. YOURISHIN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 2, page 2, line 10, by inserting after the word "of" the following: "bituminous".

Amend sec. 2, page 2, line 13, by inserting after the word "such" the following' "bituminous".

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 Every owner operator lessor lessee or general contractor engaged in the mining of coal or any president director general manager superintendent or other person in charge of or having supervision over any coal mine or mining operation in this Commonwealth shall be and is hereby required (a) To designate within a period of six months from the passage of this act an to keep designated by number each and every pillar of coal beneath the surface still remaining in place at the time this act goes into effect and all pillars thereafter created the number of each pillar to the place in a conspicuous position with white paint or some other equally durable and visible substance and (b) to designate or cause to be designated by numerals of convenient and legible size upon all maps or plans mentioned in section two of this act with the space on each map or plan designating any pillar of coal the number of such pillar

On the question,

Will the House agree to the section?

Mr. YOURISHIN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 3, page 2, line 28, by inserting after the word "of" the following: "bituminous"

Amend sec. 3, page 3, line 1, by inserting after the word "any" the following: 'bituminous"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section was read as follows:

Section 4 The county commissioners and such engineers and other agents as they may employ shall at all reasonable times be given access to any portion of any coal mines or mining operations which it may be necessary or proper to inspect for the purpose of determining whether the provisions of this act are being compiled with and all reasonable facilities shall be extended by the owner or operator of such mine or mining operation for ingress egress and inspection

On the question,

Will the House agree to the section?

Mr. YOURISHIN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 4, page 3, line 17, by inserting after the word "any" where it appears the second time in said line, the following: "bituminous"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth section was read as follows:

Section 5 The county commissioners shall have the power to prevent the mining of coal beneath the surface in any mine or mining operation in which the pillars of coal shall not have been numbered and the numbers thereof designated by maps or tracings as provided by this act and where mining operations are being conducted in violation of this act they shall have the power to prevent any miner or laborer other than those necessary for the protection of life and property from entering the mine or mining operation until such time as the provisions of this act have been compiled with

On the question,

Will the House agree to the section?

Mr. YOURISHIN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 5, page 3, line 25, by inserting after the word "of" the following: "bituminous"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The sixth section was read as follows:

Section 6 The provisions of this act shall not apply to any area where in the surface overlying the mine or mining operation is wild or unseated land nor where such surface is owned by the owner or operator of the underlying coal and is distant more than one hundred and fifty feet from any improved property belonging to any other person

On the question,

Will the House agree to the section?

Mr. YOURISHIN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 6, page 4, line 9, by inserting after the part-word "lying" the following: "bituminous"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The seventh section was read as follows:

Section 7 Any owner operator lessor lessee or general contractor engaged in the mining of coal or any president director general manager superintendent or other person in charge of or having supervision over any coal mine or mining operation who shall violate any provision of this act shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not more than five thousand dollars or undergo imprisonment for not more than one year both or either at the discretion of the court

On the question,

Will the House agree to the section?

Mr. YOURISHIN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 7, page 4, line 13, by inserting after the word "of" the following: "bituminous"

Amend sec. 7, page 4, line 15, by inserting after the word "any" the following: "bituminous"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to,

The eighth to the twelfth sections inclusive were separately read and agreed to as follows:

Section 8 The Courts of Common Pleas shall have power to award injunction to restrain violations of this act

Section 9 This act is intended as remedial legislation designed to cure existing evils and abuses and each and every provision thereof is intended to receive a liberal construction such as will best effectuate that purpose and no provision is intended to receive a strict or limited construction

Section 10 It is hereby declared that the provisions of this act are severable one from another and if for any reason this act shall be judicially declared and determined to be unconstitutional so far as relate to one or more words phrases clauses sentences paragraphs or sections thereof such judicial determination shall not affect any other provision of this act It is hereby declared that the remaining provisions would have been enacted notwithstanding such judicial determination of the validity in any respect of one or more of the provisions of this act

Section 11 This act shall go into effect three calendar months after its final enactment

Section 12 All acts and parts of acts inconsistent with this act are hereby repealed

The title was read as follows:

An Act regulating the mining of coal prescribing duties for county commissioners and imposing penalties

On the question,

Will the House agree to the title?

Mr. YOURISHIN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 1 of title, by inserting after the word "of" the following: "bituminous"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 920, entitled:

An Act requiring operators of swimming pools to which admission fees are charged to have an oxygen inhaler at such pools and a person in attendance competent to use the same making failure to comply a misdemeanor and prescribing penalties

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person copartnership association or corporation who or which operates or maintains any swimming pool whether natural or artificial and whether indoors or outdoors for the use of which any admission fee is charged and collected shall at all times during the season while such pool is used have at such pool an oxygen inhaler in proper working condition for use in any case of emergency and shall at all times when bathing is permitted keep in attendance a person competent to use such oxygen inhaler in case of emergency

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. SPROUL. Mr. Speaker, I move that this

recommitted to the Committee on Public Health and Sanitation for the purpose of further study.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1437, as follows:

An Act to amend sections two hundred and eleven three hundred and twelve seven hundred and seven and eight hundred and seven of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations by placing the incorporation and regulation of non-profit corporations with power to confer degrees in law under the exclusive jurisdiction and supervision of the judicial department of this Commonwealth and conferring discretionary powers upon the courts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections two hundred and eleven three hundred and twelve seven hundred and seven and eight hundred and seven of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" are hereby amended to read as follows

Section 211 Special Procedure for Incorporation of Educational Institutions Desiring to Confer Degrees

A In the case of the incorporation of a college university or theological seminary as a non-profit corporation with power to confer degrees in art pure and applied science philosophy literature law medicine and theology or any of them the articles of incorporation shall in addition to the information theretofore required by this article and in conformity with the requirements and limitations contained in the following article set forth

(1) The amount of assets in the possession of the incorporators which are to be devoted to the purpose of establishing and conducting the college university or theological seminary or in the case of the incorporation of law colleges and schools with power to confer degrees in law that said incorporators have been associated and doing business within this Commonwealth as a law college or school with a regular curriculum by means of financial support or contributed services during a period of no fewer than five years prior to date of said articles

(2) The minimum number of persons whom it is intended to employ regularly as members of the faculty of the corporation

(3) A brief statement of the requirements for admission to and of the course or courses of study to be pursued in the institution

(4) The information hereinafter required by this article in the case of corporations formed to carry out the directions or purposes of a trust instrument if the corporation is being formed under such circumstances

B When the articles and other papers are presented to the court for approval the court shall examine them If they are found to be in proper form and in conformmity with the provisions of this act and shall appear lawful and not injurious to the community the court shall so certify thereon [The] Except in the case of the incorporation of law colleges and schools with power to confer degrees in law the court shall then direct the prothonotary or clerk of the court to transmit the articles to the Superintendent of Public Instruction [the articles] The Superintendent of Public Instruction shall within sixty days after the receipt of the articles cause the State Council of Education to be convened at such time and place as he may designate Thereupon the council shall consider the articles and shall make such investigations and hold such hearings as [it] may [deem] be necessary in the premises If the courses of instruction the standards of admission to the institution and the composition of the faculty shall appear to be sufficient and to conform to the requirements hereinafter prescribed in this act for such institutions and if the educational needs of the particular locality in which the institution is to be situated and of the Commonwealth at large are likely to be furthered by the granting of the charter the council shall endorse upon the articles its findings and its approval of the same together with a recommendation to the court before which the articles were originally presented that the application for a charter be granted If in the judgment of the council the application for a charter should not be granted the council shall endorse upon the articles its findings and its disapproval together with a recommendation to the court that the application be refused Thereupon the Superintendent of Public Instruction shall return the articles to the court which in passing finally upon the application shall be guided in its decree by the findings of the council If the court after giving consideration to the approval of the council shall be satisfied with the propriety of the application for a charter in view of all the facts it shall approve the application but if the council has disapproved the application the court [shall] may refuse to approve the application [The court in no case shall have power to grant a charter to a college university or theological seminary with power to confer degrees until the application has been approved by the State Council of Education] In the case of incorporation of law colleges and schools with power to confer degrees the court may appoint a master to hear the testimony and report thereon with findings of fact and conclusions of law to the court and shall be guided in its decree by a showing of compliance by such institution with the requisites and standards which have been or may hereafter be prescribed by law or by rule of court for the admission of persons to the general practice of law in the Supreme Court of this Commonwealth

Section 312 Requirements of Educational Institutions Desiring to Confer Degrees

A No college university or theological seminary shall be incorporated under this act with power to confer degrees in art pure and applied science philosophy literature [law] medicine and theology or any of them unless it has

(1) A minimum protective endowment of at least five hundred thousand dollars ($500,000) beyond all indebtedness and assets invested in buildings and apparatus for the

exclusive purpose of promoting instruction except that in the case of tax-supported institutions or those maintained by religious or other organizations financial support or contributed services equivalent in value to the endowment herein specified may be substituted for such endowment and except also that in the case of law colleges and schools it has existed and has been doing business within this Commonwealth with a regular curriculum by means of financial support or contributed services during a period of no fewer than five years prior to the date of filing its articles

(2) A faculty consisting of at least eight regular professors who devote all their time to the instruction of its college or university classes unless the college is devoted to a specific subject in art archaeology law literature or science (medical [and law] schools excepted) in which case the faculty shall consist of at least three regular professors who devote substantialy all their time to the instruction in the special branch for which the college is established and two or more instructors or fellows in the particular branch who shall be provided to assist in the instruction to be given the students for the promotion of original investigation and in the development and growth of the special branch of science to which such college may be devoted

B A college university or theological seminary incorporated under this act with the power to confer degrees shall have power to confer baccalaureate degrees in art science philosophy or literature only upon students who have completed a college or university course covering four years The standard of admission to these four-year courses or to advanced classes in these courses shall be not less than four years of academic or high school preparation or its equivalent and shall be subject to the approval of the State Council of Education

C Any education corporation except law colleges and schools formed under this act with the power to confer degrees as aforesaid shall be subject to visitation and inspection by representatives of the State Council of Education If any such corporation shall fail to keep up the standards required by this act the court [shall] may upon the recommendation of the State Council of Education revoke the power to confer degrees All law colleges and schools so incorporated shall be subject exclusively to the jurisdiction and supervision of the judicial department of this Commonwealth

Section 707 Court to Approve or Refuse Amendments On the day specified in the advertisement or as soon thereafter as the matter may be heard the corporation or its representative shall present an application for the amendment of its charter to the court and shall present to the court the articles of amendment a certified copy of the resolution authorizing the proposed amendments proof of the advertisement required by the preceding section and in the case of a proposed change of the corporate name a certificate of registration from the Department of State The court shall consider the application It may hear the evidence on behalf of the applicants and against the application if any there be or it may refer the application to a master to make report as to the propriety of granting the application In such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them If the court shall be of the opinion that the amendments are lawful will be beneficial and not injurious to the community and do not conflict with the requirements of this act the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the recording of the articles and the order the amendments specified in the petition shall be a part of the charter However except in the case of law colleges and schools the court shall not approve articles of amendment presented by or on behalf of an educational or non-sectarian charitable corporation unless and until the court shall receive the [approval or] recommendation of the State Council of Education or the Department of Welfare as the case may be in a manner similar to that prescribed by this act in the case of the formation of such corporations

Section 807 Court to Approve or Refuse Merger or Consolidation On the day specified in the advertisement or as soon thereafter as the matter may be heard the constituent corporations or their representative shall present an application for the merger or consolidation of such corporations to the court and shall present to the court the articles of merger or articles of consolidation as the case may be a certified copy of the joint plan of merger or consolidation proof of the advertisement required by the preceding section and in the case of a proposed change of the corporate name a certificate of registration from the Department of State The court shall consider the application It may hear evidence on behalf of the applicants and against the application if any there be or it may refer the application to a master to make report as to the propriety of granting the application In such case upon the filing of the master's report the court shall grant the applicants and protestants a hearing if exceptions are filed by either of them If the court shall be of the opinion that the proposed merger or consolidation is lawful will be beneficial and not injurious to the community and does not conflict with the requirements of this act the court shall so certify on the articles and shall order and decree thereon that the articles are approved and that upon the recording of the articles and the order the merger of consolidation shall take effect However except in the case of law colleges and schools the court shall not approve articles of merger or articles of consolidation presented by or on behalf of an educational or non-sectarian charitable corporation unless and until the court shall receive the [approval or] recommendation of the State Council of Education or the Department of Welfare as the case may be in a manner similar to that prescribed by this act in the case of the formation of such corporations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 906, as follows:

An Act creating a State Worlds Fair Commission defining the powers and duties of said commission providing for participation in the New York Worlds Fair and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a commission is hereby created to be known as the State Worlds Fair Commission The commission shall be composed of five citizens to be appointed by the Governor The commission shall organize at the call of the Governor by electing a chairman vice-chairman and secretary The secretary need not be a member of the commission

The members of the commision shall not receive any compensation for their services but shall be reimbursed for all expenses incurred in the performance of their duties

The commission shall have power to employ such assistants clerks and other employes as may be deemed necessary and to fix their compensation and the compensation of the secretary

Three members of the commission shall constitute a quorum for the transaction of business

Section 2 It shal be the duty of the commission to provide for full participation by the Commonwealth in the Worlds Fair to be held in the City of New York during the year one thousand nine hundred and thirty-nine to provide for exhibits showing the agricultural industrial coal mining scientific and the scenic and historic interests of the Commonwealth to co-operate with agencies of the State government and political subdivisions thereof and with private interests in providing and arranging such exhibits to obtain space for such exhibits by lease or by the erection and construction of a proper building through the Department of Property and Suplies in the manner provided by

the Administrative Code of 1929 and its amendments and to do all such other acts as may be deemed necessary or appropriate by the commission to enable the Commonwealth and the people thereof to be represented at said Worlds Fair commensurate with the importance of the Commonwealth

Section 3 The sum of seventy-five thousand dollars ($75,000) or so much thereof as may be necessary is hereby specifically appropriated to the State World's Fair Commission for the payment of the expenses of the members of the commision for the compensation and expenses of the secretary and other employes for the leasing of exhibit space for the erection construction and equipment of building for providing exhibits for light heat power postage telephone telegraph freight and express charges for automobile hire and for other incidental expenses deemed necessary by the commission to carry into effect the provisions of this act

And said bill having been read at length the second time and agreed to.

Orodered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 670, as follows:

An Act to promote the safety of travelers upon street railways and buses and others in cities of the first class by requiring a crew of two on each street railway car and certain buses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assebly met and it is hereby enacted by the authority of the same That in cities of the first class no street railway company or bus company its officers or agents officers of the court receiver or any person or persons doing business in this Commonwealth shall run or operate on any part of its system or routes or permit to be run or operated over its system or routes any street railway car or bus except buses known as single deck buses with a crew consisting of less than two persons to wit one motorman or driver and one conductor for each such car or bus

Section 2 Any street railway company or bus company its officers or agents officers of the court receiver or any person or persons operating a street railway or bus passenger transportation system violating any of the provisions of this act shall be liable to a penalty of one hundred dollars ($100) for each and every such violation to be recovered with costs as debts are now by law recoverable by a suit in the name of the Commonwealth for the use of the city in which such violation takes place

Section 3 It shall be the duty of the Public Service Commission of the Commonwealth of Pennsylvania to enforce the provisions of this act

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 This act shall take effect on the first day of June one thousand nine hundred and thirty-seven

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 86, as follows:

An Act to establish as a State highway a certain section of public road in the County of Allegheny and providing for its construction and maintenance at the expense of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following section of county road in the County of Allegheny is hereby adopted as a State highway

Commencing at a point in Penn Avenue being State highway route number 120 in the Borough of Wilkinsburg Allegheny County and running thence in a northeasterly direction over Swissvale Avenue Park and Montier Streets to an intersection with State highway route 228 north of the Borough of Wilkinsburg shall be adopted by the Commonwealth as a State highway and shall be constructed improved and maintained at the expense of the Commonwealth under existing laws

Section 2 The cost and expense of the construction improvement and maintenance of the highway herein described shall be paid out of any moneys appropriated to the Department of Highways for construction improvement reconstruction or maintenance of State highways

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 270, as follows:

An Act to amend the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" regulating and limiting the use of revenues from the operation of water-works

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" is hereby amended by adding thereto a new section to read as follows

Section 2401.1 Dedication of Revenues Derived from Water-Works Where any water-works have been erected or purchased by a borough as provided in section two thousand four hundred and one the water rentals or charges derived from the users of water shall be paid into a special fund seperate and apart from the general funds of the borough and the moneys in such special fund from time to time shall be used only for the payment of the costs and expenses of operating maintaining and repairing of such water-works for the creation of reserves for depreciation for the payment of interest and sinking fund charges on bonds issued by the borough to pay the cost of the erection or purchase of such water-works and for the construction of extensions and improvements to such water-works and the payment of interest and sinking fund charges on bonds issued by the borough for such extensions and improvements and for no other purposes whatever The rentals or charges imposed on consumers of water by any borough which is operating water-works shall at all times be sufficient to provide the revenues necessary to pay the costs expenses and charges provided for in this section

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consid-

eration of House Bill No. 2339, (Senate Bill No. 995), entitled:

An Act to further amend the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain right powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing that certain proceedings by corporations must show that all contributions for unemployment compensation have been paid.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. ALLEN asked and obtained permission for the Committee on Military Affairs to meet during the session of the House.

BILL ON SECOND READING

Mr. CAPUTO. Mr. Speaker, I desire to call up at this time House Bill No. 236, Printer's No. 974, on page 15 of today's calendar, bill on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 236, as follows:

An Act providing for the creation of public "Authorities" in boroughs authorizing such "Authorities" to enter into agreements with the Government of the United States or agency thereof the Commonwealth of Pennsylvania and political subdivisions and municipalities thereof and with others defining and providing for the organization and dissolution of such "Authorities" conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions upon which such "Authorities" may exercise their powers endowing such "Authorities" with the right of eminent domain and with the power to finance projects by the issuance and sale of bonds authorizing such "Authorities" to make and receive appropriations repealing certain acts and parts of acts inconsistent herewith and for other purposes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

ARTICLE I

Section 101 In each borough of this Commonwealth there is hereby created a body corporate and politic to be known as the "Authority" of said borough (hereafter in this act called the "Authority") provided however that such "Authority" shall not become operative nor transact any business until and unless the authorities of the borough in which it is created shall by proper ordinance declare its creation and appoint and designate the members thereof as i this act herein prescribed Such "Authority" shall constitute a public body corporate and politic of said borough for the public purposes herein set forth and shall exercise an essential governmental function in effectuating such purposes and to that end said "Authority" shall be endowed with and is hereby granted the following powers to wit

(a) To construct maintain and operate electric light and power systems water-works and systems and sewer systems and sewer treatment works and improvements of any thereof and additions thereto and to charge and collect fees rentals and charges in connection with such projects additions or improvements and any or all parts thereof the proceeds therefrom to be used for the purpose of maintaining and operating the same and of repaying to the United States Government and to others any and all moneys and interest thereon which may have been borrowed therefrom in connection with the purposes for which said "Authority" was created as same may be due and payable

(b) To enter into any contract or contracts with any street railway company telegraph company telephone company or other corporation or person or persons desiring to make use of any of the projects constructed or maintained pursuant to the purposes for which said "Authority" has been created and under the provisions of this act for the concurrent use of such portion of any of said projects as shall not substantially impair or restrict the public use and enjoyment thereof upon such rates terms and conditions as shall be agreed upon or to charge tolls or rentals for such special use provided however that such rates terms and conditions shall in no instance be less than the rates terms and conditions paid and met for like lights service and privileges within said borough

(c) To continue as a body corporate and politic for the time specified in this act

(d) To sue and be sued complain and defend in its own name

(e) To have a corporate seal which may be altered at pleasure and to use the same by causing it or a facsimile thereof to be impressed or affixed or in any manner reproduced

(f) To purchase take receive lease as lessee take by gift devise or bequest or otherwise acquire and to own hold use and otherwise deal with any real or personal property or any interest therein situated in the county in which said "Authority" is created and set up which may be appropriate to enable it to accomplish fully and properly its purpose or purposes

(g) To sell and convey lease as lessor and otherwise dispose of all or any part of its property and assets

(h) To borrow money for any or all of the purposes for which it is organized to issue its promissory notes bonds or other forms of certificates of indebtedness with interest as evidence thereof and to secure any of its obligations by mortgage pledge or deed of trust of or on any of its property franchises and income

(i) To enter into any obligation necessary for the transaction of its ordinary affairs

(j) To have and exercise all of the powers and means necessary or essential to effect the purpose or purposes for which the "Authority" is organized

(k) To have and exercise the right and power of eminent domain for the acquisition of real property (the title thereto so acquired being title in fee simple) necessary for and in connection with the business of the "Authority" and for the purposes for which it was created but not to assess levy or collect any taxes of any kind or nature or for any purpose whatsoever specifically to borrow from the Government of the United States or others funds for the construction maintenance and operation of the projects for which said "Authority" shall have been created and to issue its negotiable bonds or other obligations secured by mortgage and trust deed given therefor and to provide for the rights of the holders thereof

(l) To elect a chairman vice-chairman secretary and treasurer and to adopt suitable by-laws for the management of its affairs The secretary and treasurer need not be member or members of the "Authority"

(m) To appoint and designate such officers agents and employes as it may require for the performance of its duties and fix and determine their qualifications duties and compensation

(n) To make rules and regulations for the management and regulations of its affairs

(o) To enter upon any lands waters and premises within or adjoining the borough in which said "Authority" is created and set up for the purpose of making surveys soundings and examinations

(p) To determine the exact location system and character of and all other matters in connection with any and all improvements or facilities which it may be authorized to own construct establish effectuate operate or control

(q) To exercise such other powers not inconsistent with the Constitution of this Commonwealth or of the United States which may be reasonably necessary or incidental to the effectuation of its authorized purposes or to the exercise of any of the foregoing powers except the power to levy taxes or assessments and generally to exercise in connection with its property and affairs and in connection with property within its control any and all powers which might be exercised by a natural person or a private corporation in connection with similar property and affairs

(r) To dissolve and wind up the "Authority" and specifically when as and if all indebtedness to the Untied States and all other proper and lawful indebtedness of the "Authority" shall have been fully paid it shall be the duty of the "Authority" through appropriate action of its officers and members to convey and transfer in fee simple free and clear of all debts liens encumbrances and obligations whatsoever to the borough in which said "Authority" shall have been created and set up all of the projects improvements structures and operations constructed erected acquired or maintained by said "Authority" during the period of its corporate existance and any and all moneys contracts bills and notes receivable leases franchises and all other property whether real or personal of the "Authority" to render to said borough by its proper officers full and complete account of all the transactions and business of the "Authority" and to dissolve and wind up its affairs and thereafter cease entirely to exist

ARTICLE II

Section 201 Whenever the proper authorities of any borough shall desire to form an "Authority" under this act they shall adopt an ordinance signifying their intention so to do

Section 202 The authorities of such borough shall cause a notice of the resolution to be published at least one time in the legal journal of the county in which the "Authority" is to be formed and at least one time in one newspaper of general circulation published in the county Where no legal journal is published then publication shall be made in two newspapers if so many are published in the county The said notice shall contain a brief statement of the substance of the ordinance making reference to this act and shall state that on a day certain not less than three days after publication of the said notice articles of incorporation of the proposed "Authority" will be filed with the Secretary of the Commonwealth

Section 203 On or before the day fixed for the notice above provided for the borough shall file with the Secretary of the Commonwealth articles of incorporation together with proof of the advertisement required by the preceding section If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall forthwith but not prior to the day specified in the notices required by the preceding section endorse his approval thereon and when all proper fees and charges have been paid shall file the articles and issue a certificate of incorporation to which shall be attached a copy of the approved articles The articles upon being approved and filed by the Secretary of the Commonwealth shall constitute the charter of the "Authority"

Section 204 The articles of incorporation shall be executed by each incorporating borough by its council and burgess and shall be acknowledged on behalf of each borough by the members of council

Section 205 The articles of incorporation shall set forth

(a) The name of the "Authority

(b) A statement that an "Authority" is formed under this act

(c) The name of the incorporating borough together with the names and addresses of its council and burgess and chief clerk of the borough

Section 206 Upon the issuance of the certificates of incorporation by the Secretary of the Commonwealth the "Authority's" existence shall begin The certificate of incorporation shall be conclusive evidence of the fact that the "Authority" shall be incorporated but proceedings may be instituted by the Commonwealth to dissolve wind up and terminate an "Authority" which should not have been formed under this act or which had been formed without a substantial compliance with the conditions prescribed by this act as precedent to incorporation

ARTICLE III

Section 301 The "Authority" shall consist of three members all of whom shall be citizens of this Commonwealth and of the borough in which said "Authority" is created and set up and who shall be designated and appointed by the borough council All members shall continue to hold office until their respective successors are appointed and qualified

Section 302 The members shall have entire charge of the "Authority's" property and affairs and shall for the purpose of doing business constitute a board but no action of the board shall be binding unless a majority of the members of the "Authority" shall vote in favor thereof

Section 303 The salary or compensation of the officers and members of the "Authority" shall be fixed and determined by the council of the borough in which said "Authority" is created and set up but none of such salaries or compensation shall be increased or diminished during the term for which the officer or member receiving the same shall have been appointed

Section 304 Vacancies in the office of president vice-president secretary or treasurer caused other than by expiration of term shall be filled by election by the members of the "Authority" Vacancies in the membership of the "Authority" shall be filled by appointment by the council of the borough in which said "Authority" is created and set up

ARTICLE IV

Section 401 If for any of its authorized purposes the "Authority" shall find it necessary or convenient to acquire any real property in or adjoining the borough in which said "Authority" is created and set up whether for immediate or future use the "Authority" may find and determine that such property whether a fee simple absolute or a lesser interest is required for public use and upon such determination may have and may exercise the right and power of eminent domain to acquire the same However no property now or hereafter vested in or held by any county city borough township political subdivision or other municipality shall be taken by the "Authority" without the consent of such political subdivision or municipality unless expressly authorized by this act and neither shall any property of a public service company be taken except such property as can now be taken by the boroughs under existing laws

If the "Authority" is unable to agree with the owner or owners thereof upon terms for the acquisition of any such real property in or adjoining the borough in which said "Authority" is created and set up for any reason whatsoever then the "Authority" may acquire such real property in the manner provided for the acquisition of such property by boroughs in the exercise of the right of eminent domain

The power of the "Authority" to acquire real property by condemnation or the exercise of the power of eminent domain in or adjoining the borough in which said "Authority" is created and set up shall be a continuing power and no exercise thereof shall be deemed to exhaust it

The "Authority" and its duly authorized agents and employes may enter upon any land in the county in which said "Authority" is created and set up for the purpose of making such surveys maps or other examinations thereof as it may deem necessary or convenient for its authorized, purpose

All counties cities boroughs townships and other political subdivisions and municipalities and all public agencies and commissions of the Commonwealth of Pennsylvania notwithstanding any contrary provision of law are hereby authorized and empowered to lease land grant or convey to the "Authority" upon its request upon such terms and conditions as the proper authorities of such counties cities boroughs townships political subdivisions or other municipalities may deem reasonable and fair and without the necessity for any advertisement order of court or other action or formality other than the regular and formal action of the authorities concerned any real property which may be necessary or convenient to the effectuation of the authorized purposes of the "Authority" including real property already devoted to public use

The term "real property" as used in this act includes lands structures waters franchises and interests in land including lands under water and riparian rights and any and all things and rights usually included within the said term and includes not only fees simple absolute but also any and all lesser interests such as easements rights of way uses leases licenses and all other incorporeal hereditaments and every estate interest or right legal or equitable including terms of years and liens thereon by way of judgments mortgages or otherwise and also claims for damage to real estate

Section 402 All contracts shall be let and purchases made by the "Authority" in the manner now provided by law relating to contracts and purchases by authorities of boroughs

ARTICLE V

Section 501 Notwithstanding any provisions of this act the "Authority" shall have no power to pledge the credit of the Commonwealth of Pennsylvania or the credit of any county city borough township or other municipality of said Commonwealth or to create any debt of said Commonwealth or of such municipality county city borough or township and the bonds and debts of said "Authority" shall be a lien upon and payable solely from the assets and revenues of said "Authority"

Section 502 The "Authority" within sixty days after the first day of January each year shall cause a complete audit of its affairs to be made by a firm of certified public accountants approved by the council of the borough in which said "Authority" is created and set up and shall furnish a copy thereof to the said county commissioners the Federal Emergency Administration of Public Works and if desired to the trustee under any mortgage or deed of trust given to secure any bonds issued by the "Authority"

Section 503 Before entering upon the duties of office the treasurer of the "Authority' shall furnish a bond with at least one corporate surety or three individual sureties in an amount not less than one hundred per centum of the estimated amount of the largest sum which will probably be in the treasurer's hand at one time during the succeeding year Such bonds shall be conditioned for the safekeeping of the moneys of the "Authority" and faithful performance of the treasurer's duties

In lieu of furnishing surety bond as above provided the treasurer may pledge with any bank trust company or bank and trust company in Pennsylvania which may be agreed upon securities to guarantee safe-keeping of the funds of the "Authority" and faithful performance of his or its duties The securities so pledged shall have a market value of not less than one hundred twenty per centum of the estimated amount of the largest sum which will probably be in the hands of the treasurer at one time during the succeeding year The "Authority" shall have the right to require the pledging of additional securities if and when the securities already pledged shall become depreciated below said value All securities so pledged shall be accompanied by proper assignments or powers of attorney for their transfer

ARTICLE VI

Section 601 The "Authority" is hereby authorized to make and enforce such rules and regulations and to establish levy and collect (or to authorize by contract franchise lease or otherwise the establishment levying and collection of) such rents rates fees and other charges in connection with any properties which it may construct erect acquire own operate or control as it may deem necessary proper desirable and reasonable which said rents rates fees and other charges shall be at least sufficient to meet the expenses thereof including the cost of maintenance and operation thereof and interest and sinking fund or amortization charges and the "Authority" is hereby authorized and empowered to pledge such rates rents fees and other revenues or any part thereof either presently received or to be received in the future or both as security for the repayment with interest and taxes if any of any moneys borrowed by it or advanced to it for any of its authorized purposes and as security for the satisfaction of any other obligation assumed by it in connection with such loans or advances

ARTICLE VII

Section 701 The Commonwealth of Pennsylvania and all municipalities and political subdivisions thereof so long as any bonds or other securities or obligations of the "Authority" remain outstanding and unpaid and unless and until adequate provision is made by law for the protection of those advancing money upon obligations shall not diminish or impair the power of the "Authority" to own operate or control its properties and facilities or to establish levy and collect rents rates fees and other charges in connection with such properties or facilities

ARTICLE VIII

Section 801 The effectuation of its authorized purposes by the "Authority" is and will be in all respects for the benefits of the people of the Commonwealth of Pennsylvania for the increase of their commerce and prosperity and for the improvement of their health and living conditions and since the "Authority" will be performing essential governmental functions in effectuating said purposes the "Authority" shall not be required to pay any taxes or assessments upon any property acquired or used or obligations issued by the "Authority" their transfer by it for such purposes and the bonds or other securities and the income therefrom (including any profits made on the sale thereof) shall at all times be free from taxation within the Commonwealth of Pennsylvania

ARTICLE IX

Section 901 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein

Section 902 All acts or parts of acts inconsistent herewithin are hereby repealed

Section 903 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT BILL

Mr. TURNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Boroughs.

On the question,

Will the House agree to the motion?

Mr. CAPUTO. Mr. Speaker, I object to the motion made by the gentleman from Delaware and ask the members to vote the motion down.

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Beaver, Mr. Caputo.

The SPEAKER. Will the genaleman from Beaver permit himself to be interrogated?

Mr. CAPUTO. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to know in what manner this bill differs from Senate Bill No. 373, which we have already passed, providing for municipal authorities.

Mr. CAPUTO. Mr. Speaker, I am not familiar with the entire provisions of the Senate Bill to which the gentleman has referred, but if my recollection is right, that bill does not provide for the consideration by authorities of municipally owned public utilities, such as power plants, gas works and water-works, whereas my bill does make provisions for those things.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman why he did not attempt to place his amendments in Senate Bill No. 373. It was on the calendar here for some time and was amended by a number of us here in the House.

POINT OF ORDER

Mr. SCHOR. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. SCHOR. Mr. Speaker, both gentlemen are discussing the merits and the provisions of this bill. The motion, I believe, is a motion to recommit to the Committee on Boroughs.

The SPEAKER. The point of order is well taken. The merits of a bill are not debatable under a motion to recommit.

Mr. TURNER. Mr. Speaker, Senate Bill No. 373—there have been several bills but Senate Bill No. 373 was the most comprehensive. It was introduced by Senator Thompson, was a companion bill to the State Authority Bill and came into this House. Now it seems to me to take a piece out of that bill and put through another bill not only confuses the issue but will leave us with two kinds of authority bills. I think the idea of raising a point of order on a question of this kind is ridiculous. I think we are here to try and get decent legislation. I have no particular pet antipathy to this legislation.

QUESTION OF INFORMATION

Mr. SIMON. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. SIMON. Mr. Speaker, is there any objection to the rest of us knowing what this is about, what bill on what page?

The SPEAKER. Page 15 of today's calendar, House Bill No. 236, Printer's No. 974. The question before the House is the motion of the gentleman from Delaware to recommit to the Committee on Boroughs.

Mr. TURNER. Mr. Speaker, therefore, I say that the bill ought to go back to the Committee on Boroughs for further consideration. If it is necessary to further amend No. 373 for the purpose of incorporating any ideas which the gentleman from Beaver may have, perhaps we can catch the bill and take care of them; if not, it would be possible to put in an amendment to the act, but to put through an entirely new act and thus becloud a very important question to a great many of us would seem to be ridiculous. It seems to me that it would be better to have the bill studied further.

Mr. CAPUTO. Mr. Speaker and members of the House, I want to call the attention of the gentleman from Delaware to the fact that this bill has been in the Committee on Boroughs since January 18 and that the other bill, to which he makes reference, does not have any relation to this bill at all. Therefore, I ask the members of the House to vote down the motion.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the nays appeared to have it.

Whereupon, a division was called for, fifty-six members having voted in the affirmative and ninety-six in the negative, the question was determined in the negative and the motion was not agreed to.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

BILL AND MESSAGE TAKEN FROM TABLE

Mr. REUBEN E. COHEN. Mr. Speaker, I move that Senate Bill No. 749, Printer's No. 454, together with the message from the Senate, which were laid upon the table be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 17, 1937.

Resolved (if the Senate concur) That Senate Bill No. 749, Printer's No. 454, which was passed by the House May 12 with amendments, and messaged to the Senate for concurrence, be recalled by the House from the Senate for the purpose of further amendment.

RECONSIDERATION OF VOTE

Mr. REUBEN E. COHEN. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. SCHOR. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Cohen, vote on the final passage of this bill?

Mr. REUBEN E. COHEN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Schor, vote on the final passage of this bill?

Mr. SCHOR. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. REUBEN E. COHEN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. REUBEN E. COHEN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend title, page 1, line 1 of title inserting after the word "Ten" the following: "as amended"

Amend title, page 1, line 11 of title by inserting after the word "by" the following: "such companies, associations and exchanges including insurance carried by"

Amend sec. 1, page 2, lines 4 and 5 by striking out the words "and Four Hundred and Eleven"

Amend sec. 1, page 2, lines 16 and 17 by striking out the words "be and they are hereby amended to read as follows" and inserting in lieu thereof: "as amended by the act, approved the fifteenth day of July, one thousand nine hundred and thirty-five (P. L. 1020), is hereby further amended to read as follows:"

Amend sec. 1 (sec. 410), page 8, line 1 by striking out the word "provided" and inserting in lieu thereof: "Provided"

Amend bill, page 8, by inserting between lines 11 and 12 the following: "Section 2. That section four hundred and eleven of said act is hereby amended to read as follows:"

Amend sec. 2 (sec. 411), page 8, line 13 by striking out the word "Policy" and inserting in lieu thereof: "policy"

Amend sec. 2 (sec. 411), page 9, line 5 by inserting after the "or" the following: "to"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1787, as follows:

An Act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at Law and in Equity in certain courts of this Commonwealth to prescribe rules and regulations for the conduct of any general business either civil or criminal by Judges of any Court of Record authorizing the Courts of Common Pleas to prescribe and adopt local rules not inconsistent with such general rules of the Supreme Court of Pennsylvania authorizing the Supreme Court of Pennsylvania to appoint a Procedural Rules Committee and to fix and define its powers and duties imposing duties on Judges and other officers of every Court of Record

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the effective date of this act the Supreme Court of Pennsylvania shall have the power to prescribe by general rule the forms of actions process writs pleadings and motions and the practice and procedure in civil actions at Law and in Equity for the Courts of Common Pleas of every county for the County Court of Allegheny County and for such other courts having jurisdiction in civil actions as the General Assembly shall hereafter establish provided that such rules shall be consistent with the Constitution of this Commonwealth and shall neither abridge enlarge nor modify the substantive rights of any litigant nor the jurisdiction of any of the said courts nor affect any statute of limitations The provisions of this section shall not apply to the Courts of Oyer and Terminer Curts of Quarter Sessions and the Orphans Court of this Commonwealth and the practice and procedure in said courts shall remain and continue as prescribed by existing law At the time of the adoption promunlgation and publication of its general rules the Supreme Court shall fix the effective date thereof which shall not be less than six months from the date of the adoption thereof As soon as promulgated a copy of all rules shall be sent to the Prothonotaries or clerks of all courts which may be affected thereby and shall be published by such Prothonotaries or clerks in the same manner as local rules adopted by such courts

From and after the effective date all prior and existing acts or parts of acts relating to practice and procedure in such courts and inconsistent with the general rules of the Supreme Court hereinabove provided for shall be deemed to have been repealed by this act and shall thereafter be of no further force and effect

Section 2 Each of the Courts of Common Pleas the County Court of Allegheny County the and other courts established by the General Assembly may adopt additional local rules for the conduct of its business which shall not be inconsistent with or in conflict with said general rules prescribed by the Supreme Court of Pennsylvania

Section 3 The Supreme Court of Pennsylvania is hereby authorized and empowered to appoint a Procedural Rules Committee the members of which shall have been admitted to practice before the Supreme Court of Pennsylvania which shall assist the Supreme Court of Pennsylvania in preparation revision promulgation publication and administration of the said general rules

Section 4 It shall be the duty of the Judges clerks prothonotaries and other officers of the several Courts of Record in this Commonwealth to furnish to the Supreme Court of Pennsylvania or to be the said Procedural Rules Committee such statistics and information as may be reasonably requested concerning the administration of justice in civil actions in said courts In the event of the failure of any Judge clerk prothonotary or other officer of said courts to comply with the requirements of this section the Supreme Court of Pennsylvania may after hearing impose the penalties hereinafter provided

Section 5 For the purpose of expediting any business of the Courts of Record in this Commonwealth whether civil or criminal which is not otherwise specifically regulated by any of the general rules hereinabove provided for and for the purpose of facilitating a speedy and proper administration of justice the Supreme Court of Pennsylvania shall have the power to prescribe additional general rules for the conduct of such business of any Court of Record within this Commonwealth

Section 6 All acts or parts of acts inconsistent with this act are hereby repealed

Section 7 The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 8 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman	Flinchbaugh,	McGee,	Siegel,
Alexander,	Ganser,	McKinney,	Simon,
Allen,	Gerard,	McShane,	Simpson,
Allmond,	Gillette,	Melchiorre,	Skale,
Arnold,	Gorski,	Mellott,	Sloan,
Atkins,	Habbyshaw,	Merrell,	Smith, James A.,
Aukerman,	Haberlen,	Mihm,	Smith, John A.,
Baine	Hagerty,	Moomaw,	Snyder,
Baker, F. T.,	Hall,	Mooney,	Sollenberger,
Baker, J. J.,	Hamilton, F. P.,	Moran,	Spengler,
Balthaser,	Hamilton, R. S.,	Moul,	Sproul
Bierly,	Harkins,	Muir,	Stackhouse,
Blank,	Harmuth,	Munley,	Stank,
Bohn,	Hays,	Murrin,	Stewart,

Boles,	Hering,	Nagel,	Stockham,
Boltz,	Hess,	O'Brien,	Strode,
Boose,	Hetrick,	O'Connor,	Terry,
Boyer,	Hindman,	O'Keefe,	Thomas,
Bradley,	Hirsch,	Ominsky,	Thompson,
Brancato,	Holland,	O'Neill,	Toole,
Brigerman,	Holmes,	Ostroff,	Tronzo,
Broad,	Holstrom,	Patterson, C. S.,	Trout,
Brown,	Hontz,	Patterson, J. W.,	Tumelty,
Brownfield	Horting,	Peale,	Turner,
Burrows,	Huntley,	Pearson,	Valibus,
Cadwalader,	Imbrie,	Perry,	VanAllsburg,
Caesar,	Jirolanio,	Pershing,	VanSickle,
Caputo,	Kane,	Piole,	Vogt,
Coakley,	Keenan,	Powers,	Wagner,
Cohen, H. B.,	Kelso,	Preston,	Wall,
Cohen, R. E.,	Kilroy,	Readinger,	Walsh,
Coleman,	Kline,	Reese,	Wampole,
Coolahan,	Kroll,	Reising,	Watkins,
Corrigan,	LaRue,	Richter,	Webster,
Costanzo,	Leisey,	Robinson,	Weidemann,
Davies,	Levy,	Rothenberger,	Weiss, D. H.,
Decker,	Lewis,	Royer,	Weiss, S. A.,
DeNote,	Long,	Ruffennach,	Welliver,
Dickinson,	Longaker,	Rush,	Welsh,
Donohoe,	Lopresti,	Sarraf,	Whalen,
Dougherty,	Lovett,	Scanlon,	Whitenight,
Downey,	Lyons,	Schor,	Wilson,
Dubbs,	Mallen,	Schrock,	Winner,
Dyson,	Marino,	Schrope,	Wood,
Eckels,	Matthews, H. I.,	Schumacher,	Woodside,
Elpern,	Matthews, J. F.,	Serrill,	Wright,
Falkenstein,	McArdle,	Shaw,	Yanoshat,
Finnerty,	McCullough,	Shea,	Yeakel,
Fiss,	McDermott,	Shepard,	Yourishin,
Fitch,	McDevitt,	Shoemaker,	Zappala,
Flanagan,	McElroy,	Shugarts,	Furman,
Flannery,	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1984 entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrains, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forefeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds", as amended by adding new sections; further regulating the use of highways and the operation of, and the equipment used in connection with, vehicles, including trailers and semi-trailers, street cars, trackless trolley omnibuses school buses and commercial motorcycles upon the highways of this Commonwealth providing exemptions extending certain provisions of the act to trailers and semi-trailers providing for the renewal and automatic satisfaction of encumbrances and liens and further amending the procedure relating thereto providing for the further registration of certain vehicles and the licensing of the operators thereof including additional requirements reciprocity agreements and additional reasons for suspension and revocation conferring additional powers and imposing additional duties upon the Department of Revenue and the Department of Highways further imposing upon municipalities within the Commonwealth liability for damages caused by the negligent operation of fire department equipment changing the procedure disposition of fines and penalties for certain violations of the act and making the fines thereunder mandatory and extending penalties and providing addtional penalties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. CLIFF S. PATTERSON. Mr. Speaker, and members of the House, I hesitate to rise in opposition to this bill at this time, as there are some good features and points in this bill I am forced to vote against the bill unless some of the provisions which are not advisable are removed. On page 135 I wish to call the attention of the House to section 1033, sub-section B, which reads as follows:

"No person shall operate a vehicle on the highways of this Commonwealth carrying other vehicles any part of which is carried at a height of more than 115 inches above the ground."

Mr. Speaker and members of the House, I feel that is clearly unconstitutional. Why should we set up certain class legislation as to heights and permit other vehicles to carry a haul far beyond that?

I also wish to call your attention in the same section to sub-section C, which reads as follows:

"No person shall operate a vehicle on the highways of this Commonwealth carrying any other vehicle any part of which is above the cab of the carrier vehicle or over the cab of the operator of such carrier vehicle."

I feel that section comes within the same category, and that it is somewhat questionable as to its constitutionality.

I would therefore ask that this bill be placed on the postponed calendar in order that the constitutionality of the same may be determined.

MOTION TO POSTPONE BILL

Mr. CLIFF S. PATTERSAN. Mr. Speaker I move that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. JIROLANIO. Mr. Speaker, may I interrogate the gentleman from Washington, Mr. Patterson?

The SPEAKER. Will the gentleman from Washington permit himself to be interrogated?

Mr. CLIFF S. PATTERSON. I will, Mr. Speaker.

Mr. JIROLANIO. Mr. Speaker, is it not a fact that this bill has been in committee since March 18, 1937?

Mr. PATTERSON. That is right, Mr. Speaker.

Mr. JIROLANIO. Mr. Speaker, has the gentleman from Washington at any time offered amendments to the committee on the points which he just raised?

Mr. CLIFF S. PATTERSON. Mr. Speaker, I personally have not but others have.

Mr. JIROLANIO. Mr. Speaker, the gentleman from Washington did receive an opportunity of doing so, did he not?

Mr. CLIFF S. PATTERSON. I did, Mr. Speaker.

Mr. JIROLANIO. Mr. Speaker the gentleman from Washington has never done so, has he?

Mr. CLIFF S. PATTERSON. No, as I said, but others did. They did it for me.

Mr. JIROLANIO. Mr. Speaker, is the gentleman from Washington doing this for himself or is he doing it for others?

Mr. CLIFF S. PATTERSON. Mr. Speaker, both.

Mr. JIROLANIO. Mr. Speaker, how can the gentleman do it for both when he never brought the point up himself?

Mr. Speaker and members of the House, I rise in objection to placing this bill upon the postponed calendar, for the reason that this bill has been in committee since the 18th day of March 1937. The House itself has heard the gentleman say that this has very may good points in itself, and the House has heard the gentleman say that he at any time never saw fit to bring it to the attention of the committee, he never brought to the attention of the committee the fact that he thought that there were certain things in this bill that were not advisable and not of any good use to the people of the Commonwealth of Pennsylvania. I say in due fairness to the sponsor of the bill and to those people who use the highways in Pennsylvania that this bill should not be placed on the postponed calendar, but that action should be taken on it immediately. Therefore, I enter my objection.

Mr. AUKERMAN. Mr. Speaker and members of the House, in answer to the gentleman from Washington Mr. Patterson, I would like to point out to him that under the section which he enumerated to the House, the section limiting the 115 inches as to vehicles for carrying other vehicles thereon, I believe that this section will be clearly constitutional because of the fact that the Revenue Department and the House of Representatives, or the Legislature, have on various occasions restricted certain classes of vehicles in certain particulars. The same thing applies to carrying other vehicle on the cab. This is purely a safety measure. It has been related to me by reliable men that this practice of carrying other vehicle on top of a cab is a very dangerous practice, due to insecure lashing.

I think it is high time for the Legislature to realize that our highways originally were constructed for the purpose of driving thereon by the residents of this State and other states, and not for the transportation of things which rightfully do not belong thereon.

Therefore, I ask the membership of this House to vote down this motion to place this bill on the postponed calendar.

Mr. ALEXANDER. Mr. Speaker and members of the House, I hate to disagree with my good friend from Blair, Mr. Aukerman. The legislation that was passed previously controlling certain trucks has been done with relation to the trucks themselves, as to length and height. This bill has a provision as to trucks hauling motor vehicles, and if that is not class legislation then there isn't any. In other words, we limit the height to 115 inches for those hauling vehicles. It does'nt say anything at all concerning any other trucks in regard to it's height or what it hauls. He talked about the hauling of a motor vehicle over the cab. That again is a class legislation because it does not include any and all merchandise, as to the weight of the load over the cab. This to my mind is absolutely unconstitutional, and I think that the members who are opposing this bill have a perfect right to have it placed on the postponed calendar, inasmuch as a number of times I have approached the sponsor of this bill and he absolutely has refused to consider amendments which would eliminate this part of the bill.

I therefore ask the members to vote in favor of placing this bill on the postponed calendar in order that these things may be worked out.

Mr. WOODSIDE. Mr. Speaker and members of the House, I am not a member of the Committee on Motor Vehicles and I did not see this bill until it came out on the calendar. I am not supposed to be an expert on this subject but as a user of the highway and as one—

POINT OF ORDER

Mr. JIROLANIO. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Northampton will state his point of order.

Mr. JIROLANIO. Mr. Speaker, the motion before the House is a motion whether or not this bill should be placed upon the postponed calendar, and not the question of the merits of the bill.

The SPEAKER. The point of order is well taken. The Chair has allowed the members to discuss the merits of the bill. I think that every member who has spoken, including the gentleman who raised the point of order, has not confined his remarks to the motion before the House. The Chair wishes to be liberal and will ask the gentleman who has the floor to proceed but to refrain as much as possible from discussing the merits of the bill.

Mr. WOODSIDE. Mr. Speaker, I do not desire to proceed and to do anything in violation to the ruling of the Chair. My intention was to point out in this bill specific provisions, which raised considerable doubt in my mind, and by reason of which I think it is only fair that this bill should be placed upon the postponed calendar in order that these particular provisions should be given further and more careful consideration. I would like to know whether the Chair considers a discussion on this to be a discussion on the bill and out of order at this time.

The SPEAKER. Discussion on a particular clause of the bill is out of order, but the other speakers have discussed it, and the Chair thinks it is only fair to permit the gentleman from Dauphin also to discuss it. The gentleman will proceed.

Mr. WOODSIDE. Mr. Speaker, I will attempt to confine myself to those particular sections that I think should be given more consideration.

Mr. Speaker and members of the House, there are several provisions in this bill particularly which I desire to call to your attention, which I think should be given further consideration, and by reason of which I think this bill should be placed upon the postponed calendar in order that these particular provisions can be given further consideration, and in order that amendments can be prepared and introduced.

I refer to the question of registration cards, for example, and the requirements therein that notice of any change of name or address must be given within forty-

eight hours. I think that is a provision that should be given further consideration and should be amended to make the time longer because everybody known that when a person moves he does not have the time to attend to such matter in forty-eight hours, and he should not be subjected to criminal prosecution when that is not done. When a person changes his name, and that of course applies particularly to a woman becoming married, and I do not believe that she should be obliged to stop her honeymoon and give notice that she has changed her name, or be subject to prosecution for not having done so.

I also think we should give further consideration to the question whether or not the licenses should be extended for a period of fifteen days, with the consent of the Department of Revenue. I think that the Department of Revenue has in the past been able to get out its work, and I think that the present Department of Revenue ought to be able to get out the license the day when the application comes in. That has been the rule with past administrations. I see no necessity for extension of the time.

I think there is another provision in here which is rather serious and which should be given serious consideration, and that is the question of the authority to refuse information as to title, and so forth. If our title system is to be worth anything, it should be more or less a public record, and information should be obtained by anybody upon the proper application. Under the terms of this bill we permit the Secretary of Revenue to refuse this information if he so desires, or decide what part of the information he wishes to give.

There is another feature of this bill which should be given additional consideration, and that is the provision in regard to the school buses. There are quite a few other features in the bill which I would like to discuss if the bill is not placed upon the postponed calendar, most of which I hope will be given consideration by this House. I have cited just a few of the provisions of this bill which I think merit consideration. There are quite a few others which deserve serious attention. A public hearing has been requested on this bill and I think we should give the people who are requested on this bill and I think we should give the people who are interested in this bill a greater opportunity to discuss this matter, and I do not think that the bill in its present form should pass.

Mr. JIROLANIO. Mr. Speaker, I would like to interrogate the gentleman from Dauphin, Mr. Woodside.

The SPEAKER. Will the gentleman from Dauphin permit himself to be interrogated?

Mr. WOODSIDE. I will, Mr. Speaker.

Mr. JIROLANIO. Mr. Speaker, do I understand the gentleman from Dauphin to say that a person will be required to send in notification of the change of address within forty-eight hours?

Mr. WOODSIDE. That is correct, Mr. Speaker.

Mr. JIROLANIO. Mr. Speaker, I also understood the gentleman from Dauphin to say that it was a crime if the person violated that particular portion of the act?

Mr. WOODSIDE. Mr. Speaker, if they did not do so, yes.

Mr. JIROLANIO. Mr. Speaker, for the information of the gentleman from Dauphin, if he reads page 51 of the present bill, which is the bill now under discussion, under the heading of "Penalty" he will find the following: "Any person violating any of the provisions of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of five dollars" and so forth. Therefore, there is nothing in this particular act which makes it a crime of any nature whatever for not sending notice of change of address within forty-eight hours.

Mr. WOODSIDE. Mr. Speaker, from the amended copy of the bill I find that the gentleman is correct. I believe that improves the bill, but I do not see any reason why we should require these people to comply within forty-eight hours if there is no way to enforce it, if there is no punishment for not doing it. I think they ought to be required to comply within a reasonable time, but not within forty-eight hours.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. JIROLANIO and Mr. LOPRESTI.

Mr. LEWIS. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—81

Achterman,	Haberlen,	Muir,	Sproul,
Alexander,	Hall,	Murrin,	Stackpole,
Allen,	Hamilton, R. S.,	O'Brien,	Stewart,
Atkins,	Hays,	Patterson, C. S.,	Stockham,
Baker, F. T.,	Hetrick,	Patterson, J. W.,	Trout,
Baker, J. J.,	Hindman,	Perry,	Turner,
Balthaser	Holstrom,	Powers,	Valibus,
Boltz,	Imbrie,	Preston,	VanAllsburg,
Boose,	Keenan,	Richter,	Wall,
Boyer,	Kline,	Robinson,	Wampole,
Brownfield,	LaRue,	Rothenberger,	Watkins,
Burrows,	Leisey,	Royer,	Webster,
Cadwalader,	Longaker,	Schrock,	Weidemann,
Davies,	Lovett,	Schrope,	Weiss, S. A.,
Donohoe,	Lyons,	Schumacher,	Wilson,
Dyson,	Matthews, J. F.,	Serrill,	Winner,
Eckels,	McDevitt,	Siegel,	Wood,
Fiss,	McElroy,	Sloan,	Woodside,
Ganser,	McKinney,	Snyder,	Yeakel,
Gillette,	Merrell,	Sollenberger,	Furman,
Habbyshaw,	Mooney,		

NAYS—85

Allmond,	Falkenstein,	Lopresti,	Shugarts,
Arnold,	Finnerty,	Marino,	Skale,
Aukerman,	Fitch,	McCullough,	Smith, John A.,
Baine,	Flanagan,	McFall,	Smith, James A.,
Bierly,	Flannery	McGee,	Spengler,
Blank,	Gerard,	McShane,	Stank,
Brigerman,	Gorski,	Mellott,	Thomas,
Broad,	Hagerty,	Moomaw,	Thompson,
Brown,	Hamilton, F. P.,	Moran,	Toole,
Caesar,	Harkins,	Munley,	Tronzo,
Caputo,	Hering,	O'Connor,	Tumelty,
Coakley,	Hess,	Pershing,	VanSickle,
Cohen, H. B.,	Hirsch,	Readinger,	Vogt,
Cohen, R. E.,	Holmes,	Reese,	Wagner,
Coleman,	Horting,	Reising,	Weiss, D. E.,
Corrigan,	Huntley,	Ruffennach,	Welliver,
Costanzo,	Jirolanio,	Rush,	Welsh,
DeNote,	Kelso,	Sarraf,	Whalen,
Dickinson,	Kroll,	Schor,	Wright,
Dougherty,	Levy,	Shepard,	Yanoshat,
Dubbs,	Lewis,	Shoemaker,	Zappala,
Eipern,			

So the question was determined in the negative and the motion was not agreed to.

(During the verification of the roll).

QUESTION OF PARLIAMENTARY INQUIRY

Mr. OMINSKY. Mr. Speaker, I rise to a question of parlimentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parlimentary inquiry.

Mr. OMINSKY. Mr. Speaker, when the verification of the roll is made, is that a part of the roll itself, for the purpose of voting?

The SPEAKER. The gentleman must be in the House when the roll is called, not only during the reading of the verification, in order to be permitted to vote.

REASON FOR VOTE

Mr. MURRIN filed the following reason for his vote:

I am voting Aye on this motion. I have had close contact with this bill since it was introduced, and Vice Chairman of the Committee on Motor Vehicles.

The motion of Mr. Patterson of Washington is fair. I am not voting on the merits of the bill.

On the question recurring,

Shall the bill pass finally?

Mr. WOODSIDE. Mr. Speaker and members of the House, there are many amendments to the Motor Vehicle Code which we feel should be written into the law. Some of them are in this bill. Some of the provisions of this bill are a forward step and are a step in the right direction. I refer particularly to the item which provides that the fine for the driving of a motor vehicle while under the influence of intoxicating liquor should be returned to the county instead of going to the State. There are other provisions for this bill, a number of them, which are very good and which I should like very much to vote for. There are, however, a number of provisions in this bill which are not good and which I would like very much to vote against. It, therefore, puts me, and I think a number of other members of the House, in a difficult position because I may care to vote for a bill that contains a number of provisions which I am very much interested in having written into the law, and at the same time we are compelled to vote against the same bill because it contains a number of provisions which we are very anxious to see not written into the law. We on this side of the House were particularly anxious to see written into the code the amendment which was presented here by the gentleman from Erie, Mr. Van Allsburg, which provided for issuing operators' licenses at half price and at quarter price. That is, a person who paid for a half a year's license should receive a half year's part of his license, and if he paid for a quarter year's part of his license he should receive a quarter year's part of his license.

We are also interested in having written into this bill an amendment which would enable the operators' licenses to be issued for a term of three years for a cost of two dollars. We felt that was a forward step and was giving the motorists the most for their money.

There are a number of provisions in this bill at the present time in which we are interested, which we think should be given serious thought. There are a few of the things which I think should receive additional consideration before they are written into the law. One of them is the gross weight of trucks. I think consideration should be given as to whether or not the fine shall be twenty-five dollars when there is only a five percent over load, and the fine shall remain the same, fifty dollars, when there is a ten percent over load. You will find that in a large number of instances the driver will go to jail rather than pay the fine. I think it would be advisable from the stand point of all parties concerned to reduce the penalty on that below fifty dollars. I know in the borough in which I live, that within the last two weeks there a number of drivers who were caught with over-weight trucks, and each of the drivers stayed a few days in jail and were discharged rather than pay the fifty dollars fine. I feel it would be advisable to reduce that fine.

Some of the regulations of school buses are very good. I think that some of them have gone too far, even the regulation of the color of paint that is to be placed on the school bus, which prevents many of the schools from using their school colors on the school buses, which many of them have been doing. We now have very many signs on the road. It seems to me we are getting pretty close to the place where the signs are becoming a menace to the highways rather than a help. It seems we are very much interested in signs at the present time. We put up signs that there is a highway patrol stationed a few miles away. We do not know what direction it is, whether it is up this road or up that road or another road, but we do know that there is a highway patrol a few miles away. At the present time we have very many signs upon the highway, like that of the passing zone, but somehow or other we seem to think we need more signs. I think that provision is not very good.

There are some rather serious difficulties on the part of the truck operator who had his truck equipped with green lights in front, we must now change them from green to amber. Some of the surrounding states, I understand Ohio. requires green lights, and it will be necessary for these trucks to carry several different kind of colored lights, if they cross the state line. I do not think that is an advisable provision.

Another provision, if the manufacture of vacuum hose that is to be used in brakes fails to renew his certificates of approval, then the motor vehicle owners who purchased them will be compelled to discard the hose which they have purchased in good faith within two years.

On page 84, line 16 of the bill wipes out the word "resident." That makes a very serious situation, as I see it, because under the bill as it is written now, every person who would go through the State with a foreign license, the minute that they get into the State, they would have to go to the nearest inspection station and have their car inspected and have a notice placed on it that the car has been inspected before it can proceed through the State. I think that is a provision which is rather serious and must be taken into consideration.

There is another provision on page 99, line 5, prohibiting any driver of a motor vehicle from giving any signal unless the signal is required by law. That seems to be a rather difficult proposition to enforce.

There is also considerable discussion concerning the abolishment of the trucks which haul automobiles on the highways. I know that there are objections on both sides. I think, however, it is a little too harsh to rule them out of existence as quickly and as completely as they are ruled out by this bill.

Inasmuch as there are a number of other provisions in this bill that I would like to vote for, and which I think a number of other members would like to vote for, and inasmuch as there are a number of other provisions in here which seem to me have not been given the proper consideration by the entire House and the public that

they should be given, I think that this bill should be returned to the committee for further consideration.

On the question,

Will the House agree to the motion?

BILL RECOMMITTED

Mr. WOODSIDE. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles for the purpose of further study and possible amendment.

On the question,

Will the House agree to the motion?

POINT OF ORDER

Mr. JIROLANIO. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Northampton will state his point of order.

Mr. JIROLANIO. Mr. Speaker, I think that the business before the House is whether or not this bill should be passed on third reading. That question should be disposed of before the question of recommitting the bill is proper.

The SPEAKER. A motion to recommit is a privileged motion and is in order at any time.

Mr. AUKERMAN. Mr. Speaker and members of the House, I rise to oppose this motion on the same ground upon which I opposed a similar motion yesterday afternoon, and that is that this bill has been before the House and before the committee for almost two months, during which time it was given a very thorough consideration. The parties interested were called in, I might call the attention of the House to the fact that there are a very few points in this bill which touch upon individual drivers. The main point under consideration is the local trucks. I would like to state that the president of the Pennsylvania Truckers' Association, Mr. Sutherland, appeared before the committee with his amendments, and his view points were weighed by the committee. This bill has been given a very serious consideration in the committee, and I ask the members of the House to vote against recommitting the bill to the committee.

Mr. ALEXANDER. Mr. Speaker and members of the House, speaking upon this motion to recommit, there is just one feature that I would like to call to the attention of the members of the House, which is a matter of very great importance. May I have unanimous consent to talk on this for just a minute? There is one provision that I would like to call to the attention of Mr. Woodside and to the attention of the members of the House, which is very important. He did not stress it as fully as it should have been stressed.

The SPEAKER. The gentleman from Mifflin asks permission of the House to discuss one of the provisions of this bill at this time. Will the House give its consent.

Mr. JIROLANIO. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection, and consent is not granted. The only question before the House is on the motion to recommit.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the nays appeared to have it.

Whereupon, a division was called for, fifty-two members having voted in the affirmative and one hundred nine in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. ALEXANDER. Mr. Speaker and members of the House, under article (f) it says. "No driver of any vehicle upon a highway shall give a signal indicating a stop, start or turn unless such signal is required by this act." and then it says, shall be subject to a $10 fine. You realize that if you are driving down a road in a closed car and want to stop, whether your rear light is working or not, it is customary to put your hand out of the side you are driving, and the same way if you are going to make a turn, but if you are caught doing that under this act you are subject to a fine. There is no reason why such a provision should be written in any bill when it has been customary and, as Mr. Woodside said, making an immediate change. That is a very dangerous provision. In other words, in carrying out that provisions, it would be a violation for any operator to offer any signal to stop, start, turn or what not in any manner than that provided by the act. I assume in this instance that the act refers to the mechanical equipment on cars and trucks which is operated by switches. That is just one of the things I want to call to the attention of the House and that is the reason I voted to recommit this bill, in order that we may give further consideration to the bill before final passage.

Mr. JAMES W. PATTERSON. Mr. Speaker and members of the House, I find myself in the same position of being called upon to act on a bill with many parts of which I do not agree, but nevertheless I am a good sport and I am going to abide by the decision and I am going to vote for the bill, although I think there are many features in the bill that are objectionable and that I would like to see removed. I am going to vote for the bill.

Mr. TROUT. I would like to interrogate the gentleman from Blair, Mr. Aukerman, Mr. Speaker.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. AUKERMAN. Mr. Speaker, I will.

Mr. TROUT. Mr. Speaker, preparatory to my question I want to say I considered this bill in committee and discussed it, but there is a provision here that I am just a little bit afraid of and I wonder if it means just what it says. On page 84, beginning with line 11, "On and after the first day of every May and until and including the thirty-first day of July and on and after the first day of November and until and including the thirty-first day of January every owner of a motor vehicle trailer or semi-trailer being operated in the Commonwealth except motorcycles and bicycles with motor attached shall submit such motor vehicle trailer or semi-trailer to such inspection of its mechanism and equipment as may be designated by the secretary."

I would like to ask the gentleman from Blair whether that section means that a motorist driving from Ohio into Pennsylvania subjects himself to the provision and the requirement of having an inspection made, and if he does not whether he is liable to arrest and a fine for violation of this motor code.

Mr. AUKERMAN. Mr. Speaker, in answer to the gentleman from Lancaster, Mr. Trout, I would like to state that I have been informed that this applies only to resident vehicles and those vehicles engaged in interstate commerce and it was so worded that it would enable the

secretary to exercise his right of inspection or the right of the department to inspect vehicles according to the Interstate Commerce regulations which will be set up, we are assured, in a very short time.

Mr. TROUT. Mr. Speaker, in the original bill as drawn the word "resident" was in the bill. As it is now the word "resident" has been taken out. Now, if the gentleman's statement is correct so far as the secretary of the department is concerned, what assurance do we have that this relationship between other states and Pennsylvania will become effective.

Mr. AUKERMAN. Mr. Speaker, all I can say to the gentleman is this, that the bill in another section provides for reciprocity between the Secretary of Revenue of this State and such officers of other states who may be in a position to regulate the traffic of those states on matters of this kind, and I feel that any injustice will be prevented by our courts and that there will be no chance of our secretary or the secretary of any other state infringing upon the rights of the citizens of those states who are engaged in interstate commerce.

Mr. TROUT. Mr. Speaker, I want to say to the gentleman from Blair that just a few years ago there was a great deal of difference of opinion on the question of reciprocity between Pennsylvania and New Jersey and later between Pennsylvania and Maryland. Now, during the negotiations for this reciprocity agreement a motorist driving into Pennsylvania still subjects himself to the penalty or to the requirement of having his automobile inspected. Mr. Speaker, I feel like the gentleman from Dauphin, Mr. Woodside, and the other gentleman who has spoken. I started out here with the idea of giving absolute support to this bill, but there are a few things that have come up today that I have not noticed before,—I am not accusing anybody but myself, and I want personally to cooperate with the Department of Revenue in this motor code legislation, but I do feel that we ought to clarify this part of the bill. In other words, it seems to me—and this is no personal reflection on any man, because I think too much of the men who have charge of this department—

Mr. McGEE. Mr. Speaker, I move the previous question.

The SPEAKER. The Chair sees no seconds. The gentle- from Lancaster will proceed.

Mr. TROUT. Mr. Speaker, if the gentleman from Philadelphia who moved the previous question has no more interest in legislation affecting the citizens of Pennsylvania than his motion indicates, I am perfectly willing to sit down. I have not taken the time of this House unduly during this session and I think it was discourteous to make a motion of that kind.

Mr. TURNER. Mr. Speaker, I am going to take but just a moment to say to the House, in fact to reiterate practically what has been said by my colleagues on this side. We realize that this is a comprehensive bill, that it is an effort on the part of the Department of Revenue to improve motor regulations in this State. The bill has many good features which we have discussed and which we feel are admirable and we want to see it on the statute books, but it has other features that make it undesirable and therefore we are compelled to vote "no" on this bill.

Mr. JIROLANIO. Mr. Speaker, I am going to rise in support of this bill. Here we have a bill before us, which is House Bill No. 1894 containing 136 pages and you have heard a lengthy discussion here as to why this bill should either be postponed or be voted down. Just taking up the reasons advanced as to why the bill should be voted down, let me just give you some of them, one is that a person must register his change of address in forty-eight hours and on that question I wish to point out that there is no infraction of the law involved if you do not do it. It is only a rule or regulation. Now is that so serious that you should vote against this bill? Now the next argument is that we should vote against this bill because we are trying to set up a uniform method of painting motor vehicles. Now is that so serious that we should vote against this bill? Next we come to the question of foreign or outside motorists coming into the State of Pennsylvania, whether or not those outside motorists will be forced to maintain their cars under the same system of maintenance and construction as we must maintain our own cars. Do the members of this House prize the welfare of personal property over that of personal liberty and individualism? Are you going to say that property is so sacred that a human life can be taken? Then they go on to say that you should vote against this bill for another reason: because we say that the height shall not be more than one hundred fifteen inches over and above the street and then another additional reason has been given and what is that additional reason? They say in transports why shouldn't they be allowed to have a car which is being transported to extend over the cab in which a poor unfortunate person is forced to drive as a means of livelihood. They do not care if that man's life is taken as long as their own personal interests are taken care of; they are not going to do anything at all to help the other fellow, they are only looking out for their own selfish interests. I say to this House that if they have advanced one single logical reason I would sit down and vote against this bill.

Mr. WOODSIDE. Mr. Speaker and members of the House, just one more point. The gentleman from Northampton referred to the fact that there was no penalty provided for failure to notify the Department of change of address or name within forty-eight hours. The penalty has been stricken out in that section in which that provision is stated, but it is possible under the act for the Secretary of Revenue to revoke a license for any violation of any of the provisions of this act. Therefore, the penalty does exist and that penalty is suspension of license or revocation of license which is more serious than a three or five or ten dollars fine.

Mr. AUKERMAN. Mr. Speaker and members of the House, at the beginning of my brief remarks I would just point out what my interest is in this bill. I am not the author of the bill but I feel that I know more about the bill than any other member of the House with my apologies to the able gentleman from Northampton, Mr. Jirolanio. I say this because this bill was in my subcommittee on Motor Vehicles—the sub-committee being composed of seven members—which committee studied the bill word for word, line for line three weeks before our report was made to the Committee on Motor Vehicles. I feel, therefore, that I am not bragging when I say I know more about this bill than any other member of this House.

I want to give you the history of the bill. The bill

was presented on March 23rd, was very shortly thereafter referred to my sub-committee, there were three or four sub-committee meetings lasting from three to five hours held on this bill. The bill was then reported back to the main committee and the main committee had several lengthy sessions concerning it—

Mr. NAGEL. Mr. Speaker, I ask that this bill be passed over for the present.

The SPEAKER. The gentleman is out of order. The gentleman from Blair has the floor discussing the bill.

Mr. AUKERMAN. Mr. Speaker, after the main committee had decided on what amendments were to be adopted, the bill was reported out on May 4th for one reading so that the bill could be printed and the amendments could be studied by all of the members of the House including the members of the Committee on Motor Vehicles. The bill lay on the floor of the House from May 4th to May 10th when it passed first reading and was recommitted. On May 11th another lengthy session of the Motor Vehicle Committee was held and the bill was studied and amendments were proposed, and all the amendments were considered very carefully by the committee. The bill was again reported out on the floor of the House on May 11th and did not receive second reading until yesterday, May 18th. I think that bespeaks more than the usual consideration for any bill. I realize that no bill before this House could please every one in Pennsylvania, but we members of the Motor Vehicle Committee feel that this bill does reflect the greatest possible good to the greatest number of people using the highways of the State, and therefore I ask the members of this House to support this bill.

One or two points have been touched upon by my good friend from Dauphin, Mr. Woodside and one is the change from green lights to amber lights on the front of trucks. This necessitates only a change of the lens on these lights, a change that will incur an expense of approximately fifty cents each lamp and will not work any great hardship upon truck owners. I might say that the states nearby require amber lights and as has been pointed out some of our trucks have to have these lights. It will not be long before we have a ruling of the Interstate Commerce Commission on the question of lights and at that time the Interstate Commerce Commission is expected to hand down a ruling requiring amber lights instead of green lights on trucks.

I think a point that is of great interest to us is that dealing with motor convoys. We have not ruled motor convoys off the road—absolutely not. We are attempting to make the roads and the highways safer by regulating the height, the weight and the use of these convoys. We have provided that they may not be more than fifty feet in length or forty-five feet in length, I believe, after 1941, and must carry their cars on one level and not more than four cars may be carried on one convoy. As I mentioned a while ago the practice of piling up these cars on these trucks is a very hazardous one and has created a very great danger on our highways today. I would further state that the provision limiting the height of these convoys is a very excellent one, because these convoys are of very light construction due to the weight they carry. They do not have a low center of gravity and it is necessary to bring that center of gravity down close to the road in order that they may not topple over. There are some people who feel it is unjust that we should make this provision apply to a particular type of truck, but it is not unjust when you consider that the other types of trucks, which are allowed a greater height than motor convoys, have a lower center of gravity and have greater weight in the chassis which these trucks do not have, and therefore in order to avoid toppling over and accidents of that kind it is necessary to cut down on this particular type of truck.

In answer to the gentleman from Mifflin, Mr. Alexander, regarding the hand signals, I wish to point out that the section which he mentioned applies only to mechanical signal devices, such as we see on our trucks today, that is, the illuminated arrows on the front of the truck and the rear of the truck to indicate turns. The bill is so worded that no other devices for signaling will be acceptable to the Highway Patrol and the Revenue Department except those prescribed by the Highway Patrol and Highway Department. That does not apply to anything except the mechanical devices.

I think I have briefly told you about the high points of this bill. It also provides for cutting down the license fee from two dollars to one dollar annually. I say it is a worth while bill, to be studied thoroughly by both the Republican and Democratic members of the House and I ask the members to vote in favor of this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—142

Achterman,	Flanagan,	McDermott,	Scanlon,
Allen,	Flannery,	McDevitt,	Schor,
Allmond,	Flinchbaugh,	McElroy,	Shepard,
Arnold,	Ganser,	McFall,	Shoemaker,
Aukerman,	Gerard,	McGee,	Sibugarts,
Baine,	Gillette,	McShane,	Simon,
Baker, J. J.,	Gorski,	Melchiorre,	Skale,
Bierly,	Hagerty,	Mellott,	Smith, James A.,
Blank,	Hamilton, F. P.,	Merrell,	Smith, John A.,
Bohn,	Hamilton, R. S.,	Moomaw,	Snyder,
Boltz,	Harkins,	Mooney,	Sollenberger,
Brancato,	Hays,	Moran,	Spengler,
Brigerman,	Hering,	Moul,	Stank,
Broad,	Hess,	Munley,	Thomas,
Brown,	Hetrick,	Murrin,	Thompson,
Brownfield,	Hindman,	Nagel,	Toole,
Caesar,	Hirsch,	O'Brien,	Tronzo,
Coakley,	Holland,	O'Connor,	Trout,
Cohen, H. B.,	Holmes,	O'Keefe,	Tumelty,
Cohen, R. E.,	Holstrom,	Ominsky,	Valibus,
Coleman,	Hontz,	O'Neill,	VanAllsburg,
Coolahan,	Horting,	Ostroff,	VanSickle,
Corrigan,	Jirolanio,	Patterson, C. S.,	Vogt,
Costanzo,	Kane,	Perry,	Wagner,
Davies,	Keenan,	Pershing,	Walsh,
Decker,	Kroll,	Powers,	Weiss, D. H.,
DeNote,	LaRue,	Preston,	Weiss, S. A.,
Dickinson,	Levy,	Readinger,	Welsh,
Donohoe,	Lewis,	Reese,	Whalen,
Dougherty,	Long,	Reising,	Whitenight,
Downey,	Longaker,	Robinson,	Wright,
Dubbs,	Lopresti,	Royer,	Yanoshat,
Elpern,	Lovett,	Ruffennach,	Yourishin,
Falkenstein,	Marino,	Rush,	Zappala,
Finnerty,	Matthews, J. F.,	Sarraf,	Furman,
Fitch,	McCullough,		

NAYS—36

Alexander,	Hall,	Rothenberger,	Turner,
Baker, F. T.,	Huntley,	Schrock,	Wampole,
Balthaser	Imbrie,	Schrope,	Watkins,
Boose,	Kline,	Schumacher,	Weidemann,
Boyer,	Leisey,	Siegel,	Wilson,

Burrows,	Lyons,	Sloan,	Winner,
Cadwalader,	McKinney,	Sproul,	Wood,
Dyson,	Muir,	Stackpole,	Woodside,
Eckels,	Peale,	Stockham,	Yeakel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENT

There will be a caucus of the Democratic members immediately in the House caucus room.

RECESS

The SPEAKER. If there are no objections, the Chair is about to declare a recess until 9:00 p. m. Are there objections? The Chairs hears none and declares a recess until 9:00 p. m.

AFTER RECESS

The House reconvened at 9:00 p. m.

The SPEAKER (Roy E. Furman) in the Chair.

SENATE MESSAGES

AMENDED SENATE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bills numbered and entitled as follows, viz:

SENATE BILL No. 373.

An Act to amend the title and sections three four six seven eight nine ten eleven fourteen and eighteen of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (P. L. 463) entitled "An act providing for a limited period of time for the incorporation as bodies corporate and politic of 'Authorities' for municipalities defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into the contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes" by removing the date by which projects must be commenced extending the powers therein granted providing for additional projects and removing certain restrictions against construction of projects extending the life of Authorities providing for the creation of Authorities by joint or single action of municipalities counties and townships providing for the audit of accounts of authorities regulating contracts by authorities regulating the number and terms of members of the governing boards of Authorities authorizing the Commonwealth and the political subdivision thereof to transfer certain contracts to the Authorities authorizing Authorities to accept and acquire certain contracts and limiting the powers of receivers appointed therefor

SENATE BILL No. 652.

An Act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation

SENATE BILL No. 672.

An Act to amend sections one two twelve and twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1260) entitled "An act regulating the business of assisting employers to obtain employes and persons to secure employment providing for the licensing registration bonding and regulation of certain individuals and entities, engaged in such business, conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties" defining employers and employes providing that the term 'employment agent' as herein defined shall not include certain theatrical or entertainment producers and managers further regulating registers of employment agencies and prescribing penalties.

SENATE BILL No. 788.

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by providing for a minimum fee for the valuation of life policies

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 96.

An Act to further amend section two thousand four hundred and two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain

Departments boards and commissions shall be determined" authorizing the Department of Property and Supplies with the consent of the proper board of trustees to grant rights of ways or easements over State institution lands for public road purposes

HOUSE BILL No. 234.

An Act to re-enact the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws eight hundred twenty-six) entitled "An act authorizing Courts of Common Pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs" as amended

HOUSE BILL No. 1261.

An Act to amend section one thousand and forty-six of the act approved the fourth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for the employment by auditors and for the compensation of an attorney

HOUSE BILL No. 1474.

An Act to amend section fifteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by permitting the revival of other than tax claims by a suggestion of non-payment and averment of default before or after judgment on scire facias

HOUSE BILL No. 1559.

An Act concerning vocational education providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the Act of Congress approved June eighth one thousand nine hundred and thirty-six entitled "An act to provide for the further development of vocational education in the several states and Territories" and conferring powers and imposing duties on the State Treasurer and the State Council of Education

HOUSE BILL No. 1637.

An Act to amend the act approved the eleventh day of July one thousand nine hundred twenty-three (Pamphlet Laws nine hundred ninety-eight) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental diseases and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" as amended by making further provision for the imposition of liability upon and the payment by individuals counties and poor districts of the cost of admission care and maintenance of mental patients and inebriates and by requiring the furnishing of bonds conditioned upon the payment of the cost of care and maintenance of mental patients and inebriates or in lieu thereof the furnishing of endorsements of the poor authorities of counties or poor districts in certain cases

HOUSE BILL No. 1705.

An Act to re-enact and amend the title and act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled "An act relating to the grading and sale of grapes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture extending the provisions of said act to potatoes and changing the penalties prescribed

HOUSE BILL No. 1775.

An Act to amend clause (g) section one thousand three hundred nine of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for an reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the board of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined 'To authorize the Pennsylvania Historical Commission at its discretion to deposit historic relics or others gifts in or on historic properties or shrines committed to its custody'"

With the information that the Senate has passed the same without amendment.

SENATE MESSAGE

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 185.

An Act to provide for an additional law judge of the Court of Common Pleas in the twenty-first judicial district

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1129.

An Act for the protection of producers of farm produce; providing for the licensing, the bonding or holding collateral of, and the regulation of certain dealers in farm produce, as herein defined, within this Commonwealth; conferring powers and imposing duties on the Department

of Agriculture; providing for appeals and injunctions; and prescribing penalties.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1130.

An Act to amend sections fifty and seventy-two as amended subsection (b) of section one hundred ninety-one section two hundred twenty-six as amended sections two hundred twenty-eight and two hundred fifty-one and section two hundred eighty-five as amended of and to add sections two hundred eighty-two and two hundred eighty-three of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by further regulating the taking of fish requiring certain persons to possess fishing licenses providing for and regulating the revocation of fishing licenses providing for the payment over of fines collected and the return of fines erroneously collected vesting certain additional powers in the Board of Fish Commissioners eliminating certain restrictions on the use of license fees and regulating closed seasons on boundary lakes

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1712.

A Supplement to the act approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198), entitled "An act to establish a County Court for the County of Allegheny, and prescribing its powers and duties; regulating the procedure therein, and providing for the expenses thereof;" increasing the powers now exercised by the judges of said court; and making the judges of the County Court in and for the County of Allegheny available for use in other courts in the same judicial district.

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1779.

An Act to amend section three hundred and fifty-four of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and eighty-two), entitled "An act relating to insurance, amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" to include contracts pertaining to pure endowments and annuities policies of fire marine and title insurance and contracts issued by assessment insurance corporations and all other forms of insurance contracts issued in Pennylvania

Said bill having been recalled from the Governor for the purpose of amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1769

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, non-concurred in by the House of Representatives, to House Bill No. 1769, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries, prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents and boards of school directors and imposing penalties.

And has appointed Messrs. Law, Rankin and Howell, a Committee of Conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 373.

An Act to amend the title and sections three four six seven eight nine ten eleven fourteen and eighteen of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred sixty-three) entitled "An act providing for a limited period of time for the incorporation as bodies corporate and politic of 'Authorities' for municipalities defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow

money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into the contracts with an to accept grants from the Federal Government or any agency thereof and for other purposes" by removing the date by which projects must be commenced extending the powers therein granted providing for additional projects and removing certain restrictions against construction of projects extending the life of Authorities providing for the creation of Authorities by joint or single action of municipalities counties and townships providing for the audit of accounts of authorities regulating contracts by authorities regulating the number and terms of members of the governing boards of Authorities authorizing the Commonwealth and the political subdivision thereof to transfer certain contracts to the Authorities authorizing Authorities to accept and acquire certain contracts and limiting the powers of receivers appointed therefor

SENATE BILL No. 652.

An Act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation.

SENATE BILL No. 672.

An Act to amend sections one two twelve and twenty-four of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1260) entitled "An act regulating the business of assisting employers to obtain employes and persons to secure employment providing for the licensing registration bonding and regulation of certain individuals and entities engaged in such business conferring certain powers and duties upon the Secretary of the Department of Labor and Industry of this Commonwealth and of said department and prescribing penalties" defining employers and employes providing that the term 'employment agent' as herein defined shall not include certain theatrical or entertainment producers and managers further regulating registers of employment agencies and prescribing penalties.

SENATE BILL No. 788.

An Act to further amend section two hundred eleven of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by providing for a minimum fee for the valuation of life policies.

HOUSE BILL No. 185.

An Act to provide for an additional law judge of the Court of Common Pleas in the twenty-first judicial district.

HOUSE BILL No. 1129.

An Act for the protection of producers of farm produce providing for the licensing the bonding or holding collateral of and the regulation of certain dealers in farm produce as herein defined within this Commonwealth conferring powers and imposing duties on the Department of Agriculture providing for appeals and injunctions and prescribing penalties.

HOUSE BILL No. 1129.

An Act to amend sections fifty and seventy-two as amended subsection (b) of section one hundred ninety-one section two hundred twenty-six as amended sections two hundred twenty-eight and two hundred fifty-one and section two hundred eighty-five as amended of and to add sections two hundred eighty-two and two hundred eighty-three to the act approved the second day of May one thousand nine hundred and twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes rivers of the Commonwealth" by further regulating the taking of fish requiring certain persons to possess fishing licenses providing for and regulating the revocation of fishing licenses providing for the payment over of fines collected and the return of fines erroneously collected vesting certain additional powers in the Board of Fish Commissioners eliminating certain restrictions on the use of license fees and regulating closed seasons on boundary lakes

HOUSE BILL No. 1712.

A Supplement to the act approved the fifth day of May, one thousand nine hundred and eleven (P. L. 198) entitled, "An act to establish a County Court for the County of Allegheny and prescribing its powers and duties, regulating the procedure therein and providing for the expenses thereof," increasing the powers now exercised by the judges of said County Court and making the judges of the County Court in and for the County of Allegheny available for use in other courts in the same judicial district.

HOUSE BILL No. 1779.

An Act to amend section three hundred and fifty-four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulations and supervision of insurance carried by such companies associations and exchanges, including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws," to include contracts pertaining to pure endowments and annuities; policies of fire, marine, and title insurance; and contracts issued by assessment and insurance corporations; and all other forms of insurance contracts issued in Pennsylvania.

HOUSE BILL No. 96.

An Act to further amend section two thousand four hundred and two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commisisons defining powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commisisons and officers

fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" authorizing the Department of Property and Supplies with the consent of the proper board board of trustees to grant rights of ways or easements over State institution lands for public road purposes

HOUSE BILL No. 234.

An Act to re-enact the act approved the eighteenth day of May one thousand nine hundred and thirty-three (P. L. 826) entitled "An act authorizing Courts of Common Pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs" as amended

HOUSE BILL No. 1261.

An Act to amend section one thousand and forty-six of the act approved the fourth day of May one thousand nine hundred and twenty-nine (P. L. 519) entitled "An consolidating the law relating to boroughs" providing for the employment by auditors and for the compensation of an attorney

HOUSE BILL No. 1474.

An Act to amend section fifteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by permitting the revival of other than tax claims by a suggestion of non-payment and averment of default before or after judgment on scire facias

HOUSE BILL No. 1559.

An Act concerning vocational education providing for the acceptance by the Commonwealth of Pennsylvania of the provisions of the Act of Congress approved June eighth one thousand nine hundred and thirty-six entitled "An act to provide for the further development of vocational education in the several states and Territories" and conferring powers and imposing duties on the State Treasurer and the State Council of Education

HOUSE BILL No. 1637.

An Act to amend the act approved the eleventh day of July one thousand nine hundred twenty-three (P. L. 998) entitled "An act for the prevention and treatment of mental diseases mental defect epilepsy and inebriety regulating the admission and commitment of mental patients to hospitals for mental disease and institutions for mental defectives and epileptics governing the transfer discharge interstate rendition and deportation of mental patients providing for the payment by individuals counties or the Commonwealth of the cost of the admission care and discharge of mental patients and imposing penalties" as amended by making further provision for the imposition of liability upon and the payment by individuals counties and poor districts of the cost of admission care and maintenance of mental patients and inebriates and by requiring the furnishing of bonds conditioned upon the payment of the cost of care and maintenance of mental patients and inebriates or in lieu thereof the furnishing of endorsements of the poor authorities of counties or poor districts in certain cases

HOUSE BILL No. 1705.

An Act to re-enact and amend the title and act approved the twenty-eighth day of March one thousand nine hundred and twenty-nine (P. L. 86) entitled "An act relating to the grading and sale of grapes in this Commonwealth providing penalties for violations and imposing certain duties upon the Department of Agriculture" extending the provisions of said act to potatoes and changing the penalties prescribed

HOUSE BILL No. 1775.

An Act to amend clause (g) section one thousand three hundred nine of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and aministrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined 'To authorize the Pennsylvania Historical Commission at its discretion to deposit historic relics or other gifts in or on historic properties or shrines committed to its custody' "

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1358.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 19, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 1358, Printer's No. 506, entitled "An Act abolishing the Municipal Court of Philadelphia and transferring actions books records documents and papers in the possession of said court to other courts of the County of Philadelphia."

GEORGE H. EARLE.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an

extract from the Journal of the Senate, which was read as follows:

In the Senate, May 19, 1937.

Resolved, (if the House of Representatives concur), That Senate Bill No. 638, Printer's No. 297 entitled: "An Act to further amend section four of the act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws 498) entitled 'An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for the transportation of pupils to and from consolidated schools' by making certain changes in the provisions for reimbursements by the Commonwealth" be recalled from the House of Representatives for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

MESSAGE AND BILL TAKEN FROM TABLE

Mr. BROWNFIELD. Mr. Speaker, I move that Senate Bill No. 638, Printer's No. 297, together with the message from the Senate which was laid upon the table be taken from the table to be returned to the Senate in accordance with the resolution just passed.

The motion was agreed to.

BILL INTRODUCED

Mr. JIROLANIO asked and obtained unanimous consent of the House to introduce a bill the title of which was read as follows:

An Act to amend section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as amended increasing the compensation of members of the General Assembly.

BILLS INTRODUCED AND REFERRED

By Mr. FALKENSTEIN. HOUSE BILL No. 2379.

An Act to amend section two of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by reducing from ten mills to five mills the rate of tax upon the capital stock of companies organized and incorporated for the purpose of distilling liquors and selling the same at wholesale.

Referred to the Commitee on Ways and Means.

By Messrs. YOURISHIN and JIROLANIO.

HOUSE BILL No. 2380.

An Act to amend section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (Pamphlet Laws 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as amended increasing the compensation of members of the General Assembly.

Referred to the Committe on State Government.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SHUGARTS asked and obtained permission for the Committee on Counties to meet during the session of the House.

PROGRESS REPORT ON PROBATION AND PAROLE

Mr. HAGERTY. Mr. Speaker, I desire to offer the report of the commission making an investigation of the general practice and procedure in the criminal courts with reference to the prosecution, trial and disposition of criminal cases and the probation and parole of persons guilty of crime.

The report was read by the Clerk as follows:

May 17, 1937.

Hon. Frank W. Ruth
Senate Chamber
Harrisburg, Penna.

Dear Senator Ruth:

This is a Progress Report in connection with the commission's work in making an investigation of the "general practice and procedure" in the criminal courts with reference to the "prosecution, trial and disposition" of all criminal cases and the Probation and Parole of persons guilty of crime.

In checking our files we note 453 specific cases of alleged abuse or irregularity. These consist mainly of cases referred to us by the Philadelphia Record, a newspaper. Of these we have completed the investigation in ninety-six. The Philadelphia Office of the Commission has received approximately seventy-five cases of "complaint" which consist of a letter or interview or both coming from the public at large in which the informant makes charges of court corruption both political and financial. Such complaints are investigated currently as they are received so that less than five are usually of unfinished business. Voluminous records and documents often accompany the complainant's charges. These required careful analysis. In all instances, a careful investigation has either failed to support these charges or have related to matters outside the Commission's jurisdiction. A number of cases are of aggrieved individuals and without public interest.

We deem it inadvisable at this stage of the investigation to arrive at any individual conclusions and can make no statement except in its broadest sense. There appears to be practices in the matters of paroling prisoners without notice as provided by statute, the imposing of suspended sentences and probation for crimes excepted by statute or where the authority did not exist; the matters of reconsidering sentences after the term of court for the discharge of prisoners after the authority to do so had expired and the reconsideration of sentences in private shortly after a public imposition of the greater sentence.

It is our intention to complete the work in the remaining cases and to make further investigation of complaints being made daily at our office. In addition, work is being undertaken in two other counties. The Alexander Meyers case, which involves the State parole system, has been partially investigated and will be pushed to completion.

Current matters of public interest having a relation to criminal cases such as 'cold storage' or the maintaining of prisoners incommunicate, the substitution of jurors and the release of prisoners on 'copies of the charge' without the entry of bail, have been looked into. The matter of the clerk of the court giving notice of conviction for violation of the Motor Vehicle Code is being examined with a view to determining the cause of failure to notify in a number of instances. In this regard, suggestions for regulations to make the present system more efficient is in the course of preparation.

A careful study is being made of police records and the system of keeping files, reports, dockets and statistics of criminal cases, made, held or discharged, indicated or not indicted, tried or untried, in connection with their

prosecution, trial and disposition as ultimately bearing on the general practice and procedure in the criminal courts. So far we have had full cooperation by the police department and other officials. The method of keeping dockets, and original papers by the various clerks and deputy clerks of the criminal courts is being looked into with a view to making recommendations for such revision as will make these public records readily accessible.

The practice and procedure with regard to the probation and parole of prisoners is being analyzed as well as the prison systems of records and release of prisoners. A comparison is being made between the local probation and parole system and that used in other jurisdictions. Similar comparisons will be undertaken of other pertinent laws as time permits.

Other phases of the investigation are confidential and would be prejudicial to the public good to disclose. The cumbersome manner of maintaining records, the lack of central statistical section, plus the thousands of criminal cases handled annually, makes our investigation a huge task.

Sincerely yours,

CHET A. KEYES, Counsel
For the Commission

ASH:VM

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 666.

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the re-instatements of the liens of such claims and judgments

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 4, line 12, by striking out before the word "such" the word "or" and inserting in lieu thereof the word "of".

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Flinchbaugh,	McGee,	Siegel,
Alexander,	Ganser,	McKinney,	Simon,
Allen,	Gerard,	McShane,	Simpson,
Allmond,	Gillette,	Melchiorre,	Skale,
Arnold,	Gorski,	Mellott,	Sloan,
Atkins,	Habbyshaw,	Merrell,	Smith, James A.,
Aukerman,	Haberlen,	Mihm,	Smith, John A.,
Baine,	Hagerty,	Moomaw,	Snyder,
Baker, F. T.,	Hall,	Mooney,	Sollenberger,
Baker, J. J.,	Hamilton, F. P.,	Moran,	Spengler,
Balthaser,	Hamilton, R. S.,	Moul,	Sproul,
Bierly,	Harkins,	Muir,	Stackpole,
Blank,	Harmuth,	Munley,	Stank,
Bohn,	Hays,	Murrin,	Stewart,
Boles,	Hering,	Nagel,	Stockham,
Boltz,	Hess,	O'Brien,	Strode,
Boose,	Hetrick,	O'Connor,	Terry,
Boyer,	Hindman,	O'Keefe,	Thomas,
Bradley,	Hirsch,	Ominsky,	Thompson,
Brancato,	Holland,	O'Neill,	Toole,
Brigerman,	Holmes,	Ostroff,	Tronzo,
Broad,	Holstrom,	Patterson, C. S.,	Trout,
Brown,	Hontz,	Patterson, J. W.,	Tumelty,
Brownfield,	Horting,	Peale,	Turner,
Burrows,	Huntley,	Pearson,	Valibus,
Cadwalader,	Imbrie,	Perry,	VanAllsburg,
Caesar,	Jirolanio,	Pershing,	VanSickle,
Caputo,	Kane,	Piole,	Vogt,
Coakley,	Keenan,	Powers,	Wagner,
Cohen, H. B.,	Kelso,	Preston,	Wall,
Cohen, R. E.,	Kilroy,	Readinger,	Walsh,
Coleman,	Kline,	Reese,	Wampole,
Coolahan,	Kroll,	Reising,	Watkins,
Corrigan,	LaRue,	Richter,	Webster,
Costanzo,	Leisey,	Robinson,	Weidemann,
Davies,	Levy,	Rothenberger,	Weiss, D. H.,
Decker,	Lewis,	Royer,	Weiss, S. A.,
DeNote,	Long,	Ruffennach,	Welliver,
Dickinson,	Longaker,	Rush,	Welsh,
Donohoe,	Lopresti,	Sarraf,	Whalen,
Dougherty,	Lovett,	Scanlon,	Whitenight,
Downey,	Lyons,	Schor,	Wilson,
Dubbs,	Mallen,	Schrock,	Winner,
Dyson,	Marino,	Schrope,	Wood,
Eckels,	Matthews, H. T.,	Schumacher,	Woodside,
Elpern,	Matthews, J. F.,	Serrill,	Wright,
Falkenstein,	McArdle,	Shaw,	Yanoshat,
Finnerty,	McCullough,	Shea,	Yeakel,
Fiss,	McDermott,	Shepard,	Yourishin,
Fitch	McDevitt,	Shoemaker,	Zappala,
Flanagan,	McElroy,	Shugarts,	Furman,
Flannery	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 872.

An Act providing that officials charged with the duty of assessing real estate for taxation may at any time split or separate the assessment on any tract of real estate divided into lots in order to permit the payment of taxes due on a portion of such tract requiring tax collectors to accept payment of such taxes and validating all such split or separated assessments heretofore made.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, by striking out in line 4 the words "divided into lots" and inserting in lieu thereof the words "which has been or is to be divided."

Amend section 1, page 2, by striking out in line 1 the words "divided into lots" and inserting in lieu thereof the words "which has been or is to be divided."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Flinchbaugh,	McGee,	Siegel,
Alexander,	Ganser,	McKinney,	Simon,
Allen,	Gerard,	McShane,	Simpson,
Allmond,	Gillette,	Melchiorre,	Skale,
Arnold,	Gorski,	Mellott,	Sloan,
Atkins,	Habbyshaw,	Merrell,	Smith, James A.,
Aukerman,	Haberlen,	Mihm,	Smith, John A.,
Baine,	Hagerty,	Moomaw,	Snyder,
Baker, F. T.,	Hall,	Mooney,	Sollenberger,
Baker, J. J.,	Hamilton, F. P.,	Moran,	Spengler,
Balthaser,	Hamilton, R. S.,	Moul,	Sproul,
Bierly,	Harkins,	Muir,	Stackpole,
Blank,	Harmuth,	Munley,	Stank,
Bohn,	Hays,	Murrin,	Stewart,
Boles,	Hering,	Nagel,	Stockham,
Boltz,	Hess,	O'Brien,	Strode,
Boose,	Hetrick,	O'Connor,	Terry,
Boyer,	Hindman,	O'Keefe,	Thomas,
Bradley,	Hirsch,	Ominsky,	Thompson,
Brancato,	Holland,	O'Neill,	Toole,
Brigerman,	Holmes,	Ostroff,	Tronzo,
Broad,	Holstrom,	Patterson, C. S.,	Trout,
Brown,	Hontz,	Patterson, J. W.,	Tumelty,
Brownfield,	Horting,	Peale,	Turner,
Burrows,	Huntley,	Pearson,	Valibus,
Cadwalader,	Imbrie,	Perry,	VanAllsburg,
Caesar,	Jirolanio,	Pershing,	VanSickle,
Caputo,	Kane,	Piole,	Vogt,
Coakley,	Keenan,	Powers,	Wagner,
Cohen, H. B.,	Kelso,	Preston,	Wall,
Cohen, R. E.,	Kilroy,	Readinger,	Walsh,
Coleman,	Kline,	Reese,	Wampole,
Coolahan,	Kroll,	Reising,	Watkins,
Corrigan,	LaRue,	Richter,	Webster,
Costanzo,	Leisey,	Robinson,	Weidemann,
Davies,	Levy,	Rothenberger,	Weiss, D. H.,
Decker,	Lewis,	Royer,	Weiss, S. A.,
DeNote,	Long,	Ruffennach,	Welliver,
Dickinson,	Longaker,	Rush,	Welsh,
Donohoe,	Lopresti,	Sarraf,	Whalen,
Dougherty,	Lovett,	Scanlon,	Whitenight,
Downey,	Lyons,	Schor,	Wilson,
Dubbs,	Mallen,	Schrock,	Winner,
Dyson,	Marino,	Schrope,	Wood,
Eckels,	Matthews, H. T.,	Schumacher,	Woodside,
Elpern,	Matthews, J. F.,	Serrill,	Wright,
Falkenstein,	McArdle,	Shaw,	Yanoshat,
Finnerty,	McCullough,	Shea,	Yeakel,
Fiss,	McDermott,	Shepard,	Yourishin,
Fitch,	McDevitt,	Shoemaker,	Zappala,
Flanagan,	McElroy,	Shugarts,	Furman,
Flannery,	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1400.

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keeps providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures and miscellaneous receipts making an appropriation and providing for refunds" as amended regulating the sale and further regulating the installation use and operation of traffic regulation devices signals signs and markings and the operation of motor vehicles on the highways affecting the powers of municipal authorities in certain cases and of the Secretary of Highways and changing and imposing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 17, by striking out before the word "hereby" the word "is" and inserting in lieu thereof the word "are."

Amend section 9, page 16, by inserting at the end of line 7 after the word "operated" the following: "Provided however that any regulations of the kinds and classes of traffic on State Highway Routes within cities shall be subject to the approval of the Secretary of Highways first had and obtained."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Flinchbaugh,	McGee,	Siegel,
Alexander,	Ganser,	McKinney,	Simon,
Allen,	Gerard,	McShane,	Simpson,
Allmond,	Gillette,	Melchiorre,	Skale,
Arnold,	Gorski,	Mellott,	Sloan,
Atkins,	Habbyshaw,	Merrell,	Smith, James A.,
Aukerman,	Haberlen,	Mihm,	Smith, John A.,
Baine,	Hagerty,	Moomaw,	Snyder,
Baker, F. T.,	Hall,	Mooney,	Sollenberger,
Baker, J. J.,	Hamilton, F. P.,	Moran,	Spengler,
Balthaser,	Hamilton, R. S.,	Moul,	Sproul,
Bierly,	Harkins,	Muir,	Stackpole,
Blank,	Harmuth,	Munley,	Stank,
Bohn,	Hays,	Murrin,	Stewart,
Boles,	Hering,	Nagel,	Stockham,
Boltz,	Hess,	O'Brien,	Strode,
Boose,	Hetrick,	O'Connor,	Terry,
Boyer,	Hindman,	O'Keefe,	Thomas,
Bradley,	Hirsch,	Ominsky,	Thompson,
Brancato,	Holland,	O'Neill,	Toole,
Brigerman,	Holmes,	Ostroff,	Tronzo,
Broad,	Holstrom,	Patterson, C. S.,	Trout,
Brown,	Hontz,	Patterson, J. W.,	Tumelty,
Brownfield,	Horting,	Peale,	Turner,
Burrows,	Huntley,	Pearson,	Valibus,
Cadwalader,	Imbrie,	Perry,	VanAllsburg,
Caesar,	Jirolanio,	Pershing,	VanSickle,
Caputo,	Kane,	Piole,	Vogt,
Coakley,	Keenan,	Powers,	Wagner,
Cohen, H. B.,	Kelso,	Preston,	Wall,
Cohen, R. E.,	Kilroy,	Readinger,	Walsh,
Coleman,	Kline,	Reese,	Wampole,
Coolahan,	Kroll,	Reising,	Watkins,
Corrigan,	LaRue,	Richter,	Webster,
Costanzo,	Leisey,	Robinson,	Weidemann,
Davies,	Levy,	Rothenberger,	Weiss, D. H.,
Decker,	Lewis,	Royer,	Weiss, S. A.,
DeNote,	Long,	Ruffennach,	Welliver,
Dickinson,	Longaker,	Rush,	Welsh,
Donohoe,	Lopresti,	Sarraf,	Whalen,
Dougherty,	Lovett,	Scanlon,	Whitenight,
Downey,	Lyons,	Schor,	Wilson,
Dubbs,	Mallen,	Schrock,	Winner,
Dyson,	Marino,	Schrope,	Wood,
Eckels,	Matthews, H. T.,	Schumacher,	Woodside,

Elpern,	Matthews, J. F.,	Serrill,	Wright,
Falkenstein,	McArdle,	Shea,	Yanoshat,
Finnerty,	McCullough,	Shaw,	Yeakel,
Fiss,	McDermott,	Shepard,	Yourishin,
Fitch	McDevitt,	Shoemaker,	Zappala,
Flanagan,	McElroy,	Shugarts,	Furman,
Flannery,	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1184.

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire by gift approximately 7.224 acres of land in Tinicum Township Delaware County sometime known as "Printz Park" or as "Printz-Lindberg Park" to be known hereafter as "Governor Printz Park" providing for the control management supervision restoration improvement and maintenance thereof authorizing the Commission to make and enforce rules and regulations for the preservation maintenance and visitation thereof

HOUSE BILL No. 1540.

An Act to repeal section ten of the act approved the nineteenth day of July one thousand nine hundred and thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weigh-masters prescribing their powers and duties authorizing substitute licensed weigh-masters imposing certain duties on the Department of Internal Affairs and providing penalties"

HOUSE BILL No. 1732.

An Act to amend sections three hundred seventy-one and six hundred seventy, section seven hundred thirty two as amended, sections seven hundred thirty-three, eight hundred seventy-six, and eight hundred ninety-six of, and to add section seven hundred thirty-seven to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," further regulating tax levies, bond issues, appropriations, and the procedure for rebuilding bridges in such counties.

HOUSE BILL No. 1788.

An Act to amend section five hundred forty-five of the act approved the first day of May one thousand nine hundred and thirty-three (Pamphlet Laws one hundred three) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as amended providing for the audit of the accounts of justices of the peace.

With the information that the Senate has passed the same without amendment.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. ACHTERMAN asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2113, entitled:

An Act providing for the reciprocal enforcement of violations of the fishing laws in boundary waters between Pennsylvania and the States of New York and New Jersey

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Flinchbaugh,	McGee,	Siegel,
Alexander,	Ganser,	McKinney,	Simon,
Allen,	Gerard,	McShane,	Simpson,
Allmond,	Gillette,	Melchiorre,	Skale,
Arnold,	Gorski,	Mellott,	Sloan,
Atkins,	Habbyshaw,	Merrell,	Smith, James A.,
Aukerman,	Haberlen,	Mihm,	Smith, John A.,
Baine	Hagerty,	Moomaw,	Snyder,
Baker, F. T.,	Hall,	Mooney,	Sollenberger,
Baker, J. J.,	Hamilton, F. P.,	Moran,	Spangler,
Balthaser,	Hamilton, R. S.,	Moul,	Sproul,
Bierly,	Harkins,	Muir,	Stackpole,
Blank,	Harmuth,	Munley,	Stank,
Bohn,	Hays,	Murrin,	Stewart,
Boies,	Hering,	Nagel,	Stockham,
Boltz,	Hess,	O'Brien,	Strode,
Boose,	Hetrick,	O'Connor,	Terry,
Boyer,	Hindman,	O'Keefe,	Thomas,
Bradley,	Hirsch,	Ominsky,	Thompson,
Brancato,	Holland,	O'Neill,	Toole,
Brigerman,	Holmes,	Ostroff,	Tronzo,
Broad,	Holstrom,	Patterson, C. S.,	Trout,
Brown,	Hontz,	Patterson, J. W.,	Tumelty,
Brownfield,	Horting,	Peale,	Turner,
Burrows,	Huntley,	Pearson,	Valibus,
Cadwalader,	Imbrie,	Perry,	VanAllsburg,
Caesar,	Jirolanio,	Pershing,	VanSickle,
Caputo,	Kane,	Piole,	Vogt,
Coakley,	Keenan,	Powers,	Wagner,
Cohen, H. B.,	Kelso,	Preston,	Wall,
Cohen, R. E.,	Kilroy,	Readinger,	Walsh,
Coleman,	Kline,	Reese,	Wampole,
Coolahan,	Kroll,	Reising,	Watkins,
Corrigan,	LaRue,	Richter,	Webster,
Costanzo,	Leisey,	Robinson,	Weidemann,
Davies,	Levy,	Rothenberger,	Weiss, D. H.,
Decker,	Lewis,	Royer,	Weiss, S. A.,
DeNote,	Long,	Ruffennach,	Welliver,
Dickinson,	Longaker,	Rush,	Welsh,
Donohoe,	Lopresti,	Sarraf,	Whalen,
Dougherty,	Lovett,	Scanlon,	Whitenight,
Downey,	Lyons,	Schor,	Wilson,
Dubbs,	Mallen,	Schrock,	Winner,
Dyson,	Marino,	Schrope,	Wood,
Eckels,	Matthews, H. T.,	Schumacher,	Woodside,
Elpern,	Matthews, J. F.,	Serrill,	Wright,
Falkenstein,	McArdle,	Shaw,	Yanoshat,
Finnerty,	McCullough,	Shea,	Yeakel,
Fiss,	McDermott,	Shepard,	Yourishin,
Fitch,	McDevitt,	Shoemaker,	Zappala,
Flanagan,	McElroy,	Shugarts,	Furman,
Flannery,	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2244, (Senate Bill No. 813), entitled:

An Act authorizing townships of the first class to satisfy of record liens for taxes or other township claims solely upon the payment of record costs where such liens are of record against real estate acquired by the Commonwealth or an agency of the Commonwealth subsequent to the date of the filing of the said lien.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Flinchbaugh,	McGee,	Siegel,
Alexander,	Ganser,	McKinney,	Simon,
Allen,	Gerard,	McShane,	Simpson,
Allmond,	Gillette,	Melchiorre,	Skale,
Arnold,	Gorski,	Mellott,	Sloan,
Atkins,	Habbyshaw,	Merrell,	Smith, James A.,
Aukerman,	Haberlen,	Mihm,	Smith, John A.,
Baine,	Hagerty,	Moomaw,	Snyder,
Baker, F. T.,	Hall,	Mooney,	Sollenberger,
Baker, J. J.,	Hamilton, F. P.,	Moran,	Spengler,
Balthaser,	Hamilton, R. S.,	Moul,	Sproul,
Bierly,	Harkins,	Muir,	Stackpole,
Blank,	Harmuth,	Munley,	Stank,
Bohn,	Hays,	Murrin,	Stewart,
Boies,	Hering,	Nagel,	Stockham,
Boltz,	Hess,	O'Brien,	Strode,
Boose,	Hetrick,	O'Connor,	Terry,
Boyer,	Hindman,	O'Keefe,	Thomas,
Bradley,	Hirsch,	Ominsky,	Thompson,
Brancato,	Holland,	O'Neill,	Toole,
Brigerman,	Holmes,	Ostroff,	Tronzo,
Broad,	Holstrom,	Patterson, C. S.,	Trout,
Brown,	Hontz,	Patterson, J. W.,	Tumelty,
Brownfield,	Horting,	Peale,	Turner,
Burrows,	Huntley,	Pearson,	Valibus,
Cadwalader,	Imbrie,	Perry,	VanAllsburg,
Caesar,	Jirolanio,	Pershing,	VanSickle,
Caputo,	Kane,	Piole,	Vogt,
Coakley,	Keenan,	Powers,	Wagner,
Cohen, H. B.,	Kelso,	Preston,	Wall,
Cohen, R. E.,	Kilroy,	Readinger,	Walsh,
Coleman,	Kline,	Reese,	Wampole,
Coolahan,	Kroll,	Reising,	Watkins,
Corrigan,	LaRue,	Richter,	Webster,
Costanzo,	Leisey,	Robinson,	Weidemann,
Davies,	Levy,	Rothenberger,	Weiss, D. H.,
Decker,	Lewis,	Royer,	Weiss, S. A.,
DeNote,	Long,	Ruffennach,	Welliver,
Dickinson,	Longaker,	Rush,	Welsh,
Donohoe,	Lopresti,	Sarraf,	Whalen,
Dougherty,	Lovett,	Scanlon,	Whitenight,
Downey,	Lyons,	Schor,	Wilson,
Dubbs,	Mallen,	Schrock,	Winner,
Dyson,	Marino,	Schrope,	Wood,
Eckels,	Matthews, H. T.,	Schumacher,	Woodside,
Elpern,	Matthews, J. F.,	Serrill,	Wright,
Falkenstein,	McArdle,	Shaw,	Yanoshat,
Finnerty,	McCullough,	Shea,	Yeakel,
Fiss,	McDermott,	Shepard,	Yourishin,
Fitch,	McDevitt,	Shoemaker,	Zappala,
Flanagan,	McElroy,	Shugarts,	Furman,
Flannery,	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1378, entitled:

An Act to amend section two of the act approved the fourteenth day of May one thousand nine hundred and fifteen (P. L. 483) entitled "An act relating to practice in the Courts of Common Pleas in actions of assumpsit and trespass except actions for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" as amended by that all pleadings filed therein shall constitute a part of the record without formal presentation at time of trial

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Flinchbaugh,	McGee,	Siegel,
Alexander,	Ganser,	McKinney,	Simon,
Allen,	Gerard,	McShane,	Simpson,
Allmond,	Gillette,	Melchiorre,	Skale,
Arnold,	Gorski,	Mellott,	Sloan,
Atkins,	Habbyshaw,	Merrell,	Smith, James A.,
Aukerman,	Haberlen,	Mihm,	Smith, John A.,
Baine,	Hagerty,	Moomaw,	Snyder,
Baker, F. T.,	Hall,	Mooney,	Sollenberger,
Baker, J. J.,	Hamilton, F. P.,	Moran,	Spengler,
Balthaser,	Hamilton, R. S.,	Moul,	Sproul,
Bierly,	Harkins,	Muir,	Stackpole,
Blank,	Harmuth,	Munley,	Stank,
Bohn,	Hays,	Murrin,	Stewart,
Boies,	Hering,	Nagel,	Stockham,
Boltz,	Hess,	O'Brien,	Strode,
Boose,	Hetrick,	O'Connor,	Terry,
Boyer,	Hindman,	O'Keefe,	Thomas,
Bradley,	Hirsch,	Ominsky,	Thompson,
Brancato,	Holland,	O'Neill,	Toole,
Brigerman,	Holmes,	Ostroff,	Tronzo,
Broad,	Holstrom,	Patterson, C. S.,	Trout,
Brown,	Hontz,	Patterson, J. W.,	Tumelty,
Brownfield,	Horting,	Peale,	Turner,
Burrows,	Huntley,	Pearson,	Valibus,
Cadwalader,	Imbrie,	Perry,	VanAllsburg,
Caesar,	Jirolanio,	Pershing,	VanSickle,
Caputo,	Kane,	Piole,	Vogt,
Coakley,	Keenan,	Powers,	Wagner,
Cohen, H. B.,	Kelso,	Preston,	Wall,
Cohen, R. E.,	Kilroy,	Readinger,	Walsh,
Coleman,	Kline,	Reese,	Wampole,
Coolahan,	Kroll,	Reising,	Watkins,
Corrigan,	LaRue,	Richter,	Webster,
Costanzo,	Leisey,	Robinson,	Weidemann,
Davies,	Levy,	Rothenberger,	Weiss, D. H.,
Decker,	Lewis,	Royer,	Weiss, S. A.,
DeNote,	Long,	Ruffennach,	Welliver,
Dickinson,	Longaker,	Rush,	Welsh,
Donohoe,	Lopresti,	Sarraf,	Whalen,
Dougherty,	Lovett,	Scanlon,	Whitenight,
Downey,	Lyons,	Schor,	Wilson,
Dubbs,	Mallen,	Schrock,	Winner,
Dyson,	Marino,	Schrope,	Wood,
Eckels,	Matthews, H. T.,	Schumacher,	Woodside,
Elpern,	Matthews, J. F.,	Serrill,	Wright,
Falkenstein,	McArdle,	Shaw,	Yanoshat,
Finnerty,	McCullough,	Shea,	Yeakel,
Fiss,	McDermott,	Shepard,	Yourishin,
Fitch,	McDevitt,	Shoemaker,	Zappala,
Flanagan,	McElroy,	Shugarts,	Furman,
Flannery,	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned

bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2039.

An Act to amend section five of the act approved the second day of July one thousand nine hundred and thirty-five (Pamphlet Laws 599) entitled "An act relating to motion picture exhibitions and sound motions picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday during certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday provided for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" providing for a referendum vote in certain municipalities in the year one thousand nine hundred and thirty-seven and making persons filing petitions liable for the cost of printing ballots

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Section 1, page 4, by striking out at the end of line 29 the following: "Provided how—"; also on page 5, by striking out all of lines 1 to 7 inclusive as follows: "ever That the will of the electors of any municipality may be ascertained at the primary election in the year one thousand nine hundred and thirty-seven notwithstanding the limitation of two years hereinbefore provided but no vote on said question shall be taken at the municipal election to be held in the year one thousand nine hundred and thirty-seven."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—152

Achterman,	Falkenstein,	McArdle,	Sarraf,
Alexander,	Finnerty,	McCullough,	Scanlon,
Allen,	Fitch,	McDermott,	Schor,
Allmond,	Flanagan,	McElroy,	Schrope,
Arnold,	Flannery,	McFall,	Shaw,
Aukerman,	Flinchbaugh,	McGee,	Shea,
Baine,	Ganser,	McShane,	Shepard,
Baker, J. J.,	Gerard,	Melchiorre,	Shoemaker,
Balthaser,	Gorski,	Mellott,	Shugarts,
Bierly,	Haberlen,	Mihm,	Siegel,
Blank,	Hagerty,	Moomaw,	Simon,
Bohn,	Hamilton, F. P.,	Mooney,	Skale,
Boles,	Harkins,	Moran,	Smith, James A.,
Boltz,	Harmuth,	Moul,	Smith, John A.,
Bradley,	Hays,	Munley,	Spengler,
Brancato,	Hering,	Murrin,	Stank,
Brigerman,	Hess,	Nagel,	Stewart,
Broad,	Hetrick,	O'Brien,	Thomas,
Brown,	Hindman,	O'Connor,	Thompson,
Brownfield,	Hirsch,	O'Keefe,	Toole,
Burrows,	Holland,	Ominsky,	Tronzo,
Caesar,	Holmes,	O'Neill,	Tumelty,
Caputo,	Holstrom,	Ostroff,	Valibus,
Coakley,	Hontz,	Patterson, C. S.,	VanSickle,
Cohen, H. B.,	Horting,	Patterson, J. W.,	Vogt,
Cohen, R. E.,	Jirolanio,	Pearson,	Wagner,
Coleman,	Keenan,	Pershing,	Walsh,
Coolahan,	Kelso,	Piole,	Weiss, D. H.,
Corrigan,	Kilroy,	Powers,	Weiss, S. A.,
Costanzo,	Kroll,	Preston,	Welliver,
Decker,	LaRue,	Readinger,	Welsh,
DeNote,	Levy,	Reese,	Whalen,
Dickinson,	Lewis,	Reising,	Whitenight,
Donohoe,	Long,	Richter,	Wright,
Dougherty,	Lopresti,	Robinson,	Yanoshat,
Downey,	Lovett,	Rothenberger,	Yourishin,
Dubbs,	Marino,	Ruffennach,	Zappala,
Dyson,	Matthews, H. T.,	Rush,	Furman,
Elpern,			

NAYS—54

Atkins,	Kane,	Royer,	Trout,
Baker, F. T.,	Kline,	Schrock,	Turner,
Boose,	Leisey,	Schumacher,	VanAllsburg,
Boyer,	Longaker,	Serrill,	Wall,
Cadwalader,	Lyons,	Simpson,	Wampole,
Davies,	Mallen,	Sloan,	Watkins,
Eckels,	Matthews, J. F.,	Snyder,	Webster,
Fiss,	McDevitt,	Sollenberger,	Weidemann,
Gillette,	McKinney,	Sproul,	Wilson,
Habbyshaw,	Merrell,	Stackpole,	Winner,
Hall,	Muir,	Stockham,	Wood,
Hamilton, R. S.,	Peale,	Strode,	Woodside,
Huntley,	Perry,	Terry,	Yeakel,
Imbrie,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 946, entitled:

A Joint Resolution proposing an amendment to section eight Article five of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Flinchbaugh,	McGee,	Siegel,
Alexander,	Ganser,	McKinney,	Simon,
Allen,	Gerard,	McShane,	Simpson,
Allmond,	Gillette,	Melchiorre,	Skale,
Arnold,	Gorski,	Mellott,	Sloan,
Atkins,	Habbyshaw,	Merrell,	Smith, James A.,
Aukerman,	Haberlen,	Mihm,	Smith, John A.,
Baine,	Hagerty,	Moomaw,	Snyder,
Baker, F. T.,	Hall,	Mooney,	Sollenberger,
Baker, J. J.,	Hamilton, F. P.,	Moran,	Spengler,
Balthaser,	Hamilton, R. S.,	Moul,	Sproul,
Bierly,	Harkins,	Muir,	Stackpole,
Blank,	Harmuth,	Munley,	Stank,
Bohn,	Hays,	Murrin,	Stewart,
Boles,	Hering,	Nagel,	Stockham,
Boltz,	Hess,	O'Brien,	Strode,
Boose,	Hetrick,	O'Connor,	Terry,
Boyer,	Hindman,	O'Keefe,	Thomas,
Bradley,	Hirsch,	Ominsky,	Thompson,
Brancato,	Holland,	O'Neill,	Toole,
Brigerman,	Holmes,	Ostroff,	Tronzo,
Broad,	Holstrom,	Patterson, C. S.,	Trout,
Brown,	Hontz,	Patterson, J. W.,	Tumelty,
Brownfield,	Horting,	Peale,	Turner,
Burrows,	Huntley,	Pearson,	Valibus,
Cadwalader,	Imbrie,	Perry,	VanAllsburg,
Caesar,	Jirolanio,	Pershing,	VanSickle,
Caputo,	Kane,	Piole,	Vogt,
Coakley,	Keenan,	Powers,	Wagner,
Cohen, H. B.,	Kelso,	Preston,	Wall,
Cohen, R. E.,	Kilroy,	Readinger,	Walsh,
Coleman,	Kline,	Reese,	Wampole,
Coolahan,	Kroll,	Reising,	Watkins,
Corrigan,	LaRue,	Richter,	Webster,
Costanzo,	Leisey,	Robinson,	Weidemann,
Davies,	Levy,	Rothenberger,	Weiss, D. H.,

Decker,	Lewis,	Royer,	Weiss, S. A.,
DeNote,	Long,	Ruffennach,	Welliver,
Dickinson,	Longaker,	Rush,	Welsh,
Donohoe,	Lopresti,	Sarraf,	Whalen,
Dougherty,	Lovett,	Scanlon,	Whitenight,
Downey,	Lyons,	Schor,	Wilson,
Dubbs,	Mallen,	Schrock,	Winner,
Dyson,	Marino,	Schrope,	Wood,
Eckels,	Matthews, H. T.,	Schumacher,	Woodside,
Elpern,	Matthews, J. F.,	Serrill,	Wright,
Falkenstein,	McArdle,	Shaw,	Yanoshat,
Finnerty,	McCullough,	Shea,	Yeakel,
Fiss,	McDermott,	Shepard,	Yourishin,
Fitch,	McDevitt,	Shoemaker,	Zappala,
Flanagan,	McElroy,	Shugarts,	Furman,
Flannery,	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1363, entitled:

An Act making voidable releases of claims for personal injuries or death and providing for the avoidance of the same

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any release of damages for personal injuries or death resulting from unlawful violence or negligence which shall be procured promised or signed within thirty days after such injuries or death shall have been sustained shall be voidable at the option of the promisor or releasor Provided That written notice of such avoidance shall be given to the procurer promisee or releasee within thirty days after such release shall have been procured promised or signed And provided further That such written notice shall be accompanied by the return of the consideration theretofore paid for such promise or release

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS— 199

Achterman,	Flannery,	McElroy,	Siegel,
Alexander,	Flinchbaugh,	McFall,	Simon,
Allen,	Ganser,	McGee,	Simpson,
Allmond,	Gerard,	McShane,	Skale,
Arnold,	Gillette,	Melchiorre,	Sloan,
Atkins,	Gorski,	Mellott,	Smith, James A.,
Aukerman,	Habbyshaw,	Merrell,	Smith, John A.,
Baine,	Haberlen,	Mihm,	Snyder,
Baker, F. T.,	Hagerty,	Moomaw,	Spengler,
Baker, J. J.,	Hamilton, F. P.,	Mooney,	Sproul,
Balthaser,	Hamilton, R. S.,	Moran,	Stackpole,
Bierly,	Harkins,	Moul,	Stank,
Blank,	Harmuth,	Munley,	Stewart,
Bohn,	Hays,	Murrin,	Stockham,
Boles,	Hering,	Nagel,	Strode,
Boltz,	Hess,	O'Brien,	Terry,
Boose,	Hetrick,	O'Connor,	Thomas,
Boyer,	Hindman,	O'Keefe,	Thompson,
Bradley,	Hirsch,	Ominsky,	Toole,
Brancato,	Holland,	O'Neill,	Tronzo,
Brigerman,	Holmes,	Ostroff,	Trout,
Broad,	Holstrom,	Patterson, C. S.,	Tumelty,
Brown,	Hontz,	Patterson, J. W.,	Turner,
Brownfield,	Horting,	Peale,	Valibus,
Burrows,	Huntley,	Pearson,	VanAllsburg,
Caesar,	Imbrie,	Pershing,	VanSickle,
Caputo,	Jirolanio,	Piole,	Vogt,
Coakley,	Kane,	Powers,	Wagner,
Cohen, H. B.,	Keenan,	Preston,	Wall,
Cohen, R. E.,	Kelso,	Readinger,	Walsh,
Coleman,	Kilroy,	Reese,	Wampole,
Coolahan,	Kline,	Reising,	Watkins,
Corrigan,	Kroll,	Richter,	Webster,
Costanzo,	LaRue,	Robinson,	Weidemann,
Davies,	Leisey,	Rothenberger,	Weiss, D. H.,
Decker,	Levy,	Royer,	Weiss, S. A.,
DeNote,	Lewis,	Ruffennach,	Welliver,
Dickinson,	Long,	Rush,	Welsh,
Donohoe,	Longaker,	Sarraf,	Whalen,
Dougherty,	Lopresti,	Scanlon,	Whitenight,
Downey,	Lovett,	Schor,	Winner,
Dubbs,	Lyons,	Schrock,	Wood,
Dyson,	Mallen,	Schrope,	Woodside,
Eckels,	Marino,	Schumacher,	Wright,
Elpern,	Matthews, H. T.,	Serrill,	Yanoshat,
Falkenstein,	Matthews, J. F.,	Shaw,	Yeakel,
Finnerty,	McArdle,	Shea,	Yourishin,
Fiss,	McCullough,	Shepard,	Zappala,
Fitch	McDermott,	Shoemaker,	Furman,
Flanagan,	McDevitt,	Shugarts,	

NAYS—7

Cadwalader,	McKinney,	Perry,	Wilson,
Hall,	Muir,	Sollenberger,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2274, (Senate Bill No. 337), entitled:

An Act relating to memorial halls in counties of the second class erected in memory of the soldiers sailors and marines who served in the Civil War and providing for the use upkeep and management and control of such halls

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—205

Achterman,	Flinchbaugh,	McFall,	Shugarts,
Alexander,	Ganser,	McGee,	Siegel,
Allen,	Gerard,	McKinney,	Simon,
Allmond,	Gillette,	McShane,	Simpson,
Arnold,	Gorski,	Melchiorre,	Skale,
Atkins,	Habbyshaw,	Mellott,	Sloan,
Aukerman,	Haberlen,	Merrell,	Smith, James A.,
Baine	Hagerty,	Mihm,	Smith, John A.,
Baker, F. T.,	Hall,	Moomaw,	Snyder,
Baker, J. J.,	Hamilton, F. P.,	Mooney,	Sollenberger,
Balthaser,	Hamilton, R. S.,	Moran,	Spengler,
Bierly,	Harkins,	Moul,	Sproul,
Blank,	Harmuth,	Muir,	Stackpole,
Bohn,	Hays,	Munley,	Stank,
Boles,	Hering,	Murrin,	Stewart,
Boltz,	Hess,	Nagel,	Stockham,
Boose,	Hetrick,	O'Brien,	Strode,
Boyer,	Hindman,	O'Connor,	Terry,
Bradley,	Hirsch,	O'Keefe,	Thomas,
Brancato,	Holland,	Ominsky,	Thompson,
Brigerman,	Holmes,	O'Neill,	Toole,
Broad,	Holstrom,	Ostroff,	Trout,
Brown,	Hontz,	Patterson, C. S.,	Tumelty,
Brownfield,	Horting,	Patterson, J. W.,	Turner,
Burrows,	Huntley,	Peale,	Valibus,
Cadwalader,	Imbrie,	Pearson,	VanAllsburg,
Caesar,	Jirolanio,	Perry,	VanSickle,
Caputo,	Kane,	Pershing,	Vogt,
Coakley,	Keenan,	Piole,	Wagner,
Cohen, H. B.,	Kelso,	Powers,	Wall,

Cohen, R. E.,	Kilroy,	Preston,	Walsh,
Coleman,	Kline,	Readinger,	Wampole,
Coolahan,	Kroll,	Reese,	Watkins,
Corrigan,	LaRue,	Reising,	Webster,
Costanzo,	Leisey,	Richter,	Weidemann,
Davies,	Levy,	Robinson,	Weiss, D. H.,
Decker,	Lewis,	Rothenberger,	Weiss, S. A.,
DeNote,	Long,	Royer,	Welliver,
Dickinson,	Longaker,	Ruffennach,	Welsh,
Donohoe,	Lopresti,	Rush,	Whalen,
Dougherty,	Lovett,	Sarraf,	Whitenight,
Downey,	Lyons,	Scanlon,	Wilson,
Dubbs,	Mallen,	Schor,	Winner,
Dyson,	Marino,	Schrock,	Wood,
Eckels,	Matthews, H. T.,	Schrope,	Woodside,
Elpern,	Matthews, J. F.,	Schumacher,	Wright,
Falkenstein,	McArdle,	Serrill,	Yanoshat,
Finnerty,	McCullough,	Shaw,	Yeakel,
Fiss,	McDermott,	Shea,	Yourishin,
Fitch,	McDevitt,	Shepard,	Zappala,
Flanagan,	McElroy,	Shoemaker,	Furman,
Flannery,			

NAYS—1

Tronzo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

RESOLUTION

RECALLING HOUSE BILL No. 647 FROM THE GOVERNOR

Mr. HERBERT B. COHEN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 19, 1937.

Resolved (if the Senate concur), that House Bill No. 647, Printer's No. 422, entitled "An act to promote public health morals safety and welfare by providing for the supervision and encouragement of housing creating a State Board of Housing a departmental administrative board within the Department of Health providing for the organization of the board the appointment and removal of its members enumerating its duties and powers including the powers to conduct investigations issue subpoenas apply to courts for punishment of contempts make orders rules and regulations prescribe forms require reports supervise the operations of limited dividend housing companies and housing authorities and their members and employes commence actions to prevent violations of law and to surcharge members of authorities supervise rentals charged by limited dividend companies charge fees for services providing for the selection and removal of the board's employes providing for appeals from its orders and making an appropriation," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2256, (Senate Bill No. 892), entitled:

An Act concerning children under six years of age with defective hearing imposing duties on the Department of Health the Department of Public Instruction on parents guardians nurses and physicians and placing certain costs on school districts

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—193

Achterman,	Flanagan,	McCullough,	Schumacher,
Alexander,	Flannery,	McDermott,	Serrill,
Allen,	Flinchbaugh,	McDevitt,	Shaw,
Allmond,	Ganser,	McElroy,	Shea,
Arnold,	Gerard,	McFall,	Shepard,
Atkins,	Gillette,	McGee,	Shoemaker,
Aukerman,	Gorski,	McKinney,	Shugarts,
Baine	Habbyshaw,	McShane,	Siegel,
Baker, F. T.,	Haberlen,	Melchiorre,	Simon,
Baker, J. J.,	Hagerty,	Mellott,	Simpson,
Balthaser,	Hall,	Merrell,	Skale,
Bierly,	Hamilton, F. P.,	Mihm,	Sloan,
Blank,	Hamilton, R. S.,	Moomaw,	Smith, James A.,
Bohn,	Harkins,	Mooney,	Smith, John A.,
Boles,	Harmuth,	Moran,	Sollenberger,
Boltz,	Hays,	Moul,	Spengler,
Boose,	Hering,	Muir,	Sproul,
Boyer,	Hess,	Munley,	Stackpole,
Bradley,	Hetrick,	Murrin,	Stank,
Brancato,	Hindman,	Nagel,	Stewart,
Brigerman,	Hirsch,	O'Brien,	Stockham,
Broad,	Holland,	O'Connor,	Thomas,
Brown,	Holmes,	O'Keefe,	Thompson,
Brownfield,	Holstrom,	Ominsky,	Toole,
Burrows,	Hontz,	O'Neill,	Tronzo,
Cadwalader,	Horting,	Ostroff,	Tumelty,
Caesar,	Huntley,	Patterson, C. S.,	Valibus,
Caputo,	Imbrie,	Patterson, J. W.,	VanAllsburg,
Coakley,	Jirolanio,	Peale,	VanSickle,
Cohen, H. B.,	Kane,	Pearson,	Vogt,
Cohen, R. E.,	Keenan,	Pershing,	Wagner,
Coleman,	Kelso,	Piole,	Walsh,
Coolahan,	Kilroy,	Powers,	Watkins,
Corrigan,	Kline,	Preston,	Webster,
Costanzo,	Kroll,	Readinger,	Weidemann,
Decker,	LaRue,	Reese,	Weiss, D. H.,
DeNote,	Levy,	Reising,	Weiss, S. A.,
Dickinson,	Lewis,	Richter,	Welliver,
Donohoe,	Long,	Robinson,	Welsh,
Dougherty,	Longaker,	Rothenberger	Whalen,
Downey,	Lopresti,	Royer,	Whitenight,
Dubbs,	Lovett,	Ruffennach,	Winner,
Dyson,	Lyons,	Rush,	Woodside,
Eckels,	Mallen,	Sarraf,	Wright,
Elpern,	Marino,	Scanlon,	Yanoshat,
Falkenstein,	Matthews, H. T.,	Schor,	Yourishin,
Finnerty,	Matthews, J. F.,	Schrock,	Zappala,
Fiss	McArdle,	Schrope,	Furman,
Fitch,			

NAYS—13

Davies,	Strode,	Turner,	Wilson,
Leisey,	Terry,	Wall,	Wood,
Perry,	Trout,	Wampole,	Yeakel,
Snyder,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1684, entitled:

An Act to repeal section eight of the act approved the sixteenth day of April one thousand eight hundred and forty-nine (P. L. 663) entitled "A supplement to the act relating to lunatics and habitual drunkards to punish aldermen and justices of the peace for misdemeanors relating to arbitrations in the district court in the City and County of Philadelphia relative to deeds of assignment relative to judgment liens relating to limitation of actions and relating to liens and terre tenants and for the more effectual punishment of the crimes of arson"

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. McDEVITT. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Hagerty.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. HAGERTY. I will, Mr. Speaker.

Mr. McDEVITT. Mr. Speaker, in view of the fact that this bill proposes to repeal a section of an Act of Assembly which from its title appears to relate to "Lunatics, drunkards, aldermen and justices of the peace and liens" and what not, I would like to ask the gentleman to explain just what section of the Act of 1849 it does repeal.

Mr. HAGERTY. Mr. Speaker, In answer to the gentleman from Philadelphia, Mr. McDevitt, on those legal technicalities I will yield the floor to the gentleman from Philadelphia, Mr. Reuben E. Cohen.

The SPEAKER. The gentleman from Philadelphia, Mr. Hagerty, yields to the gentleman from Philadelphia, Mr. Cohen.

Mr. REUBEN E. COHEN. Mr. Speaker, will the gentleman repeat the question?

Mr. McDEVITT. Mr. Speaker, in checking over the calendar and also the bill the bill appears to relate to "Lunatics, drunkards, aldermen and justices of the peace and liens" and what not. I would like the gentleman from Philadelphia, Mr. Cohen, to explain to the members of the House the purpose of this repeal bill.

Mr. REUBEN E. COHEN. Mr. Speaker, in answer to the gentleman from Philadelphia, Mr. McDevitt, I would say that the particular section to be repealed has no reference to lunatics, aldermen and so forth. It so happens to be a section of the bill which refers to liens on real estate which the Supreme Court of the State have endeavored to repeal by opinion but have been unable to do so and Chief Justice Kephart has asked the Legislature to do so. Therefore, we would like to have the Legislature do what the courts would like us to do.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Flinchbaugh,	McGee,	Siegel,
Alexander,	Ganser,	McKinney,	Simon,
Allen,	Gerard,	McShane,	Simpson,
Allmond,	Gillette,	Melchiorre,	Skale,
Arnold,	Gorski,	Mellott,	Sloan,
Atkins,	Habbyshaw,	Merrell,	Smith, James A.,
Aukerman,	Haberlen,	Mihm,	Smith, John A.,
Baine	Hagerty,	Moomaw,	Snyder,
Baker, J. J.,	Hall,	Mooney,	Sollenberger,
Baker, F. T.,	Hamilton, F. P.,	Moran,	Spengler,
Balthaser,	Hamilton, R. S.,	Moul,	Sproul,
Bierly,	Harkins,	Muir,	Stackpole,
Blank,	Harmuth,	Munley,	Stank,
Bohn,	Hays,	Murrin,	Stewart,
Boies,	Hering,	Nagel,	Stockham,
Boltz,	Hess,	O'Brien,	Strode,
Boose,	Hetrick,	O'Connor,	Terry,
Boyer,	Hindman,	O'Keefe,	Thomas,
Bradley,	Hirsch,	Ominsky,	Thompson,
Brancato,	Holland,	O'Neill,	Toole,
Brigerman,	Holmes,	Ostroff,	Tronzo,
Broad,	Holstrom,	Patterson, C. S.,	Trout,
Brown,	Hontz,	Patterson, J. W.,	Tumelty,
Brownfield,	Horting,	Peale,	Turner,
Burrows,	Huntley,	Pearson,	Valibus,
Cadwalader,	Imbrie,	Perry,	VanAllsburg,
Caesar,	Jirolanio,	Pershing,	VanSickle,
Caputo,	Kane,	Piole,	Vogt,
Coakley,	Keenan,	Powers,	Wagner,
Cohen, H. B.,	Kelso,	Preston,	Wall,
Cohen, R. E.,	Kilroy,	Readinger,	Walsh,
Coleman,	Kline,	Reese,	Wampole,
Coolahan,	Kroll,	Reising,	Watkins,
Corrigan,	LaRue,	Richter,	Webster,
Costanzo,	Leisey,	Robinson,	Weidemann,
Davies,	Levy,	Rothenberger,	Weiss, D. H.,
Decker,	Lewis,	Royer,	Weiss, S. A.,
DeNcte,	Long,	Ruffennach,	Welliver,
Dickinson,	Longaker,	Rush,	Welsh,
Donohoe,	Lopresti,	Sarraf,	Whalen,
Dougherty,	Lovett,	Scanlon,	Whitenight,
Downey,	Lyons,	Schor,	Wilson,
Dubbs,	Mallen,	Schrock,	Winner,
Dyson,	Marino,	Schrope,	Wood,
Eckels,	Matthews, H. T.,	Schumacher,	Woodside,
Elpern,	Matthews, J. F.,	Serrill,	Wright,
Falkenstein,	McArdle,	Shaw,	Yanoshat,
Finnerty,	McCullough,	Shea,	Yeakel,
Fiss,	McDermott,	Shepard,	Yourishin,
Fitch,	McDevitt,	Shoemaker,	Zappala,
Flanagan,	McElroy,	Shugarts,	Furman,
Flannery,	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF VOTE

Mr. ALLEN. Mr. Speaker, I move that the vote by which House Bill No. 2274, Senate Bill No. 337, Printer's No. 415, entitled:

An Act relating to memorial halls in counties of the second class erected in memory of the soldiers sailors and marines who served in the Civil War and providing for the use upkeep and management and control of such halls

on page 25 of today's calendar, passed finally be reconsidered.

Mr. CLIFF S. PATTERSON. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Bedford, Mr. Allen vote on the final passage of the bill?

Mr. ALLEN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Washington, Mr. Patterson, vote on the final passage of the bill?

Mr. CLIFF S. PATTERSON. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. O'KEEFE. Mr. Speaker, I would like to interrogate the gentleman from Bedford, Mr. Allen.

The SPEAKER. Will the gentleman from Bedford permit himself to be interrogated?

Mr. ALLEN. I will, Mr. Speaker.

Mr. O'KEEFE. Mr. Speaker, I would like to ask the gentleman for what reason he wants to reconsider this bill.

Mr. ALLEN. Mr. Speaker, in answer to the gentleman from Allegheny, Mr. O'Keefe, I would say that I would like to have this bill placed on the postponed calendar in order to get some difference of opinion straightened out

among the Veterans of Foreign Wars and the American Legion on this bill.

Mr. O'KEEFE. Mr. Speaker, I would like to ask the gentleman whether he could not place it on the postponed calendar without referring it back to third reading.

Mr. ALLEN. Mr. Speaker, the bill has passed finally. It was voted on.

Mr. O'KEEFE. Mr. Speaker, is the gentleman aware of the fact that the bill only applies to the City of Pittsburgh, Allegheny County.

Mr. ALLEN. I am, Mr. Speaker.

Mr. O'KEEFE. Mr. Speaker, we had several hearings on this bill in Allegheny County and we found no opposition whatsoever to this bill.

Mr. ALLEN. Mr. Speaker, it is not my intention, as it might be supposed, to delay the passage of this bill. I would like to get the differences ironed out between the veterans organizations on this bill, and I will assure the gentleman from Allegheny that I will go along with the other members of the House on this bill. We just want to iron out some differences in the bill. We will not attempt in any way to delay the passage of it.

Mr. O'KEEFE. Mr. Speaker, with that understanding I will withdraw my objection.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the ayes appeared to have it,

Whereupon, a division was called for seventy-seven members having voted in the affirmative and thirty in the negative the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. ALLEN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1650, as follows:

An Act creating in counties of the first class the position of Bail Approval Commissioner prescribing the powers and duties thereof limiting jurisdiction to cases in which real property is offered as bail and conferring and imposing such powers and duties upon the controllers of counties of the first class providing for the appointment by such Bail Approval Commissioner certain necessary clerks and employes and prescribing the duties and compensation thereof imposing duties on Judges of the Court of Quarter Sessions and Oyer and Terminer and upon magistrates in counties of the first class and requiring all departments of counties and cities of the first class to supply certain information prescribing offenses and providing penalties therefor

Section 1 Short Title Be it enacted by the Senate and the House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Bail Approval Commissioner Act"

Section 2 Definitions The following words terms and phrases when used in this act shall have the meaning ascribed to them in this section except where the context clearly indicates a different meaning

"Commissioner" a bail approval commissioner or any authorized employe thereof

"Lien" any mortgage judgment delinquent tax municipal assessment charge or lien and any temporary lien such as bail previously offered and accepted and still in force

Section 3 From and after the effective date of this act the controller of any county of the first class shall be a bail approval commissioner who shall have jurisdiction in cases where real property is offered as bail and shall have all the powers and duties hereinafter provided in this act For the purpose of carrying out the provisions of this act the commissioner is hereby authorized and empowered to appoint any necessary employes clerks assistants not to exceed four in number the annual salary or compensation of any such assistant or employe shall not exceed the sum of two thousand four hundred dollars ($2,400)

Section 4 The Commissioner shall maintain within the office of the controller of any county of the first class a complete and exact record by street address of all properties and the improvements thereon appearing on the records of the Board for the assessment and revision of taxes of such county of the first class The record of each property shall contain the following information

(a) The street address thereof and a brief description

(b) The last assessed valuation thereof

(c) The registered liens including any prior bail offered and accepted and still in force

(d) Any delinquent taxes and

(e) Such other information as the commissioner shall deem necessary and desirable for carrying out the purposes of this act

Section 5 From and after the effective date of this act it shall be unlawful for any judge of any county of the first class or any magistrate of any county of the first class to accept real property as bail for the release or discharge of any prisoner or prisoners charged with any offense unless such bail shall have first been approved by the commissioner in accordance with the requirements of this act

In all cases where bail is required for the release or discharge of a prisoner or prisoners in counties of the first class any party desiring to enter such bail in the form of real property shall personally appear before the commissioner and present the deed or other evidence of title to the property offered as bail whereupon the commissioner shall examine the records provided for in this act and shall determine the equity or value of the property over and above and in excess of the total amount of any liens as defined herein If the amount of such equity or value equals or is in excess of the total amount of the necessary bail the commissioner may then approve such property as bail and shall then cause to be issued a certificate in duplicate the original of which shall be given to the bondsman or other person presenting the property as bail and the duplicate of which shall be retained by the commissioner and entered against the record of such property herein provided for Such certificate shall contain on its face

(a) the address of the property or a description of the other security which is offered and accepted as bail

(b) the name of the registered owner and the assessed value

(c) the amount of liens appearing on the records herein provided for

(d) the amount of the equity and value upon the basis of which such property is approved as bail

(e) the name of the defendant and prosecutor of the case action or proceeding for which the bail is required

(f) and shall contain the certification of the commissioner that the property has been approved as bail and all such certificates shall be returned to the bail approval commissioner within forty-eight hours after the acceptance of such bail

The original of such certificates shall be presented before the proper judge magistrate or other judicial officer

who shall sign such certificate and certify thereon the date on which the property has been accepted as bail

The sum of fifty cents ($.50) shall be paid as a fee for each certificate issued by the commissioner as hereinabove provided for the use of such county of the first class

Section 6 All departments of counties and cities of the first class shall promptly supply to the bail approval commissioner all the information requested by him

Section 7 All acts or parts of act inconsistent herewith are hereby repealed

Section 8 The provisions of this act are severable and if any of its provisions shall be held unconstitutional decision of the Court shall not effect or impair any of the remaining provisions of this act It is hereby declared to be of legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 9 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—152

Achterman,	Elpern,	Matthews, H. T.,	Rush,
Alexander,	Falkenstein,	McArdle,	Sarraf,
Allen,	Finnerty,	McCullough,	Scanlon,
Allmond,	Fitch,	McDermott,	Schor,
Arnold,	Flanagan,	McElroy,	Schrope,
Aukerman,	Flannery,	McFall,	Shaw,
Baine,	Flinchbaugh,	McGee,	Shea,
Baker, J. J.,	Ganser,	McShane,	Shepard,
Balthaser,	Gerard,	Melchiorre,	Shoemaker,
Bierly,	Gorski,	Mellott,	Shugarts,
Blank,	Haberlen,	Mihm,	Siegel,
Bohn,	Hagerty,	Moomaw,	Simon,
Boles,	Hamilton, F. P.,	Mooney,	Skale,
Boltz,	Harkins,	Moran,	Smith, John A.,
Bradley,	Harmuth,	Moul,	Smith, James A.,
Brancato,	Hays,	Munley,	Spengler,
Brigerman,	Hering,	Murrin,	Stank,
Broad,	Hess,	Nagel,	Thomas,
Brown,	Hetrick,	O'Brien,	Thompson,
Brownfield,	Hindman,	O'Connor,	Toole,
Burrows,	Hirsch,	O'Keefe,	Tronzo,
Caesar,	Holland,	Ominsky,	Tumelty,
Caputo,	Holmes,	O'Neill,	Valibus,
Coakley,	Holstrom,	Ostroff,	VanSickle,
Cohen, H. B.,	Hontz,	Patterson, C. S.,	Vogt,
Cohen, R. E.,	Horting,	Patterson, J. W.,	Wagner,
Coleman,	Jirolanio,	Pearson,	Walsh,
Coolahan,	Keenan,	Pershing,	Weiss, D. H.,
Corrigan,	Kelso,	Piole,	Weiss, S. A.,
Costanzo,	Kilroy,	Powers,	Welliver,
Decker,	Kroll,	Preston,	Welsh,
DeNote,	LaRue,	Readinger,	Whalen,
Dickinson,	Levy,	Reese,	Whitenight,
Donohoe,	Lewis,	Reising,	Wright,
Dougherty,	Long,	Richter,	Yanoshat,
Downey,	Lopresti,	Robinson,	Yourishin,
Dubbs,	Lovett,	Rothenberger,	Zappala,
Dyson,	Marino,	Ruffennach,	Furman,

NAYS—52

Atkins,	Imbrie,	Schrock,	Trout,
Baker, F. T.,	Kline,	Schumacher,	Turner,
Boose,	Leisey,	Serrill,	VanAllsburg,
Boyer,	Longaker,	Simpson,	Wall,
Cadwalader,	Lyons,	Sloan,	Wampole,
Davies,	Matthews, J. F.,	Snyder,	Watkins,
Eckels,	McDevitt,	Sollenberger,	Webster,
Fiss,	McKinney,	Sproul,	Weidemann,
Gillette,	Merrell,	Stackpole,	Wilson,
Habbyshaw,	Muir,	Stewart,	Winner,
Hall,	Peale,	Stockham,	Wood,
Hamilton, R. S.,	Perry,	Strode,	Woodside,
Huntley,	Royer,	Terry,	Yeakel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1615, entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase or gift or lease or condemnation on behalf of the Commonwealth of Pennsylvania the property of the Seventh Day Baptists of Ephrata in whole or in part to provide for the control management and supervision of the property when acquired by the Pennsylvania Historical Commission authorizing the commission to maintain the same and make and enforce rules and regulations for its preservation and visitation thereof and making an appropriation for such acquisition and maintenance

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Flinchbaugh,	McGee,	Siegel,
Alexander,	Ganser,	McKinney,	Simon,
Allen,	Gerard,	McShane,	Simpson,
Allmond,	Gillette,	Melchiorre,	Skale,
Arnold,	Gorski,	Mellott,	Sloan,
Atkins,	Habbyshaw,	Merrell,	Smith, James A.,
Aukerman,	Haberlen,	Mihm,	Smith, John A.,
Baine,	Hagerty,	Moomaw,	Snyder,
Baker, F. T.,	Hall,	Mooney,	Sollenberger,
Baker, J. J.,	Hamilton, F. P.,	Moran,	Spengler,
Balthaser,	Hamilton, R. S.,	Moul,	Sproul,
Bierly,	Harkins,	Muir,	Stackpole,
Blank,	Harmuth,	Munley,	Stank,
Bohn,	Hays,	Murrin,	Stewart,
Boles,	Hering,	Nagel,	Stockham,
Boltz,	Hess,	O'Brien,	Strode,
Boose,	Hetrick,	O'Connor,	Terry,
Boyer,	Hindman,	O'Keefe,	Thomas,
Bradley,	Hirsch,	Ominsky,	Thompson,
Brancato,	Holland,	O'Neill,	Toole,
Brigerman,	Holmes,	Ostroff,	Tronzo,
Broad,	Holstrom,	Patterson, C. S.,	Trout,
Brown,	Hontz,	Patterson, J. W.,	Tumelty,
Brownfield,	Horting,	Peale,	Turner,
Burrows,	Huntley,	Pearson,	Valibus,
Cadwalader,	Imbrie,	Perry,	VanAllsburg,
Caesar,	Jirolanio,	Pershing,	VanSickle,
Caputo,	Kane,	Piole,	Vogt,
Coakley,	Keenan,	Powers,	Wagner,
Cohen, H. B.,	Kelso,	Preston,	Wall,
Cohen, R. E.,	Kilroy,	Readinger,	Walsh,
Coleman,	Kline,	Reese,	Wampole,
Coolahan,	Kroll,	Reising,	Watkins,
Corrigan,	LaRue,	Richter,	Webster,
Costanzo,	Leisey,	Robinson,	Weidemann,
Davies,	Levy,	Rothenberger,	Weiss, D. H.,
Decker,	Lewis,	Royer,	Weiss, S. A.,
DeNote,	Long,	Ruffennach,	Welliver,
Dickinson,	Longaker,	Rush,	Welsh,
Donohoe,	Lopresti,	Sarraf,	Whalen,
Dougherty,	Lovett,	Scanlon,	Whitenight,
Downey,	Lyons,	Schor,	Wilson,
Dubbs,	Mallen,	Schrock,	Winner,
Dyson,	Marino,	Schrope,	Wood,
Eckels,	Matthews, H. T.,	Schumacher,	Woodside,
Elpern,	Matthews, J. F.,	Serrill,	Wright,
Falkenstein,	McArdle,	Shaw,	Yanoshat,
Finnerty,	McCullough,	Shea,	Yeakel,
Fiss,	McDermott,	Shepard,	Yourishin,
Fitch,	McDevitt,	Shoemaker,	Zappala,
Flanagan,	McElroy,	Shugarts,	Furman,
Flannery,	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2128, (Senate Bill No. 371), as follows:

An Act to amend sections twenty-one and forty-seven of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by providing for the filing of bond with the Department of Revenue and by limiting the amount to be retained by registers of wills for their own use for collection of inheritance taxes as agents of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-one of the act approved the twentieth day of June one thousand nine hundred nineteen (Pamphlet Laws five hundred twenty-one) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby amended to read as follows

Section 21 The registers of wills upon their filing with the [Auditor General] Department of Revenue the bond hereinafter required shall be the agents of the Commonwealth for the collection of the said tax in the case of resident decedents For services rendered in collecting and paying over the same they shall be allowed to retain for their own use upon the gross amount collected during any year five per centum upon the tax collected if such tax shall amount to a sum of fifty thousand ($50,000) dollars or less three per centum on the amounts collected in excess of fifty thousand ($50,000) dollars and not exceeding one hundred thousand ($100,000) dollars one per centum on the amounts collected in excess of one hundred thousand ($100,000) dollars and not over two hundred thousand ($200,000) dollars and one-half of one per centum on the amounts collected in excess of two hundred thousand ($200,000) dollars and not over one million ($1,000,000) dollars and one-quarter of one per centum on the amounts collected in excess of one million ($1,000,000) dollars Provided that the total amount to be so retained by such registers of wills for their own use shall not exceed the total sum of ten thousand dollars ($10,000) during any year

Section 2 That section forty-seven of the said act is hereby amended to read as follows.

Section 47 The act approved May sixth one thousand eight hundred and eighty-seven entitled "An act to provide for the better collection of collateral inheritance taxes" and the amendments and supplements thereto and the act approved the eleventh day of July one thousand nine hundred and seventeen entitled "An act for the imposition and collection of certain inheritance taxes" and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed but nothing in this repealer shall affect or impair the lien of any taxes heretofore assessed or any tax due owing or payable or any remedies for the collection of the same or to surrender any remedies powers rights or privileges acquired by the Commonwealth under said act approved May sixth one thousand eight hundred and eighty-seven entitled "An act to provide for the better collection of collateral inheritance taxes" its amendments and supplements and the said act approved the eleventh day of July one thousand nine hundred and seventeen entitled "'An act for the imposition and collection of certain inheritance taxes" or to relieve any person or corporation from any tax or penalty imposed by said acts Provided That the registers of wills shall not retain any amount for their own use for the collection of collateral inheritance taxes under said acts as agents for the Commonwealth.

Section 3 This act shall become effective immediately upon its final enactment.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, I would like to ask whether there is any one in the House who can explain this bill.

Mr. HERBERT B. COHEN. Mr. Speaker, I feel that I am in a position to explain the contents of this bill.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. HERBERT B. COHEN, I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, will the gentleman kindly explain the bill to the members of the House.

Mr. HERBERT B. COHEN. As I read the bill, Mr. Speaker, it restricts the fees that the Commonwealth of Pennsylvania will pay to the registers of wills of various counties in the Commonwealth to an amount that will not exceed under any circumstances ten thousand dollars.

Mr. TURNER. Mr. Speaker, why does the bill cut out any fees on collateral inheritance taxes?

Mr. HERBERT B. COHEN. Mr. Speaker, I have amendments to the bill which possibly will clarify that situation and which I contemplate offering.

Mr. TURNER. Mr. Speaker, when is the gentleman going to offer them? The bill is now on final passage and being voted upon—after it gets to the Governor?

Mr. HERBERT B. COHEN. No, Mr. Speaker, right away, as soon as the gentleman from Delaware gives me the floor.

QUESTION OF INFORMATION

Mr. HERBERT B. COHEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. HERBERT B. COHEN. Mr. Speaker, has the bill passed third reading?

The SPEAKER. The bill has passed third reading.

Mr. HERBERT B. COHEN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. OMINSKY. Mr. Speaker, I second the motion.

The motion was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HERBERT B. COHEN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend as follows: section 2, page 4, line 21, by striking out after the letters HC the words "collateral inheritance"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Goveror, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 666.

An Act to authorize cities boroughs incorporated towns townships and school districts to file suggestions of nonpayment and averments of default or to sue out writs of scire facias on certain tax or municipal claims and to revive judgments where the lien of such claims or the judgments thereon have been lost and providing for the re-instatement of the liens of such claims and judgments

HOUSE BILL No. 872.

An Act providing that officials charged with the duty of assessing real estate for taxation, may at any time split or separate the assessment on any tract of real estate which has been or is to be divided in order to permit the payment of taxes due on a portion of such tract; requiring tax collectors to accept payment of such taxes and validate all such split or separated assessments heretofore made.

HOUSE BILL No. 1194.

An Act authorizing the Pennsylvania Historical Commission on behalf of the Commonwealth of Pennsylvania to acquire by gift approximately 7.224 acres of land in Tinicum Township Delaware County sometime known as "Printz" Park" or as "Printz-Lindberg Park" to be known hereafter as "Governor Printz Park" providing for the control management supervision restoration improvement and maintenance thereof authorizing the Commission to make and enforce rules and regulations for the preservation maintenance and visitation thereof

HOUSE BILL No. 1400.

An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended regulating the sale and further regulating the installation use and operation of traffic regulation devices signals signs and markings and the operation of motor vehicles on the highways affecting the powers of municipal authorities in certain cases and of the Secretary of Highways and changing and imposing penalties

HOUSE BILL No. 1540.

An Act to repeal section ten of the act approved the nineteenth day of July one thousand nine hundred and thirty-five (P. L. 1356) entitled "An act to regulate the sale and delivery of solid fuel as herein defined providing for appointment of licensed weigh-masters prescribing their powers and duties authorizing substitute licensed weighmasters imposing certain duties on the Department of Internal Affairs and providing penalties"

HOUSE BILL No. 1732.

An Act to amend sections three hundred seventy-one and six hundred seventy section seven hundred thirty-two as amended sections seven hundred thirty-three eight hundred seventy-six and eight hundred ninety-six of and to add section seven hundred thirty-seven to the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further regulating tax levies bond issues appropriations and the procedure for rebuilding bridges in such counties

HOUSE BILL No. 1788.

An Act to amend section five hundred forty-five of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as amended providing for the audit of the account of justices of the peace

HOUSE BILL No. 2039.

An Act to amend section five of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 599) entitled "An act relating to motion picture exhibitions and sound motion picture exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto on Sunday prohibiting motion picture exhibitions and sound motion picture exhibitions and orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection incidental thereto on Sunday during certain hours and also during other hours unless the electors of a municipality approve thereof regulating the employment of persons in conducting such exhibitions on Sunday providing for referendums to ascertain the will of the electors and providing penalties and repealing inconsistent laws" providing for a referendum vote in certain municipalities in the year one thousand nine hundred and thirty-seven and making persons filing petitions liable for the cost of printing ballots

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 83. (HOUSE BILL No. 2381).

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 127. (HOUSE BILL No. 2382).

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School for Medicine.

Referred to the Committee on Appropriations.

SENATE BILL No. 561. (HOUSE BILL No. 2383).

An Act making an appropriation to the Trustees of the University of Pennsylvania Philadelphia Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 629. (HOUSE BILL No. 2384).

An Act to further amend the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas prothonotaries of such courts recorders of deeds and certain state departments commissions and officers authorizing certain local public officers and state departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" further regulating the incorporation of non-profit corporations regulating and extending and restricting in certain cases the rights responsibilities authority and powers of such corporations and of the members thereof and the creation rights powers and qualifications of the officers thereof further providing for and regulating the merger or consolidation and the dissolution of such corporations and providing penalties.

Referred to the Committee on Corporations.

SENATE BILL No. 630. (HOUSE BILL No. 2385).

An Act to further amend the act approved the fifth day of May one thousand nine hundred and twenty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and share holders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas and certain state departments commissions and officers authorizing certain state departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" re-defining authorized capital stock eliminating certain approvals of articles of incorporation and certificates of authority and further regulating the incorporation of business corporations and the amendments to articles thereof regulating and extending the rights responsibilities authority powers and immunities of such corporations and of recognized corporations and of the share holders thereof and the rights powers qualifications and compensation of the officers thereof providing for certificates of approval by the Department of State further providing for and regulating the merger or consolidation and dissolution of such corporations and providing penalties.

Referred to the Committee on Corporations.

SENATE BILL No. 641. (HOUSE BILL No. 2386).

An Act declaring certain rights grants and privileges in the beds of navigable waters within and on the boundaries of this Commonwealth void vesting power in the Department of Forests and Waters the Water and Powers Resources Board and the Pennsylvania State Park and Harbor Commission to revoke and declare void such rights grants and privileges and providing the procedure in such cases.

Referred to the Committee on Forestry.

SENATE BILL No. 684. (HOUSE BILL No. 2387).

A Joint Resolution proposing an amendment to Article nine section eight of the Constitution of the Commonwealth of Pennsylvania.

Referred to the Committee on Constitutional Amendments.

SENATE BILL No. 860. (HOUSE BILL No. 2388).

An Act supplementing the act of July twenty-second one thousand nine hundred and thirty-six (P. L. 70) and authorizing the Governor directly or through such agency as he may designate to provide plan prepare supervise and carry out a suitable program throughout the Commonwealth of Pennsylvania and elsewhere for the Celebration of the 150th Anniversary of the Framing the Signing the Ratification by Pennsylvania and the Final Adoption and Establishment of the Constitution of the United States during the years 1937-38-39 and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 917. (HOUSE BILL No. 2389).

An Act to establish as a State highway a certain section of public road in the counties of Franklin and Adams and providing for its construction and maintenance at the expense of the Commonwealth.

Referred to the Committee on Highways.

SENATE BILL No. 958. (HOUSE BILL No. 2390).

An Act to amend sections one two four five and seven of the act approved the fifteenth day of July one thousand nine hundred and thirty-five (P. L. 1017) entitled "An act relating to criminal procedure providing for the securing of attendance of witnesses from without the State in criminal cases and making uniform the law in reference thereto" by further regulating the attendance

of such witnesses and limiting the powers with respect thereto to judges learned in the law.

Referred to the Committee on Judiciary General.

SENATE BILL No. 959. (HOUSE BILL No. 2391).

An Act providing for the arrest and custody of persons closely pursued in this Commonwealth by peace officers of other states and imposing duties in magistrates aldermen and justices of the peace and the secretary of the Commonwealth.

Referred to the Committee on Judiciary General.

SENATE BILL No. 960. (HOUSE BILL No. 2392).

An Act providing for the making of compacts by the Commonwealth with other states for mutual helpfulness in relation to persons on probation or parole and imposing certain powers and duties on the Governor and the Board of Pardons.

Referred to the Committee on Judiciary General.

SENATE BILL No. 986. (HOUSE BILL No. 2393).

An Act to amend section one hundred fifty-five of the act approved the thirty-first day of March one thousand eight hundred and sixty (P. L. 382) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" extending the provisions to memorials tablets and works of art erected within buildings or on grounds.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1114. (HOUSE BILL No. 2394).

An Act to amend section two hundred two of the act approved the fourth day of May one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the incorporation of boroughs.

Referred to the Committee on Boroughs.

SENATE BILL No. 1152. (HOUSE BILL No. 2395).

An Act to amend section twenty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 363) entitled "An act relating to the organization jurisdiction and procedure of the orphans' courts the powers and duties of the judges thereof and appeals therefrom" by authorizing the orphans' court to conduct jury trials to determine issues awarded by it and regulating the procedure and appeals in such cases.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1124. (HOUSE BILL No. 2396).

An Act making an appropriation to the Safety Commission.

Referred to the Committee on Appropriations.

SENATE BILL No. 1219. (HOUSE BILL No. 2397).

An Act to amend sections one three eight and ten of the act approved the twenty-seventh day of June one thousand nine hundred and twenty-three (Pamphlet Laws 858) entitled "An act establishing a State employes retirement system and creating a retirement board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom and providing for the guaranty by the Commonwealth of certain of said funds imposing powers and duties upon the heads of departments in which State employes serve excepting annuities allowances returns benefits and rights from taxation and judicial process and providing penalties" as amended qualifying members of the General Assembly as members of the State retirement system.

Referred to the Committee on State Government.

SENATE BILL No. 1231. (HOUSE BILL No. 2398).

An Act empowering the Department of Property and Supplies with the consent and approval of the Department of Military Affairs and the Governor to lease or rent a part or parts of the Pennsylvania Military Reservation at Indiantown Gap to the City of Harrisburg for the purpose of impounding water for a water supply and appropriating the moneys received therefrom to the Department fo Military Affairs.

Referred to the Committee on State Government.

SENATE BILL No. 1237. (HOUSE BILL No. 2399).

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey to the Pennsylvania State College subject to certain reservations the Mont Alto State Forest School and to accept a conveyance from said college of a tree nursery tract.

Referred to the Committee on State Government.

SENATE BILL No. 1260. (HOUSE BILL No. 2400).

An Act to amend section one thousand four hundred and thirty-six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended further regulating the compensation to be paid attendance officers and home and school visitors in school districts of the first class.

Referred to the Committee on Education.

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 18, 1937.

Whereas, There is a nation wide movement to better housing conditions which in many sections are in a critical state, and

Whereas, Four bills are now pending in the General Assembly of Pennsylvania which will be ineffective to relieve conditions in this Commonwealth unless the Congress of the United States shall adopt the Wagner-Steagall Housing Bill or similar legislation, therefore be it

Resolved (if the House of Representatives concur), That the General Assembly hereby memorializes the Congress of the United States to enact the Wagner-Steagall Housing Bill or similar legislation in order that a comprehensive housing program may be effectively prosecuted in this Commonwealth.

Resolved, That a copy of this resolution be forwarded to the President of the Senate, and to the Speaker of the House of Representatives of the United States by the Chief Clerk of the Senate.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. The resolution is referred to the Committee on Federal Relations.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2204, (Senate Bill No. 811), as follows:

An Act permitting boroughs and townships of the first class engaged in the construction of sewers and sewer systems to change under certain conditions the locations of the sewers and sewer system by amending ordinances and providing that abutting property owners shall be liable in such cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any borough or township of the first class heretofore has by ordinance authorized the construction of sewers or a sewer system along certain designated streets alleys lanes roads or avenues and in along or over private property in said borough or township of the first class in accordance with certain designated plans and specifications as described in said ordinance and has provided that certain of the costs and expenses of the construction of said sewers and sewer system shall be assessed against the abutting property owners and has further entered into contracts for the construction of such sewers or sewer system and after the work has been commenced it appears desirable to make changes in the location of the sewers by placing said sewers or some of them on streets alleys lanes roads avenues or private property in any such borough or township other than as designated in any such ordinance or in such plans and specifications or as called for in any contract or contracts heretofore executed by the said borough or township and any such borough or township upon obtaining the assent of the contractor or contractors to whom or which the contract or contracts for the construction of said sewers or sewer system have been awarded and his its or their sureties bondsmen bonding companies and insurance companies and the assent of the Sanitary Water Board of the Commonwealth of Pennsylvania may by an amending ordinance or ordinances change the location of the sewers and sewer system by eliminating certain of said sewer lines or by adding additional sewer lines or both and the property owners abutting upon the streets alleys lanes roads and avenues in upon or over which the sewers and sewer system are located by the original ordinance as thus amended shall be subject to assessment for the costs and expenses of such sewers and sewer system in the manner and to the extent as provided in any such original ordinance Provided That the cost of the construction of the sewers or sewer system to the borough or township or to the abutting property owners shall not be increased above the amount or amounts specified in the existing contract or contracts therefor

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206.

Achterman,	Flinchbaugh,	McGee,	Siegel,
Alexander,	Ganser,	McKinney,	Simon,
Allen,	Gerard,	McShane,	Simpson,
Allmond,	Gillette,	Melchiorre,	Skale,
Arnold,	Gorski,	Mellott,	Sloan,
Atkins,	Habbyshaw,	Merrell,	Smith, James A.,
Aukerman,	Haberlen,	Mihm,	Smith, John A.,
Baine,	Hagerty,	Moomaw,	Snyder,
Baker, F. T.,	Hall,	Mooney,	Sollenberger,
Baker, J. J.,	Hamilton, F. P.,	Moran,	Spengler,
Balthaser,	Hamilton, R. S.,	Moul,	Sproul,
Bierly,	Harkins,	Muir,	Stackpole,
Blank,	Harmuth,	Munley,	Stank,
Bohn,	Hays,	Murrin,	Stewart,
Boies,	Hering,	Nagel,	Stockham,
Boltz,	Hess,	O'Brien,	Strode,
Boose,	Hetrick,	O'Connor,	Terry,
Boyer,	Hindman,	O'Keefe,	Thomas,
Bradley,	Hirsch,	Ominsky,	Thompson,
Brancato,	Holland,	O'Neill,	Toole,
Brigerman,	Holmes,	Ostroff,	Tronzo,
Broad,	Holstrom,	Patterson, C. S.,	Trout,
Brown,	Hontz,	Patterson, J. W.,	Tumelty,
Brownfield,	Horting,	Peale,	Turner,
Burrows,	Huntley,	Pearson,	Valibus,
Cadwalader,	Imbrie,	Perry,	VanAllsburg,
Caesar,	Jirolanio,	Pershing,	VanSickle,
Caputo,	Kane,	Piole,	Vogt,
Coakley,	Keenan,	Powers,	Wagner,
Cohen, H. B.,	Kelso,	Preston,	Wall,
Cohen, R. E.,	Kilroy,	Readinger,	Walsh,
Coleman,	Kline,	Reese,	Wampole,
Coolahan,	Kroll,	Reising,	Watkins,
Corrigan,	LaRue,	Richter,	Webster,
Costanzo,	Leisey,	Robinson,	Weidemann,
Davies,	Levy,	Rothenberger,	Weiss, D. H.,
Decker,	Lewis,	Royer,	Weiss, S. A.,
DeNote,	Long,	Ruffennach,	Welliver,
Dickinson,	Longaker,	Rush,	Welsh,
Donohoe,	Lopresti,	Sarraf,	Whalen,
Dougherty,	Lovett,	Scanlon,	Whitenight,
Downey,	Lyons,	Schor,	Wilson,
Dubbs,	Mallen,	Schrock,	Winner,
Dyson,	Marino,	Schrope,	Wood,
Eckels,	Matthews, H. T.,	Schumacher,	Woodside,
Eipern,	Matthews, J. F.,	Serrill,	Wright,
Falkenstein	McArdle,	Shaw,	Yanoshat,
Finnerty,	McCullough,	Shea,	Yeakel,
Fiss,	McDermott,	Shepard,	Yourishin,
Fitch,	McDevitt,	Shoemaker,	Zappala,
Flanagan,	McElroy,	Shugarts,	Furman,
Flannery,	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendment in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 875, (Senate Bill No. 6), as follows:

An Act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows Section 1 This act shall be known and may be cited as the "Labor Anti-Injunction Act"

Section 2 In the interpretation of this act and in determining the jurisdiction and authority of the courts of this Commonwealth as such jurisdiction and authority are defined and limited in this act the public policy of this Commonwealth is hereby declared as follows

(a) Under prevailing economic conditions developed with the aid of governmental authority for owners of property to organize in the corporate and other forms of ownership association the individual unorganized worker is commonly helpless to exercise actual liberty of contract

and to protect his freedom of labor and thereby to obtain acceptable terms and conditions of employment wherefore though he should be free to decline to associate with his fellows it is necessary that he have full freedom of association self-organization and designation of representatives of his own choosing to negotiate the terms and conditions of his employment and that he shall be free from the interference restraint or coercion of employers of labor or their agents in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection

(b) Equity procedure that permits a complaining party to obtain sweeping injunctive relief that is not preceded by or conditioned upon notice to and hearing of the responding party or parties or that permits sweeping injunctions to issue after hearing based upon written affidavits alone and not wholly or in part upon examination confrontation and cross-examination of witnesses in open court is peculiarly subject to abuse in labor litigation for the reasons that

(1) The status quo cannot be maintained but is necessarily altered by the injunction

(2) Determination of issues of veracity and of probability of fact from affidavits of the opposing parties that are contradictory and under the circumstances untrustworthy rather than from oral examination in open court is subject to grave error

(3) Error in issuing the injunctive relief is usually irreparable to the opposing party and

(4) Delay incident to the normal course of appellate practice frequently makes ultimate correction of error in law or in fact unavailing in the particular case

Section 3 When used in this act and for the purposes of this act

(a) A case shall be held to involve or to grow out of a labor dispute when the case involves persons who are engaged in a single industry trade craft or occupation or have direct or indirect interests therein or who are employes of the same employer or who are members of the same or an affiliated organization of employers or employes whether such dispute is (1) between one or more employers or associations of employers and one or more employes or associations of employes (2) between one or more employers or associations of employers and one or more employers or associations of employers or (3) between one or more employes or association of employes and one or more employes or association of employes or when the case involves any conflicting or competing interests in a "labor dispute" (as hereinafter defined) of "persons participating or interested" therein (as hereinafter defined)

(b) A person or association shall be held to be a person participating or interested in a labor dispute if relief is sought against him or it and if he or it is engaged in the same industry craft or occupation in which such dispute occurs or has a direct or indirect interest therein or is a member officer or agent of any association composed in whole or in part of employers or employes engaged in such industry trade craft or occupation

(c) The term "labor dispute" includes any controversy concerning terms or conditions of employment or concerning the association or representation or persons in negotiating fixing maintaining changing or seeking to arrange terms or conditions of employment or concerning employment relations or any other controversy arising out of the respective interests of employer and employe regardless of whether or not the disputants stand in the proximate relation of employer and employe and regardless of whether or not the employes are on strike with the employer

(d) The term "court" includes every Court of Common Pleas of the several counties of this Commonwealth including the judge or judges thereof

(e) The term "complainant" includes every person whether plaintiff or defendant in the cause who seeks affirmative relief

(f) The term "defendant" includes every person whether plaintiff or defendant in the cause against whom affirmative relief is sought

(g) The term "employer" is declared to include master and shall also include natural persons partnerships unincorporated associations joint-stock companies corporations for profit corporations not for profit receivers in equity and trustees or receivers in bankruptcy.

(h) The term "employe" is declared to include all natural persons who perform services for other persons and shall not be limited to the employes of a particular employer and shall include any individual who has ceased work as a consequence of or in connection with any matter involved in a labor dispute

(i) The term "organization" shall mean every unincorporated or incorporated association of employers or employes

(j) The term "labor organization" shall mean every organization of employes not dominated or controlled by any employer or any employer organization having among its purposes that of collective bargaining as to terms and conditions of employment

(k) The term "employer organization" shall mean every association of or agency representing or maintained by employers having among its purposes or activities that of studying or advising concerning relations between employers and employes or bargaining negotiating or dealing with employes or labor organizations

Section 4 No court of this Commonwealth shall have jurisdiction to issue any restraining order or temporary or permanent injunction in a case included within this act except in strict conformity with the provisions of this act nor shall any such restraining order or temporary or permanent injunction be issued contrary to the public policy declared in this act Exclusive jurisdiction and power to hear and determine all actions and suits coming under the provisions of this act shall be vested in the Courts of Common Pleas of the several counties of this Commonwealth

Section 5 Any undertaking or promise such as is described in this section or any other undertaking or promise in conflict with the public policy declared in section two of this act is hereby declared to be contrary to the public policy of this Commonwealth shall not be enforceable in any court of this Commonwealth and shall not afford any basis for the granting of legal or equitable relief by any such court against a party to such undertaking or promise or against any other persons who may advise urge or induce either party thereto to act in disregard of such undertaking or promise including specifically the following

Every undertaking or promise hereafter made whether written or oral express or implied constituting or contained in any contract or agreement of hiring or employment between any individual firm company association or corporation and any employer or prospective employe of the same whereby

(a) Either party to such contract or agreement undertakes or promises not to join become or remain a member of any labor organization or of any employer organization or

(b) Either party to such contract or agreement undertakes or promises that he will withdraw from an employment relation in the event that he joins becomes or remains a member of any labor organization or of any employer organization

Section 6 No court of this Commonwealth shall have jurisdiction or power in any case involving or growing out of a labor dispute to issue any restraining order or temporary or permanent injunction which in specific or general terms restrains or prohibits any person association or corporation from doing whether singly or in concert with others notwithstanding any promise undertaking contract or agreement to the contrary any of the following acts

(a) Ceasing or refusing to perform any work or to remain in any relation of employment

(b) Becoming or remaining a member of any labor organization or of any employer organization

(c) Paying or giving to or withholding from any person any strike or unemployment benefits or unemployment insurance or other moneys or things of value

(d) By all lawful means aiding any person who is being proceeded against in or is prosecuting any action

or suit involving or arising out of a labor dispute in any court of the United States or of this Commonwealth or of any state

(e) Giving publicity to and obtaining or communicating information regarding the existence of or the facts or merits involved in any labor dispute whether by advertising speaking or picketing or patrolling any public street or place where any person or persons may lawfully be or by any other method not involving misrepresentation fraud duress violence breech of the peace or threat thereof

(f) Organizing themselves forming joining or assisting in labor organizations bargaining collectively with an employer by representatives freely chosen and controlled by themselves or for the purpose of collective bargaining or other mutual aid or protection or engaging in any concerted activities

(g) Persuading by any lawful means other persons to cease patronizing or contracting with or employing or leaving the employ of any person or persons

(h) Ceasing or refusing to work with any person or group of persons

(i) Ceasing or refusing to work on any goods materials machines or other commodities

(j) Assembling peaceably to do or to organize to do any of the acts heretofore specified or to promote their lawful interests

(k) Advising or notifying any person or persons of an intention to do or not to do any of the acts heretofore specified

(l) Agreeing with other persons to do or not to do any of the acts heretofore specified

(m) Advising urging or otherwise causing or inducing without misrepresentation fraud or violence others to do or not to do the acts heretofore specified and

(n) Doing in concert with others any or all of the acts heretofore specified Provided That the specific enumeration in this section of acts which may not be restrained or enjoined shall not be construed to authorize the injunction or restraint of any act or acts not heretofore enjoinable or restrainable

Section 7 No court of this Commonwealth shall have jurisdiction or power in any case involving or growing out of a labor dispute to issue a restraining order or temporary or permanent injunction

(a) Upon the ground that any of the persons participating or interested in the labor dispute constitute or are engaged in an unlawful combination or conspiracy because of the doing in concert of the acts enumerated in section six of this act or

(b) Forbidding any of the acts enumerated in section six upon the ground that illegal acts have been committed or threatened in the course of any labor dispute or that any ends sought to be accomplished by any party to the labor dispute are illegal

Section 8 No officer or member of any association or organization and no association or organization participating or interested in a labor dispute as herein defined shall be held responsible or liable in any civil action at law or suit in equity or in any criminal prosecution for the unlawful acts of individual officers members or agents except upon proof beyond a reasonable doubt in criminal cases and by the weight of evidence in other cases and without the aid of any presumptions of law or fact both of (a) the doing of such acts by persons who are officers members or agents of any such association or organization and (b) actual participation in or actual authorization of such acts or of ratification of such acts after actual knowledge thereof by such association or organization

Section 9 No court of this Commonwealth shall issue any restraining order or a temporary or permanent injunction in any case involving or growing out of a labor dispute except after hearing the testimony of witnesses in open court (with opportunity for cross-examination) in support of the allegations of a complaint made under oath and testimony in opposition thereto if offered and except after findings of fact by the court to the effect

(a) That unlawful acts have been threatened and will be committed unless restrained or have been committed and will be continued unless restrained but no temporary or permanent injunction or temporary restraining order shall be issued on account of any threat or unlawful act excepting against the person or persons association or organization making the threat or committing the unlawful act or actually authorizing or ratifying the same after actual knowledge thereof

(b) That substantial and irreparable injury to complainant's property will follow unless the relief requested is granted

(c) That as to each item of relief granted greater injury will be inflicted upon complainant by the denial of relief than will be inflicted upon defendants by granting of relief

(d) That no item of relief granted is relief which is prohibited under section six of this act

(e) That complainant has no adequate remedy at law and

(f) That the public officers charged with the duty to protect complainant's property are unable to furnish adequate protection

Such hearing shall be held only after a verified bill of complaint and a verified bill of particulars specifying in detail the time place and the nature of the acts complained of and the names of the persons alleged to have committed the same or participated therein have been served and after due and personal notice thereof has been given in such manner as the court shall direct to all known persons against whom relief is sought and also to the chief of those public officials of the county and city within which the unlawful acts have been threatened or committed charged with the duty to protect complainant's property The hearing shall consist of the taking of testimony in open court with opportunity for cross-examination and testimony in opposition thereto if offered and no affidavits shall be received in support of any of the allegations of the complaint

Section 10 No temporary restraining order or temporary injunction shall be issued in any case involving or growing out of a labor dispute except on condition that complainant shall first file an undertaking with adequate security in an amount to be fixed by the court sufficient to recompense those enjoined for any loss expense or damage caused by the improvident or erroneous issuance of such order or injunction including all reasonable costs (together with a reasonable attorney's fee) and expense of defense against the order or against the granting of any injunctive relief sought in the same proceeding and subsequently denied by the court

The undertaking herein mentioned shall be understood to signify an agreement entered into by the complainant and the surety upon which a decree may be rendered in the same suit or proceedings against said complainant and surety upon a hearing to assess damages of which hearing complainant and surety shall have reasonable notice the said complainant and surety submitting themselves to the jurisdiction of the court for that purpose But nothing herein contained shall deprive any party having a claim or cause of action under or upon such undertaking from electing to pursue his ordinary remedy by suit at law or in equity

Section 11 No restraining order or temporary or permanent injunctive relief shall be granted to any complainant in a case involving or growing out of a labor dispute who has failed to comply with any obligation imposed by law which is involved in the labor dispute in question or who has failed to make every reasonable effort to settle such dispute either by negotiation or with the aid of any available governmental machinery of mediation or voluntary arbitration or has violated the public policy as declared in section two

Section 12 No restraining order or temporary or permanent injunction shall be granted in a case involving or growing out of a labor dispute except on the basis of findings of fact made and filed by the court in the record of the case prior to the issuance of such restraining order or injunction and every restraining order or injunction granted in a case involving or growing out of a labor dispute shall include only a prohibition of such specific act or acts as may be expressly complained of in the bill of complaint or petition filed in such case and as shall be ex-

pressly included in said findings of fact made and filed by the court as provided herein and shall be binding only upon the parties to the suit their agents servants and employes who shall by personal service or otherwise have secured actual notice of the same

Section 13 No court of this Commonwealth shall have jurisdiction or power in any case involving or growing out of a labor dispute to issue a temporary restraining order or temporary injunction where employes are defendants or the employer either in anticipation of or at or subsequent to the inception of a labor dispute has employed persons or assigned other employes to perform the duties of employes then or subsequently not working because of the labor dispute unless prior to the granting of such restraining order or temporary injunction the said employer has discharged such persons and reassigned the other employes back to their former duties and such facts shall be averred under oath in the application for the temporary restraining order or temporary injunction and no temporary restraining order or temporary injunction shall issue unless it contains the following provision

"This order (or injunction) shall remain in effect only so long as ..... (name of employer) shall not employ persons or transfer employes to perform the duties of those now or hereafter not working because of the labor dispute"

Section 14 Every restraining order temporary or permanent injunction issued by a court of this Commonwealth in any case involving or growing out of a labor dispute shall contain the following provision

"That complainant and/or the employer and their or either if their agents or employes shall be enjoined from any and all acts or threats of violence intimidation coercion molestation libel or slander against the respondents or organizations engaged in the labor dispute"

Section 15 Whenever any court of this Commonwealth shall issue or deny any temporary injunction in a case involving or growing out of a labor dispute the court shall upon the request of any party to the proceedings and on his filing the usual bond for costs forthwith certify as in ordinary cases the record of the case including a transcript of the evidence taken to the Supreme Court for its review Upon the filing of such record in the Supreme Court the appeal shall be heard and the temporary injunctive order affirmed modified or set aside with the greatest possible expedition giving the proceedings precedence over all other matters except older matters of the same character

Section 16 Every temporary injunction and temporary restraining order issued in a case involving or growing out of a labor dispute shall by its terms expire within such time after entry as the court may fix not to exceed ten (10) days unless the plaintiff is ready by the expiration of such period to proceed to trial and shall pay the necessary calendar and trial fees Every permanent injunction issued in a case involving or growing out of a labor dispute shall expire at the end of one hundred eighty (180) days after the date on which the judgment is signed Provided however That the duration of the injunction may be extended for another one hundred eighty (180) days if after a further hearing initiated and conducted in the same manner as the original hearing the court shall determine that the injunction shall be continued or modified in accordance with the findings of fact on the subsequent hearing

Section 17 Upon denial by the court of any injunctive relief sought in an action involving or growing out of a labor dispute the court shall order the complainant to pay reasonable costs and expenses of defending the suit and a reasonable counsel fee

Section 18 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adapted had such unconstitutional provisions not been included herein

Section 19 The following acts are hereby specifically repealed

The act approved the twenty-third day of June one thousand nine hundred thirty-one (Pamphlet Laws nine hundred twenty-six) entitled "An act defining labor disputes and prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes"

The act approved the twenty-fourth day of May one thousand nine hundred thirty-three (Pamphlet Laws nine hundred ninety-five) entitled "An act declaring certain agreements between employes and employers and others to be contrary to public policy and void"

All other acts and parts of acts inconsistent herewith are also hereby repealed

Section 20 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Luzerne, Mr. Yourishin.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. YOURISHIN. I will, Mr. Speaker,

Mr. TURNER. Mr. Speaker, will the gentleman from Luzerne explain the contents of this bill to the House?

Mr. YOURISHIN. Mr. Speaker, this is a very simple bill. For years labor has been trying to get a bill of this kind written into the statute books, to be known as an anti-injunction bill, prohibiting the issuance of injunctions in labor disputes under certain conditions.

Mr. TURNER. Mr. Speaker, under the McGinnis bill are there not certain restrictions in that connection.

Mr. YOURISHIN. Mr. Speaker under the McGinnis bill they still have the right to strike, and this bill will prohibit any injunctions being issued in labor disputes or strikes, or both.

Mr. TURNER. Mr. Speaker, why should we have this bill after passing the McGinnis bill?

Mr. YOURISHIN. Yes, Mr. Speaker, this is supplemental to the McGinnis bill, because of the fact that the McGinnis bill does not prevent labor from striking.

Mr. TURNER. But under the McGinnis bill, Mr. Speaker, which John L. Lewis has declared, I understand, to be the Magna Charta of labor, does not labor have every protection.

Mr. YOURISHIN. Mr. Speaker, they have protection but not in strikes. This bill will prevent the issuance of injunctions in labor disputes or in strikes.

Mr. TURNER. Mr. Speaker, why should there be any necessity for a strike in view of the McGinnis bill and the National Labor Relations Act.

Mr. YOURISHIN. Under the McGinnis bill and the National Labor Relations Act, Mr. Speaker, if labor and capital can agree on wages, hours and conditions and any disputes that may arise in the mines, mills and factories, there will be no necessity for strikes.

Mr. TURNER. But Mr. Speaker, isn't the machinery set up for amicable adjustment.

Mr. YOURISHIN. Mr. Speaker, the machinery is set up for amicable adjustment, but in certain cases those things will occur and strikes will take place in industry.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—165

Achterman,	Fitch,	Matthews, H. T.,	Rush,
Alexander,	Flanagan,	Matthews, J. F.,	Sarraf,
Allen,	Flannery,	McArdle,	Scanlon,
Allmond,	Flinchbaugh,	McCullough,	Schor,
Arnold,	Ganser,	McDermott,	Schrope,
Aukerman,	Gerard,	McDevitt,	Shaw,
Baine,	Gillette,	McElroy,	Shea,
Baker, J. J.,	Gorski,	McFall,	Shepard,
Balthaser,	Haberlen,	McGee,	Shoemaker
Bierly,	Hagerty,	McShane,	Shugarts,
Blank,	Hamilton, F. P.,	Melchiorre	Siegel,
Bohn,	Hamilton, R. S.,	Mellott,	Simon,
Boles,	Harkins,	Mihm,	Skale,
Boltz,	Harmuth,	Moomaw,	Smith, John A.,
Bradley,	Hays,	Mooney,	Smith, James A.,
Brancato,	Hering,	Moran,	Spengler,
Brigerman,	Hess,	Moul,	Stank,
Broad,	Hetrick,	Munley,	Stockham,
Brown,	Hindman,	Murrin,	Thomas,
Brownfield,	Hirsch,	Nagel,	Thompson,
Burrows,	Holland,	O'Brien,	Toole,
Caesar,	Holmes,	O'Connor,	Tronzo,
Caputo,	Holstrom,	O'Keefe,	Tumelty,
Coakley,	Hontz,	Ominsky,	Valibus,
Cohen, H. B.,	Horting,	O'Neill,	VanAllsburg,
Cohen, R. E.,	Jirolanio,	Ostroff,	VanSickle,
Coleman,	Keenan,	Patterson, C. S.,	Vogt,
Coolahan,	Kelso,	Patterson, J. W.,	Wagner,
Corrigan,	Kilroy,	Peale,	Walsh,
Costanzo,	Kline,	Pearson,	Watkins,
Davies,	Kroll,	Pershing,	Weiss, D. H.,
Decker,	LaRue,	Pyle,	Weiss, S. A.,
DeNote,	Leisey,	Powers,	Welliver,
Dickinson,	Levy,	Preston,	Welsh,
Donohoe,	Lewis,	Readinger,	Whalen,
Dougherty,	Long,	Reese,	Whitenight,
Downey,	Longaker,	Reising,	Wright,
Dubbs,	Lopresti,	Richter,	Yanoshat,
Dyson,	Lovett,	Robinson,	Yourishin,
Elpern	Lyons,	Rothenberger,	Zappala,
Falkenstein,	Marino,	Ruffennach,	Furman,
Finnerty,			

NAYS—32

Baker, F. T.,	Imbrie,	Sloan,	Turner,
Boose,	Kane,	Snyder,	Wall,
Cadwalader,	McKinney,	Sollenberger,	Wampole,
Eckels,	Merrell,	Sproul,	Weidemann,
Fiss,	Muir,	Stackpole,	Wilson,
Habbyshaw,	Perry,	Stewart,	Wood,
Hall,	Schrock,	Strode,	Woodside,
Huntley,	Serrill,	Terry,	Yeakel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendment in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2205, (Senate Bill No. 894), as follows:

An Act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes

Whereas Commissioners for the Commonwealth of Pennsylvania and commissioners for the State of Ohio negotiated a compact or agreement relative to the development use and regulation of Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes and

Whereas Such compact or agreement has been executed in duplicate one for each State on behalf of the Commonwealth of Pennsylvania by and through the Water and Power Resources Board and on behalf of the State of Ohio by and through the Conservation Division which compact or agreement is contained in he following words

AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF OHIO RE PYMATUNING LAKE

This Agreement made and concluded between the Commonwealth of Pennsylvania acting by and through its lawfully authorized agency namely the Water and Power Resources Board as party of the first part and the State of Ohio acting by and through its lawfully authorized agency namely its Director of Conservation as party of the second part

Witnesseth

Whereas By act of Assembly of Pennsylvania approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1503) as amended by the acts approved the fifth day of May one thousand nine hundred and thirty-one (Pamphlet Laws 84) the twenty-fourth day of April one thousand nine hundred and thirty-three (Pamphlet Laws 67) and the ninth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 619) the Department of Forests and Waters of Pennsylvania acting through the Water and Power Resources Board was authorized inter alia to complete the work begun and continued under an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (Pamphlet Laws 1270) entitled "An act providing for the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir to conserve the waters thereof providing for the taking of land and materials necessary thereto vesting certain powers and duties in the Water Supply Commission and making an appropriation" and did duly complete said work whereby there was created a lake or reservoir now known and hereinafter called Pymatuning Lake extending in part across the boundary line between said States of Ohio and Pennsylvania into the State of Ohio and

Whereas The primary purposes of the project by which said lake was created was to conserve water draining said swamp all of which has its source in Pennsylvania as well as control floods and regulate the flow of water in the Shenango and Beaver Rivers and secondary thereto permit the water and the land surrounding the same to be used for fishing hunting recreational and park purposes under such terms and conditions as the Water and Power Resources Board might determine in such way or ways as in the opinion if the said board will not materially interfere with the primary purpose in said acts of assembly and hereinbefore specifically referred to and

Whereas In view of the fact that a certain part of the lake extends into the State of Ohio whereby it is necessary and desirable that the use of the lake for the secondary purposes namely hunting fishing and recreational use be uniformly provided for as well as to guard against inconveniences and mischiefs which might hereafter arise from the uncertainty or jurisdiction within and on said lake to the end that the lake may be adequately policed and conflicts of jurisdiction for the arrest and punishment of offenders be avoided

Now Then Therefore In order that law and justice may in all cases be executed and take effect upon said lake from shore to shore in all parts and places thereof where the lake is a boundary between said states the said parties hereto do agree for and in behalf of their respective states in the manner following

1 General Use

It is hereby agreed that the entire Pymatuning Lake or Reservoir subject to the primary use thereof by the Commonwealth of Pennsylvania for regulating the flow of the water in the Shenango and Beaver Rivers as in Paragraph 9 hereinafter more specifically mentioned shall be open for recreational use equally to the citizens of both contracting parties save as restricted as to hunting fishing and boating in this agreement set forth or hereafter mutually agreed upon by both parties but no person shall be permitted to hunt or fish therein or thereon unless the lawful holder of a fishing or hunting license authorizing him or her so to do issued by the proper authorities of Pennsylvania or of Ohio

2 Arrest and Prosecution of Offenders

That each state shall enjoy and exercise a concurrent jurisdiction upon the water (but not upon the dry land) between the shores of said lake including the islands therein with respect to the arrest and prosecution of offenders but in such sort that any boat or vessel fastened to or aground on the shore of either state shall be considered exclusively within the jurisdiction of said state but that all capital and other offenses trespasses or damages committed on or over said lake the judicial investigation and determination thereof shall be exclusively vested in the state wherein the offender or person charged with such offense shall be first apprehended arrested prosecuted or first brought to trial it being the intent of this agreement that an offender may be pursued and arrested anywhere on or over said lake or shores thereof or islands therein regardless of the boundary line by any peace officers or persons of either state authorized to make arrests whether the offenses be committed on or over any part of the lake on the shores or islands therein regardless of the state in which the place where the offense was committed lies

3 Islands

All islands within the lake shall be considered as part of the State of Pennsylvania

4 Pollution of Water

The lake shall forever be protected against pollution of its waters by industrial trade waste individual or municipal sewage from shore or boat and the discharge of any noxious or deleterious substance liquid or solid into the waters of the lake which is or may become inimical or injurious to public health or to animal or aquatic life is hereby expressly forbidden

No sewage may be discharged into the waters of the lake except after complete treatment and then only upon permit first approved by the Health Departments of both states

5 Boats and Vessels

No power or motor boats nor hydroplanes or aquaplanes shall be permitted anywhere on said lake except such police or administration motor boats to the number which shall be mutually agreed upon by the parties hereto Sail boats row boats and canoes shall be permitted provided they first obtain a license from the respective state of which the owner is a resident under such regulations as each party to this agreement may now have or hereafter adopt

6 Fishing

Any person possessing a duly issued fishing license by either state shall be permitted to fish anywhere on the entire lake (except such portion thereof as is closed to fishing by Paragraph 8 hereof or such further portion as may hereafter by regulation be mutually agreed to by the parties hereto) but no fisherman shall be entitled to fish from the shores of the state of which he is a non-resident unless he complies with the non-resident fishing license law of said state

In order to permit the fish to fully propagate and develop no part of the lake shall be open for fishing until the first day of July one thousand nine hundred and thirty-seven and thereafter shall be closed in each year between the tenth day of December and the thirtieth day of June

Until otherwise mutually agreed to by both parties hereto the creel size and season limits for the respective kinds of fish caught shall be such as may hereafter be agreed upon between the two states

7 Reciprocal Hunting Rights

Reciprocal hunting rights are hereby granted to the licensed hunters of each state on the water of that portion of the lake both in Pennsylvania and Ohio over the area bounded on the south by an east and west line crossing the State boundary five-tenth of a mile north of Simons Ohio and on the north by a line drawn between the point at which the Padanaram Road crosses the State boundary and a point formerly known as the Polleck Bridge but such reciprocal hunting rights hereby granted shall extend only to such wild migratory birds as are covered by the Federal Migratory Bird Treaty and Federal Laws adopted thereunder

Hunting in such portions of the lake as are not included in the area above described and designated shall be and remain under the jurisdiction of the Commonwealth of Pennsylvania

No permanent blinds shall be erected anywhere on the lake and shores thereof but this provisions shall not be interpreted as forbidding the use of a boat as a blind temporarily moored to or grounded on the shore of the lake or islands thereof

8 Wild Game and Fish Sanctuaries

A The Game Commission of the State of Pennsylvania having established a wild migratory bird and game sanctuary or refuge in that part of the lake located southeast of the Pennsylvania Railroad Crossing it is expressly agreed that nothing herein contained shall be interpreted as entitling the residents of either state whether licensed to fish or hunt or otherwise to fish or hunt trespass or enter upon said sanctuary for any purpose whatsoever Anyone so doing shall become amenable to prosecution therefore under the Game Laws of the State of Pennsylvania applicable to game refuges

B The Conservation Division of the Department of Agriculture of the State of Ohio having established a fish sanctuary and game refuge in the following portion of the lake

Being the southerly parts of Lots Numbers 79 and 80 Richmond Township all of Lot Number 41 and all of Lot Number 42 except the westerly 1000 feet thereof in Andover Township Ashtabula County Ohio

Beginning at a point in the west line of Lot Number 79 that is 1523 feet south of the north line of Lot Number 79 also being the center line of Padanaram Road thence southerly along the County Highway along the westerly side of Lot Number 79 1869.5 feet to the north line of Andover Township thence westerly along the northerly line of Andover Township 939.7 feet to the northwest corner of Lot Number 41 thence southerly along the highway that marks the westerly line of Lot Number 42 1000 feet to a point thence of Lot Number 42 thence easterly along the north line of Lot Number 42 1000 feet to a point thence in a southerly direction parallel to and 1000 feet easterly from a westerly line of Lot Number 42 2734 feet more or less to the southerly line of Lot Number 42 thence easterly along the said southerly line of Lot Number 42 5180.4 feet to the Ohio and Pennsylvania State line thence northerly along the said Ohio and Pennsylvania State Line 7297.6 feet more or less to a point that is 1523 feet southerly from the north line of Lot Number 80 thence in a westerly direction 1523 feet southerly from and parallel to the north lines of Lots Numbers 79 and 80 5260 feet more or less to the place of beginning

It is expressly agreed that nothing herein contained shall be interpreted as entitling the residents of either state whether licensed to fish or otherwise to fish in hunt trespass or enter upon said sanctuary for any purpose whatsoever Anyone so doing shall become amenable to prosecution therefore under the laws of the State of Ohio applicable thereto

9 Reservation of Pennsylvania's Right to the Body of the Water

It is expressly agreed that nothing herein contained shall operate to deny limit or restrict the right of the Water and Power Resources Board of Pennsylvania or any authority established hereafter by said state to exercise such power to at any time now or hereafter raise or draw off so much of the waters of the lake as in their sole judgment may be necessary to maintain or regulate the flow of the Shenango and Beaver Rivers in furtherance of the primary purpose for which said lake was established and said Water and Power Resources Board shall without let or hindrance have the full right irrespective of other considerations to release so much of the water as they may deem proper to maintain the flow of the Shenango and Beaver Rivers irrespective of its effect on the level of the lake or use thereof for other purposes

In witness whereof The parties hereto have hereunto set their respective hands and seals by for and under the authority of their respective states this 28th day of October 1936

Commonwealth of Pennsylvania
by and through
Water and Power Resources Board

Witness

CHAS. E. RYDER

By J. F. BOGARDUS
Chairman
State of Ohio
by and through
Conservation Division
By L. WOODDELL
Commissioner

R. P. JOHNSTON
Approved as to form and manner of execution
GROVER C. LADNER
GROVER C. LADNER
Deputy Attorney General
Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same

That the aforesaid compact or agreement and every article matter and thing therein is hereby ratified and approved and shall be and hereafter remain in force agreeably to the true tenor and intent thereof

Section 2 This act shall become effective immediately upon its signing by the Governor and the passage by the State of Ohio of a substantially similar act ratifying the compact or agreement herein set forth and the passage of an act of Congress of the United States of America consenting thereto

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—152

Achterman,	Elpern,	Matthews, H. T.,	Rush,
Alexander,	Falkenstein,	McArdle,	Sarraf,
Allen,	Finnerty,	McCullough,	Scanlon,
Allmond,	Fitch,	McDermott,	Schor,
Arnold,	Flanagan,	McElroy,	Schrope,
Aukerman,	Flannery,	McFall,	Schumacher,
Baine	Flinchbaugh,	McGee,	Shaw,
Baker, J. J.,	Ganser,	McShane,	Shea,
Balthaser,	Gerard,	Melchiorre,	Shepard,
Bierly,	Gorski,	Mellott,	Shoemaker,
Blank,	Haberlen,	Mihm,	Shugarts,
Bohn,	Hagerty,	Moomaw,	Siegel,
Boles,	Hamilton, F. P.,	Mooney,	Simon,
Boltz,	Harkins,	Moran,	Skale,
Bradley,	Harmuth,	Moul,	Smith, James A.,
Brancato,	Hays,	Munley,	Smith, John A.,
Brigerman,	Hering,	Murrin,	Spengler,
Broad,	Hess,	Nagel,	Stank,
Brown,	Hetrick,	O'Brien,	Thompson,
Brownfield,	Hindman,	O'Connor,	Toole,
Burrows,	Hirsch,	O'Keefe,	Tronzo,
Caesar,	Holland,	Ominsky,	Tumelty,
Caputo,	Holmes,	O'Neill,	Valibus,
Coakley,	Holstrom,	Ostroff,	VanSickle,
Cohen, H. B.,	Hontz,	Patterson, C. S.,	Vogt,
Cohen, R. E.,	Horting,	Patterson, J. W.,	Wagner,
Coleman,	Jirolanio,	Pearson,	Walsh,
Coolahan,	Keenan,	Pershing,	Weiss, D. H.,
Corrigan,	Kelso,	Piole,	Weiss, S. A.,
Costanzo,	Kilroy,	Powers,	Welliver,
Decker,	Kroll,	Preston,	Welsh,
DeNote,	LaRue,	Readinger,	Whalen,
Dickinson,	Levy,	Reese,	Whitenight,
Donohue,	Lewis,	Reising,	Wright,
Dougherty,	Long,	Richter,	Yanoshat,
Downey,	Lopresti,	Robinson,	Yourishin,
Dubbs,	Lovett,	Rothenberger,	Zappala,
Dyson,	Marino,	Ruffennach,	Furman,

NAYS—54

Atkins,	Kane,	Schrock,	Trout,
Baker, F. T.,	Kline,	Serrill,	Turner,
Boose,	Leisey,	Simpson,	VanAllsburg,
Boyer,	Longaker,	Sloan,	Wall,
Cadwalader,	Lyons,	Snyder,	Wampole,
Davies,	Mallen,	Sollenberger,	Watkins,
Eckels,	Matthews, J. F.,	Sproul,	Webster,
Fiss,	McDevitt,	Stackpole,	Weidemann,
Gillette,	McKinney,	Stewart,	Wilson,
Habbyshaw,	Merrell,	Stockham,	Winner,
Hall,	Muir,	Strode,	Wood,
Hamilton, R. S.,	Peale,	Terry,	Woodside,
Huntley,	Perry,	Thomas,	Yeakel,
Imbrie,	Royer,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendment in which the concurrence of the Senate is requested.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2251, (Senate Bill No. 66), as follows:

An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas the judges of the Orphans' Courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by extending the provisions of the said section to the judges of the Orphans' Court of Dauphin County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas the judges of the Orphans' Courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" be and the same is hereby amended to read as follows

Section 5 The judges of the Courts of Common Pleas of Dauphin County and the judges of the Orphans' Court of Dauphin County shall receive three thousand dollars ($3,000) additional for trying civil cases for the Commonwealth

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—206

Achterman,	Flinchbaugh,	McGee,	Siegel,
Alexander,	Ganser,	McKinney,	Simon,
Allen,	Gerard,	McShane,	Simpson,
Allmond,	Gillette,	Melchiorre,	Skale,
Arnold,	Gorski,	Mellott,	Sloan,
Atkins,	Habbyshaw,	Merrell,	Smith, James A.,
Aukerman,	Haberlen,	Mihm,	Smith, John A.,
Baine,	Hagerty,	Moomaw,	Snyder,
Baker, F. T.,	Hall,	Mooney,	Sollenberger,
Baker, J. J.,	Hamilton, F. P.,	Moran,	Spengler,
Balthaser,	Hamilton, R. S.,	Moul,	Sproul,
Bierly,	Harkins,	Muir,	Stackpole,
Blank,	Harmuth,	Munley,	Stank,
Bohn,	Hays,	Murrin,	Stewart,
Boles,	Hering,	Nagel,	Stockham,
Boltz,	Hess,	O'Brien,	Strode,

Boose,	Hetrick,	O'Connor,	Terry,
Boyer,	Hindman,	O'Keefe,	Thomas,
Bradley,	Hirsch,	Ominsky,	Thompson,
Brancato,	Holland,	O'Neill,	Toole,
Brigerman,	Holmes,	Ostroff,	Tronzo,
Broad,	Holstrom,	Patterson, C. S.,	Trout,
Brown,	Hontz,	Patterson, J. W.,	Tumelty,
Brownfield,	Horting,	Peale,	Turner,
Burrows,	Huntley,	Pearson,	Valibus,
Cadwalader,	Imbrie,	Perry,	VanAllsburg,
Caesar,	Jirolanio,	Pershing,	VanSickle,
Caputo,	Kane,	Piole,	Vogt,
Coakley,	Keenan,	Powers,	Wagner,
Cohen, H. B.,	Kelso,	Preston,	Wall,
Cohen, R. E.,	Kilroy,	Readinger,	Walsh,
Coleman,	Kline,	Reese,	Wampole,
Coolahan,	Kroll,	Reising,	Watkins,
Corrigan,	LaRue,	Richter,	Webster,
Costanzo,	Leisey,	Robinson,	Weidemann,
Davies,	Levy,	Rothenberg,	Weiss, D. H.,
Decker,	Lewis,	Royer	Weiss, S. A.,
DeNote,	Long,	Ruffennach,	Welliver,
Dickinson,	Longaker,	Rush,	Welsh,
Donohoe,	Lopresti,	Sarraf,	Whalen,
Dougherty,	Lovett,	Scanlon,	Whitenight,
Downey,	Lyons,	Schor,	Wilson,
Dubbs,	Mallen,	Schrock,	Winner,
Dyson,	Marino,	Schrope,	Wood,
Eckels,	Matthews, H. T.,	Schumacher,	Woodside,
Elpern,	Matthews, J. F.,	Serrill,	Wright,
Falkenstein,	McArdle,	Shaw,	Yanoshat,
Finnerty,	McCullough,	Shea,	Yeakel,
Fiss,	McDermott,	Shepard,	Yourishin,
Fitch,	McDevitt,	Shoemaker,	Zappala,
Flanagan,	McElroy,	Shugarts,	Furman,
Flannery,	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendment in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2250, (Senate Bill No. 1044), as follows:

An Act authorizing Courts of Common Pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs and exempting mortgages issued under the National Housing Act

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

Section 1 Definitions That when used in this act the following words and phrases shall have the meanings respectively ascribed to them by this section unless the context clearly requires a different meaning

"Writ of execution" shall mean any writ of fieri facias venditioni exponas levari facias or any other writ or form of execution for the sale of any dwelling and the land appurtenant thereto or any farm where such dwelling or farm shall be occupied by an owner thereof as his or here residence or any proceeding for the sale of real property as herein defined for failure to pay taxes

"Real property" shall mean any dwelling together with the land appurtenant thereto and any farm occupied by an owner of such dwelling or farm as a residence

Section 2 Every Court of Common Pleas of this Commonwealth shall have authority under the conditions hereinafter set forth to stay any writ of execution from time to time and for such periods as the court in its discretion may deem proper Such stays shall be allowed only upon application of an owner lienholder or any other person in interest and unless the plaintiff consent thereto only upon the applicant's showing to the court such facts as the court may deem sufficient to warrant such relief In granting any such stay or continuance the court may impose such condition as it deems proper as to payment of costs taxes accruing interest repairs advertising and notice of sale insurance and any other pertinent matters

Section 3 In exercising the powers conferred by this act a court shall have the discretion of a chancellor sitting in equity It shall be a sufficient reason for the grant of a stay hereunder that immediate execution sale against the real property would work serious inequity

Section 4 The stay of any execution under this act shall continue the return day of the writ of execution to the first regular return day for such writs which shall occur after a sale held under such writ In the meantime the writ shall remain in full force and effect and sale may be made thereunder without the issuance of an alias or any other writ

Section 5 The powers herein conferred on Courts of Common Pleas shall be in addition to all powers now possessed by such courts to stay and otherwise control writs of execution against real property as herein defined

Section 6 This act shall become effective immediately upon final passage by the Legislature and approval by the Governor and shall continue in force only until the thirty-first day of March one thousand nine hundred thirty nine Provided That the provisions of this act shall not apply to the foreclosure of mortgages insured under Title II of an Act of Congress of the United States entitled the "National Housing Act" approved the twenty-seventh day of June one thousand nine hundred thirty-four or to the foreclosure of mortgages issued to and or held by any corporation organized and existing under the laws of the United States of America if at the time of such foreclosure the United States of America owns a majority of the capital stock of such corporation

Section 7 All acts and parts of acts inconsistent herewith are suspended while this act is in effect

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—194

Achterman,	Flannery,	McFall,	Shoemaker,
Alexander,	Flinchbaugh,	McGee,	Shugarts,
Allen,	Ganser,	McKinney,	Siegel,
Allmond,	Gerard,	McShane,	Simon,
Arnold,	Gillette,	Melchiorre,	Simpson,
Atkins,	Gorski,	Mellott,	Skale,
Aukerman,	Habbyshaw,	Merrell,	Sloan,
Baine,	Haberlen,	Mihm,	Smith, James A.,
Baker, F. T.,	Hagerty,	Moomaw,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Mooney,	Snyder,
Balthaser,	Hamilton, R. S.,	Moran,	Sollenberger,
Bierly,	Harkins,	Moul,	Spengler,
Blank,	Harmuth,	Muir,	Stank,
Bohn,	Hays,	Munley,	Stewart,
Boles,	Hering,	Murrin,	Stockham,
Boltz,	Hess,	Nagel,	Terry,
Boose,	Hetrick,	O'Brien,	Thomas,
Boyer,	Hindman,	O'Connor,	Thompson,
Bradley,	Hirsch,	O'Keefe,	Toole,
Brancato,	Holland,	Ominsky,	Tronzo,
Brigerman,	Holmes,	O'Neill,	Trout,
Broad,	Holstrom,	Ostroff,	Tumelty,
Brown,	Hontz,	Patterson, C. S.,	Turner,
Brownfield,	Horting,	Patterson, J. W.,	Valibus,
Burrows,	Jirolanio,	Pearson,	VanAllsburg,
Cadwalader,	Kane,	Perry,	VanSickle,
Caesar,	Keenan,	Piole,	Vogt,
Caputo,	Kelso,	Powers,	Wagner,
Coakley,	Kilroy,	Preston,	Wall,
Cohen, H. B.,	Kline,	Readinger,	Walsh,
Cohen, R. E.,	Kroll,	Reese,	Wampole,
Coleman,	LaRue,	Reising,	Watkins,
Coolahan,	Leisey,	Richter,	Webster,
Corrigan,	Levy,	Robinson,	Weidemann,

Costanzo,	Lewis,	Rothenberger,	Weiss, D. H.,
Decker,	Long,	Royer,	Weiss, S. A.,
DeNote,	Longaker,	Ruffennach,	Welliver,
Dickinson,	Lopresti,	Rush,	Welsh,
Donohoe,	Lovett,	Sarraf,	Whalen,
Dougherty,	Lyons,	Scanlon,	Whitenight,
Downey,	Mallen,	Schor,	Winner,
Dubbs,	Marino,	Schrock,	Woodside,
Dyson,	Matthews, H. T.,	Schrope,	Wright,
Elpern,	McArdle,	Schumacher,	Yanoshat,
Falkenstein,	McCullough,	Serrill,	Yeakel,
Finnerty,	McDermott,	Shaw,	Yourishin,
Fiss,	McDevitt,	Shea,	Zappala,
Fitch,	McElroy,	Shepard,	Furman,
Flanagan,			

NAYS—12

Davies,	Huntley,	Peale,	Strode,
Eckels,	Imbrie,	Sproul,	Wilson,
Hall,	Matthews, J. F.,	Stackpole,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendment in which the concurrence of the Senate is requested.

Mr. MOUL. Mr. Speaker, I desire to call up at this time House Bill No. 996, Senate Bill No. 141, Printer's No. 14, on page 27 of today's calendar, bills on third reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. MOUL.

The House resumed the consideration on third reading of House Bill No. 996, (Senate Bill No. 213), entitled:

An Act to amend section eighteen of this act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589), entitled "An act to safeguard human health and life by providing for the issuance of permits to, and regulation of persons and entities selling milk and milk products; conferring powers, and imposing duties on the Secretary of Health, the Advisory Health Board; and otherwise providing for the administration of the act; and imposing penalties," requiring local ordinances to conform to this act and the regulations made thereunder so far as relates to the production and handling of "milk for pasteurization" upon "dairy farms"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—128

Achterman,	Harkins,	Moomaw	Smith, John A.,
Alexander,	Hering,	Mooney,	Snyder,
Allen,	Hetrick,	Moran,	Sollenberger,
Allmond,	Hindman,	Moul,	Spengler,
Arnold,	Hirsch,	Muir,	Sproul,
Baine,	Holmes,	Murrin,	Stackpole,
Blank,	Holstrom,	Nagel,	Stank,
Brancato,	Hontz,	O'Brien,	Stockham,
Brigerman,	Horting,	O'Connor,	Strode,
Brownfield,	Huntley,	O'Keefe,	Thomas,
Burrows,	Jirolanio,	Ominsky,	Tronzo,
Caputo,	Kelso,	Patterson, C. S.,	Trout,
Coakley,	Kilroy,	Patterson, J. W.,	Tumelty,
Cohen, H. B.,	Kline,	Powers,	VanAllsburg,
Cohen, R. E.,	Kroll,	Preston,	VanSickle,
Coolahan,	Leisey,	Reese,	Vogt,
Corrigan,	Levy,	Reising,	Wagner,
Costanzo,	Long,	Robinson,	Walsh,
Decker,	Lopresti,	Royer,	Watkins,
Donohoe,	Lovett,	Ruffennach,	Weidemann,
Dubbs,	Lyons,	Rush,	Weiss, D. H.
Dyson,	Matthews, J. F.,	Sarraf,	Welliver,
Falkenstein,	McCullough,	Scanlon,	Welsh,
Fitch,	McDermott,	Schrock,	Wilson,
Flanagan,	McFall,	Schrope,	Wood,
Flannery,	McGee,	Shaw,	Woodside,
Ganser,	McKinney,	Shea,	Wright,
Gorski,	McShane,	Shoemaker,	Yanoshat,
Habbyshaw,	Melchiorre,	Shugarts,	Yeakel,
Haberlen,	Mellott,	Siegel,	Yourishin,
Hagerty,	Merrell,	Skale,	Zappala,
Hall,	Mihm,	Smith, James A.,	Furman,

NAYS—26

Aukerman,	Eckels,	McDevitt,	Rothenberger
Baker, J. J.,	Elpern,	Munley,	Schor,
Bierly,	Gillette,	O'Neill,	Stewart,
Cadwalader,	Hess,	Ostroff,	Toole,
Coleman,	Imbrie,	Peale,	Turner,
Davies,	Keenan,	Perry,	Valibus,
Dougherty,	Longaker,	Readinger,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendment in which the concurrence of the Senate is requested.

QUESTION OF INFORMATION

Mr. HERBERT B. COHEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. HERBERT B. COHEN. Mr. Speaker, on page 12 of today's calendar, House Bill No. 2108, Printer's No. 938: I desire to inquire whether the gentleman from McKean, Mr. Kane, is present in the House.

The SPEAKER. The gentleman from McKean, Mr. Kane, is not present in the House.

Mr. TURNER. Mr. Speaker, the gentleman from McKean, Mr. Kane, told me that he was indisposed and that he was going to bed.

The SPEAKER. For what purpose does the gentleman arise?

Mr. HERBERT B. COHEN. Mr. Speaker, I arose for the purpose of moving that House Bill No. 2108, Printer's No. 938, be recommitted to the Committee on State Government, but due to the fact that the gentleman from Delaware at some date in the past interposed an objection when I made a motion to recommit a bill under similar circumstances, I inquired as a matter of courtesy as to whether or not the sponsor of this bill was in the House before making the motion. I will delay the motion until tomorrow.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 19, 1937.

Resolved (if the Senate concur), that House Bill No. 647, Printer's No. 422, entitled "An act to promote public health morals safety and welfare by providing for the supervision and encouragement of housing creating a State Board of Housing a departmental administrative board with the Department of Health providing for the organization of the board the appointment and removal

of its members enumerating its duties and powers including the powers to conduct investigations issue subpoenas apply to courts for punishment of contempts make orders rules and regulations prescribe forms require reports supervise the operations of limited dividend housing companies and housing authorities and their members and employes commence actions to prevent violations of law and to surcharge members of authorities supervise rentals charged by limited dividend companies charge fees for services providing for the selection and removal of the board's employes providing for appeals from its orders and making an appropriation," be recalled from the Governor for the purpose of amendment.

RECONSIDERATION OF VOTE

In the House of Representatives, May 19, 1937.

Moved by Mr. Walsh, and seconded by Mr. Flannery that the vote by which House Bill No. 621, Printer's No. 788, entitled "An act relating to the business of painting, paper-hanging and decorating; defining, regulating and providing for the licensing of contractors engaged in such business, and for the revocation of such licenses subject to appeal; and creating the Painting and Paperhanging Licensing Board as a departmental administrative board in the Department of Labor and Industry," was defeated on final passage, be reconsidered.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Walsh, vote on the final passage of this bill?

Mr. WALSH. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Luzerne, Mr. Flannery, vote on the final passage of this bill?

Mr. FLANNERY. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. WALSH and Mr. SCANLON and were as follows:

YEAS—73

Aukerman,	Falkenstein,	McGee,	Scanlon,
Baine,	Fitch,	McShane,	Schor,
Bierly,	Flannery,	Mihm,	Shaw,
Blank,	Gerard,	Mooney,	Shugarts,
Bradley,	Hamilton, F. P.,	Moran,	Smith, James A.,
Brancato,	Harkins,	Munley,	Spengler,
Brigerman,	Hering,	O'Connor,	Stank,
Brown,	Hess,	O'Neill,	Toole,
Caputo,	Hirsch,	Ostroff,	Tronzo,
Coakley,	Hontz,	Patterson, C. S.,	Valibus,
Cohen, R. E.,	Keenan,	Patterson, J. W.,	Weidemann
Coolahan,	Kilroy,	Powers,	Weiss, D. H.,
Corrigan,	Long,	Preston,	Weiss, S. A.,
Costanzo,	Lopresti,	Reese,	Welliver,
DeNote,	Lovett,	Reising,	Whalen,
Dougherty,	McCullough	Ruffennach,	Wright,
Downey,	McDermott,	Rush,	Yourishin,
Dubbs,	McDevitt,	Sarraf,	Zappala,
Dyson,			

NAYS—56

Achterman,	Horting,	Peale,	Stewart,
Alexander,	Huntley,	Perry,	Stockham,
Baker, F. T.,	Imbrie,	Pershing,	Thomas,
Brownfield,	Kelso,	Readinger,	Trout,
Cohen, H. B.,	Kroll,	Robinson,	VanAllsburg,
Davies,	Leisey,	Rothenberger,	Wampole,
Donohoe,	Levy,	Schrock,	Welsh,
Elpern,	Lyons,	Schrope,	Wilson,
Gillette,	Matthews, J. F.,	Serrill,	Winner,
Habbyshaw,	McFall,	Siegel,	Wood,
Haberlen,	McKinney,	Snyder,	Woodside,
Hagerty,	Mellott,	Sollenberger,	Yanoshat,
Hall,	Merrell,	Sproul,	Yeakel,
Hays,	Muir,	Stackpole,	Furman,

So the question was determined in the affirmative and the motion was agreed to.

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. SHUGARTS. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

On the question,

Will the House agree to the motion?

The SPEAKER declared the ayes appeared to have it,

Whereupon, a division was called for, seventy members having voted in the affirmative and sixty-nine in the negative the question was determined in the affirmative and the motion was agreed to.

MOTION TO TAKE BILL FROM TABLE

Mr. JAMES W. PATTERSON. Mr. Speaker, I move that House Bill No. 606, Printer's No. 773, together with the amendments, which were laid on the table on May 4, 1937, be taken from the table.

On the question,

Will the House agree to the motion?

Mr. SCHOR. Mr. Speaker, I desire to interrogate the gentleman from Allegheny, Mr. Weiss.

The SPEAKER. An interrogation on this motion is not in order. An interrogation is in the form of debate and the motion is not debatable.

The SPEAKER declared the "Nays" have it.

The motion was not agreed to.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. SCHOR. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. SCHOR. Mr. Speaker, after the Chair has made a decision on a vote is a roll call in order?

The SPEAKER. The point of order is well taken. The gentleman asked for a roll call after the Chair rendered the decision. The Chair feels, in order to be fair to the members and allow them to express themselves on this motion, the roll should be called. If there are no objections the roll will be called.

Mr. O'CONNOR. Mr. Speaker, I object to the roll call.

The SPEAKER. The Chair hears objections.

Mr. SAMUEL A. WEISS. Mr. Speaker, there was confusion in the House when the Speaker called for the vote. I asked insistently for a roll call.

The SPEAKER. The Chair insisted on order. We had more commotion on this bill than we have had on any other bill before the House.

MOTION TO SUSPEND RULE

Mr. SAMUEL A. WEISS. I realize that, Mr. Speaker. Mr. Speaker, I move to suspend the rule which would require that we abide by the decision of the Chair when an oral vote has been taken.

Mr. Speaker, if the gentleman from Cambria insists on his objection I will ask a division of the House. However under the circumstances, Mr. Speaker, I agree to abide by the decision of the Chair and withdraw my motion.

SENATE MESSAGE

HOUSE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 455.

An Act to amend section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as amended increasing the compensation of members of the General Assembly

With the information that the Senate has passed the same without amendment.

BILL SIGNED BY THE SPEAKER

Bill numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the title was publicly read as follows:

HOUSE BILL No. 455.

An Act to amend section one of the act approved the twenty-fourth day of June one thousand nine hundred and nineteen (P. L. 579) entitled "An act to fix the salary and mileage of the members of the General Assembly and to provide for the furnishing of such postage stationery and supplies as may be necessary for the conduct of their offices and repealing all acts or parts of acts inconsistent therewith" as amended increasing the compensation of members of the General Assembly

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TUMELTY. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TUMELTY. Mr. Speaker, Section VIII of the Constitution states that the members of the General Assembly shall not be permitted to vote themselves an increase during the session and receive it at that session. Would this be considered an increase or a restoration, and would it be possible to receive it at this session.

The SPEAKER. The Chair is sorry to say that the members of this session will not be able to receive the increase under the interpretation of the Constitution. If the gentleman will get himself re-elected he will probably get the increase.

MOTION TO TAKE BILL FROM TABLE

Mr. JAMES W. PATTERSON. Mr. Speaker, I move that House Bill No. 606, Printer's No. 773, together with the amendments which were laid on the table on May 4, 1937, be taken from the table. I ask for a roll call.

On the question,

Will the House agree to the motion?

MOTION TO ADJOURN

Mr. O'CONNOR. Mr. Speaker, I move that this House do now adjourn until 12:00 o'clock noon tomorrow.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. JAMES W. PATTERSON and Mr. SAMUEL A. WEISS.

Mr. O'CONNOR. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—54

Aukerman,	Hering,	Munley,	Toole,
Baker, J. J.	Holstrom,	Nagel,	Trout,
Bierly,	Jirolanio,	O'Connor,	Vogt,
Bohn,	Kline,	O'Neill,	Wall,
Bradley,	Kroll,	Reising,	Walsh,
Brigerman,	Longaker,	Scanlon,	Wampole,
Coleman,	Lopresti,	Schrock,	Watkins,
Coolahan,	Lovett,	Siegel,	Welliver,
Davies,	Lyons,	Snyder,	Wilson,
Dougherty,	McDermott,	Stackpole,	Winner,
Gerard,	McKinney,	Stank,	Wood,
Gillette,	McShane,	Stewart,	Woodside,
Harkins,	Mooney,	Thompson,	Yeakel,
Hays,	Muir,		

NAYS—79

Alexander,	Eckels,	McCullough,	Skale,
Allen,	Elpern,	McFall,	Smith, James A.,
Arnold,	Falkenstein,	McGee,	Sproul,
Baine,	Flannery,	Mihm,	Stockham,
Baker, F. T.,	Ganser,	Moran,	Thomas,
Blank,	Gorski,	Moul,	Tronzo,
Brancato,	Haberlen,	Murrin,	Tumelty,
Broad,	Hagerty,	O'Brien,	Turner,
Brownfield,	Hall,	Ominsky,	Valibus,
Caesar,	Hamilton, F. P.,	Ostroff,	VanAllsburg,
Caputo,	Hetrick,	Patterson, J. W.,	Wagner,
Coakley,	Hirsch,	Perry,	Weidemann,
Cohen, R. E.,	Holland,	Pershing,	Weiss, D. H.
Corrigan,	Imbrie,	Preston,	Weiss, S. A.
Costanzo,	Kelso,	Readinger,	Whalen,
Decker,	Kilroy,	Reese,	Wright,
DeNote,	Leisey,	Rush,	Yanoshat,
Dickinson,	Levy,	Schor,	Yourishin,
Donohoe,	Lewis,	Shoemaker,	Furman,
Downey,	Marino,	Shugarts,	

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the motion to take House Bill No. 606, and the amendments from the table?

QUESTION OF INFORMATION

Mr. O'CONNOR. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Cambria will state his question of information.

Mr. O'CONNOR. Mr. Speaker, is a request for a poll of the House in order at this time?

The SPEAKER. The request is in order but the Chair cannot see the necessity for it. A roll call has just been taken which shows more than a quorum present.

Mr. O'CONNOR. I have not made the request, Mr. Speaker, and I am not going to make it with the information I have just received.

Mr. JAMES W. PATTERSON. Mr. Speaker I withdraw my motion to take House Bill No. 606 and the amendments from the table?

MOTION TO ADJOURN

Mr. TURNER. Mr. Speaker, I move that this House do now adjourn until tomorrow, Thursday, May 20, 1937, at 1:00 p. m.

The motion was not agreed to.

QUESTION OF INFORMATION

Mr. HERBERT B. COHEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from York will state his question of information.

Mr. HERBERT B. COHEN. Mr. Speaker, did the Chair announce the vote?

The SPEAKER. The Chair did announce the vote.

BILL ON THIRD READING

Mr. HERBERT B. COHEN. I desire to call up at this time House Bill No. 1330, Printer's No. 1028, on page 26 of today's calendar, bill on third reading, which was passed over, not being on file.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1330, (Senate Bill No. 1028), entitled:

An Act relating to magistrates and magistrates' courts in the City of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the City Controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharge in criminal cases in the County of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the Courts of Common Pleas of the County of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts

On the question,

Will the House agree to the bill on third reading?

Mr. TURNER. Mr. Speaker, I move that House Bill No. 1330, Printer's No. 1028, be placed upon the postponed calendar, and I ask for a roll call.

On the question,

Will the House agree to the motion?

Mr. TURNER. Mr. Speaker, with the understanding that the request to call this bill up will be withdrawn, I withdraw my motion to place it on the postponed calendar.

BILL PASSED OVER

There being no objection House Bill No. 1330, Printer's No. 1028, was passed over at the request of Mr. HERBERT B. COHEN.

ADJOURNMENT

Mr. TURNER. Mr. Speaker I move that this House do now adjourn until tomorrow, Thursday, May 20, 1937, at 1:00 p. m.

On the question,

Will the House agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TUMELTY. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TUMELTY. Mr. Speaker, can a motion to adjourn which has been defeated be made again unless another order of business has been transacted between.

The SPEAKER. Another order of business has been transacted.

Mr. TUMELTY. Mr. Speaker, would you consider that business has been transacted where somebody made a motion and withdrew it. Nothing happened and there wasn't any business transacted.

The SPEAKER. The bill was placed before the House and read.

Mr. TUMELTY. Mr. Speaker, I beg to differ with the Chair. They all withdrew their motions.

Mr. SPEAKER. The business of the House is a matter of record. Motions were made and motions were withdrawn, which is business of the House.

Mr. TUMELTY. Mr. Speaker, when a motion is made and withdrawn, has there been any business transacted?

The SPEAKER. There was before the House.

Mr. TUMELTY. Mr. Speaker, I do not care to appeal from the decision of the Chair, but I consider this motion out of order because no business was transacted between the motions to adjourn.

The SPEAKER. The Chair must differ with the gentleman. Business has been transacted by the House.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. TURNER and Mr. SCHROCK and were as follows:

YEAS—104

Alexander,	Gillette,	McKinney,	Sproul,
Allmond,	Habbyshaw,	McShane,	Stackpole,
Arnold,	Haberlen,	Merrell,	Stank,
Atkins,	Hamilton, R. S.,	Mihm,	Stewart,
Aukerman,	Harkins,	Mooney,	Thomas,
Baker, F. T.,	Hays,	Moul,	Thompson,
Baker, J. J.,	Hering,	Muir,	Toole,
Bierly,	Hirsch,	Munley,	Trout,
Bohn,	Holstrom,	Nagel,	Turner,
Boose,	Huntley,	O'Connor,	Vallbus,
Boyer,	Imbrie,	O'Neill,	Vogt,
Bradley,	Jirolanio,	Peale,	Wall,
Brigerman,	Kane,	Perry,	Walsh,
Cadwalader,	Kline,	Readinger,	Wampole,
Caesar,	Kroll,	Reese,	Watkins,
Coleman,	Leisey,	Reising,	Weiss, D. E.,
Coolahan,	Levy,	Royer,	Welliver,
Costanzo,	Lewis,	Scanlon,	Whalen,
Davies,	Longaker,	Schrock,	Wilson,
Donohoe,	Lopresti,	Schumacher,	Winner,
Dougherty,	Lovett,	Serrill,	Wood,
Eckels,	Lyons,	Siegel,	Woodside,
Elpern,	Mallen,	Skale,	Wright,
Fiss,	Matthews, J. F.,	Sloan,	Yeakel,
Flannery,	McDermott,	Smith, James A.,	Yourishin,
Gerard,	McDevitt,	Snyder,	Zappala,

NAYS—102

Achterman,	Fitch,	McFall,	Schrope,
Allen,	Flanagan,	McGee,	Shaw,
Baine,	Flinchbaugh,	Melchiorre,	Shea,
Balthaser,	Ganser,	Mellott,	Shepard,
Blank,	Gorski,	Moomaw,	Shoemaker,
Boles,	Hagerty,	Moran,	Shugarts,
Boltz,	Hall,	Murrin,	Simon,
Brancato,	Hamilton, F. P.,	O'Brien,	Simpson,
Broad,	Harmuth,	O'Keefe,	Smith, John A.,
Brown,	Hetrick,	Ominsky,	Sollenberger,
Brownfield,	Hindman,	Ostroff,	Spengler,
Burrows,	Holland,	Patterson, C. S.,	Stockham,
Caputo,	Holmes,	Patterson, J. W.,	Strode,
Coakley,	Hontz,	Pearson,	Terry,
Cohen, H. B.,	Horting,	Pershing,	Tronzo,
Cohen, R. E.,	Keenan,	Piole,	Tumelty,
Corrigan,	Kelso,	Powers,	VanAllsburg,
Decker,	Kilroy,	Preston,	VanSickle,
DeNote,	LaRue,	Richter,	Wagner,
Dickinson,	Long,	Robinson,	Webster,
Downey,	Marino,	Rothenberger,	Weidemann,

Dubbs,	Matthews, H. T	Ruffennach,	Weiss, S. A.,
Dyson,	McArdle,	Rush,	Welsh,
Falkenstein,	McCullough,	Sarraf,	Whitenight,
Finnerty,	McElroy,	Schor,	Yanoshat,
			Furman.

So the question was determined in the affirmative and the motion was agreed to, and (at 12:50 a. m.) the House adjourned until Thursday, May 20, 1937, at 1:00 p. m.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1937. 132d of the General Assembly.

Vol. 21. HARRISBURG, PA., THURSDAY, MAY 20, 1937. No. 62.

SENATE

THURSDAY, MAY 20, 1937.

The Senate met at 12 o'clock noon.

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. GEORGE WALKER BUCKNER, L.L. D. offered the following prayer:

Our God and gracious Father, for Thy enduring mercy we offer our grateful praise.

We behold Thy wonders of the sky; yet greater wonders still we see the surging souls of men; made in Thine image, have chosen ill for ourselves; yet in the wreckage of our mischoices is revealed the mystery of Thy deeper love. For Thou seest the man that is to be.

World rebuilders called to be!
A world like Heaven—with men like Thee!
When love shall sieze the realm of hate,
And destiny the throne of fate.
For brighter climes than Eden's bower
Await the nations in that hour
When, all earth's ills beneath her sods,
Heaven is here—and men are gods!

The eternal years are Thine, O God, and we abide Thy consummation with unbounded hope. Our hope is in Thee. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. KAHLE, the further reading was dispensed with, and the Journal was approved.

LEAVES OF ABSENCE

Mr. RUTH asked and obtained leave of absence for himself for the balance of the week.

Mr. SHAPIRO asked and obtained leave of absence for himself until tomorrow.

The PRESIDENT. We are trying to have a session tomorrow, as well as tonight, to get these bills finished, and I think it is the duty of every Senator to be on the floor unless he has a very good reason for being absent. I understand the Senator from Berks has a very good reason.

Mr. SHAPIRO. Mr. President, I find it necessary that I leave this evening and come back in the morning. I find there is illness in my family and I ask leave to get off at five o'clock.

PETITIONS AND REMONSTRANCES

The Chair cleared his table and laid before the Senate the following communications:

OPPOSING BILL WHICH WOULD ABOLISH GENERAL POOR RELIEF

Petitions from numerous citizens of the Commonwealth of Pennsylvania opposing any bill which would abolish the present system of general poor relief by elected Poor Directors, or to curtail or limit their power and duties under existing law.

Which was referred to the Committee on State Boards.

NOMINATIONS BY THE GOVERNOR

The Secretary of the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Fred J. Hahn, Homestead.
Miss Julia M. McKillip, 1202 Commonwealth Bldg., Pittsburgh.

CAMBRIA COUNTY

John F. Barnyak, Johnstown.

LUZERNE COUNTY

Miss Gertrude Dougherty, Pittston.

MONTGOMERY COUNTY

William J. Schreiber, Jr., Royersford.

NORTHUMBERLAND COUNTY

Miss Elsie C. Housner, Milton.

PHILADELPHIA COUNTY

L. V. Hofmann, 4649 Chestnut St., Phila.
Alfred O. Schumacher, 4706 N. 5th St., Phila.

VENANGO COUNTY

Mrs. Fay S. Hovis, Franklin.

GEORGE H. EARLE.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 946 (Senate Bill No. 1363), entitled:

A Joint Resolution proposing an amendment to section eight, article five of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Constitutional Changes.

House Bill No. 1363 (Senate Bill No. 1364), entitled:

An Act making voidable releases of claims for personal injuries or death; and providing for the avoidance of the same.

Which was committed to the Committee on Judiciary General.

House Bill No. 1378 (Senate Bill No. 1365), entitled:

An Act to amend section two of the act, approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 483), entitled "Practice Act of 1915," as amended, by providing that all pleadings filed therein shall constitute a part of the record without formal presentation at time of trial.

Which was committed to the Committee on Judiciary General.

House Bill No. 1615 (Senate Bill No. 1366), entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase, or gift or lease or condemnation on behalf of the Commonwealth of Pennsylvania, the property of the Seventh Day Baptists of Ephrata, in whole or in part; to provide for the control, management and the supervision of the property when acquired by the Pennsylvania Historical Commission; authorizing the commission to maintain the same and make and enforce rules and regulations for its preservation and visitation thereof and making an appropriation for such acquisition and maintenance.

Which was committed to the Committee on State Government.

House Bill No. 1650 (Senate Bill No. 1367), entitled:

An Act creating in counties of the first class the position of Bail Commissioner; perscribing the powers and duties thereof and conferring and imposing such powers and duties upon the controllers of counties of the first class; providing for the appointment by such Bail Commissioner certain necessary clerks and employees and prescribing the duties and compensation thereof; imposing duties on Judges of the Court of Quarter Sessions and Oyer and Terminer and upon magistrates in counties of the first class; prescribing offenses and providing penalties therefor.

Which was committed to the Committee on City Government.

House Bill No. 1684 (Senate Bill No. 1368) entitled:

An Act to repeal section eight of the act, approved the sixteenth day of April, one thousand eight hundred and forty-nine (P. L. 663), entitled "A supplement to the act relating to lunatics and habitual drunkards; to punish aldermen and justices of the peace for misdemeanors; relating to arbitrations in the district court in the city and county of Philadelphia; relative to deeds of assignment; relative to judgment liens; relating to limitation of actions; and relating to liens and terre tenants; and for the more effectual punishment of the crimes of arson."

Which was committed to the Committee on County Government.

House Bill No. 2113 (Senate Bill No. 1369), entitled:

An Act providing for the reciprocal enforcement of violations of the fishing laws in boundray waters between Pennsylvania and the States of New York and New Jersey.

Which was committed to the Committee on State Government.

JOINT LEGISLATIVE COMMITTEE TO INVESTIGATE GOVERNMENTAL COSTS OF PHILADELPHIA

He also informed the Senate, that the House had concurred in Resolution from the Senate as follows:

In the Senate, January 11, 1937.

Whereas, The City of Philadelphia has experienced difficulty in balancing its budget for the year 1937; and

Whereas, Governmental costs in the city and county are deemed high and it is necessary to materially reduce these costs in order to prevent an increase in the tax on real property; and

Whereas, It is deemed desirable to make a thorough investigation of governmental costs in said city and county in order to ascertain where savings can be effected, and where additional revenues may be secured if the same becomes necessary; therefore be it

Resolved (if the House of Representatives concur), That a commission is hereby created which shall be composed of three members of the Senate to be appointed by the President of the Senate, and four members of the House of Representatives to be appointed by the Speaker of the House, whose duty it shall be to make a careful, thorough and impartial investigation of all governmental costs in the city and county of Philadelphia, including each and every agency expending public moneys raised by taxation, to ascertain the business and activities of the various governmental agencies and the present allocation of such business among such agencies of the city and county; and to advise ways, means and methods of raising revenue and effecting savings in the cost of government;

Resolved, That the said committee shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before them and to answer such questions touching matters properly being inquired into by the committee, and to produce such books, papers, records and documents as the committee may deem necessary. Such subpoenas may be served upon any person and shall have the force and effect of subpoenas issued out of the courts of this Commonwealth. Each member of said committee shall have power to administer oaths and affirmations to witnesses appearing before the committee. Any person who shall wilfully neglect or refuse to testify before said committee or to produce any books, papers, records or documents shall be subject to the penalties provided by the laws of the Commonwealth in such cases;

Resolved, That said committee shall make a report of its findings and recommendations to the General Assembly at this Session as early as possible.

HOUSE CONCURS IN SENATE BILL No. 813

He also returned to the Senate, Senate Bill No. 813, entitled:

An Act authorizing townships of the first class to satisfy of record liens for taxes or other township claims solely upon the payment of record costs where such liens are of record against real estate acquired by the Commonwealth or an agency of the Commonwealth subsequent to the date of the filing of the said lien.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 892

He also returned to the Senate, Senate Bill No. 892, entitled:

An Act concerning children under six years of age with defective hearing; imposing duties on the Department of Health, the Department of Public Instruction, on parents, guardians, nurses and physicians; and placing certain costs on school districts.

with the information that the House has passed the same without amendment.

SENATE BILL No. 6 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 6, entitled:

An Act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issue of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing any acts or parts of acts inconsistent herewith.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

SENATE BILL No. 66 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 66, entitled:

An Act to amend section five of the act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the Courts of Common Pleas, the judges of the Orphans' Court, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by extending the provisions of the said section to the judges of the Orphans' Court of Dauphin County.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

SENATE BILL No. 213 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 213, entitled:

An Act to amend section eighteen of the act, approved the second day of July, one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to, and regulation of persons and entities selling milk and milk products; conferring powers, and imposing duties on the Secretary of Health, the Advisory Health Board, and otherwise providing for the administration of the act; and imposing penalties," requiring local ordinances to conform to this act and the regulations made thereunder so far as relates to the production and handling of "milk for pasteurization" upon "dairy farms."

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

SENATE BILL No. 811 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 811, entitled:

An Act permitting boroughs and townships of the first class engaged in the construction of sewers and sewer systems to change under certain conditions the locations of the sewers and sewer system by amending ordinances and providing that abutting property owners shall be liable in such cases.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

SENATE BILL No. 894 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 894, entitled:

An Act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio, relative to the development, use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing, hunting, recreational and park purposes.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

SENATE BILL No. 1044 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 1044, entitled:

An Act authorizing Courts of Common Pleas to stay writs of execution against, and tax sales of, certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs, and exempting mortgages issued under the National Housing Act.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor, Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 813, entitled:

An Act authorizing townships of the first class to satisfy of record liens for taxes or other township claims solely upon the payment of record costs where such liens are of record against real estate acquired by the Commonwealth or an agency of the Commonwealth subsequent to the date of the filing of the said lien.

Senate Bill No. 892, entitled:

An Act concerning children under six years of age with defective hearing; imposing duties on the Department of Health, the Department of Public Instruction, on parents guardians, nurses and physicians; and placing certain costs on school districts, and making an appropriation.

Whereupon,

The PRESIDENT (Lieutenant Governor, Thomas Kennedy), in the presence of the Senate signed the same.

REPORTS OF COMMITTEES

Mr. JASPAN, from the Committee on Education, reported as committed, Senate Bill No. 1326, entitled:

An Act to amend section one thousand five hundred eleven of the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as added; requiring school districts of the first, second and third classes to employ dental hygienists.

Mr. KILGALLEN, from the Committee on Municipal Government, reported as committed, Senate Bill No. 1350, (House Bill No. 2038), entitled:

An Act to further amend the second paragraph of section one of article one of the act approved the seventh day of March, one thousand nine hundred and one (Pamphlet Laws twenty) entitled, "An act for the government of cities of the second class," by providing that the mayor shall receive no compensation other than his salary for acting as justice of the peace.

Mr. RODGERS, from the Committee on Highways, reported as committed, Senate Bill No. 1263, entitled:

An Act to amend route two hundred and ninety-eight of section one of an act approved the twenty-second day of July, one thousand nine hundred and thirteen (Pamphlet Laws nine hundred forty-eight) entitled, "An act establishing certain public roads as State highways, and providing for certain construction and maintenance at the expense of the Commonwealth."

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1349, (House Bill No. 1983), entitled:

An Act making an appropriation to the Department of Health to carry on the work of sealing abandoned coal mine openings.

Mr. DANDO, from the Committee on Game and Fish, reported as amended, Senate Bill No. 1297, (House Bill No. 1000), entitled:

An Act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto.

Mr. HALUSKA presented report of the Committee of Conference on Senate, Bill No. 177, entitled:

An Act prohibiting persons and officers from hiring, requesting and inducing minors to purchase spiritous, vinous or brewed and malt liquors.

Mr. HALUSKA. Mr. President, for the information of the Senate, the Report of Conference Committee puts this bill back in the same position as it was when it first passed the Senate.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1336, (House Bill No. 362), entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania located at East Falls, Philadelphia, Pennsylvania.

Mr. RUTH, from the Committee on Appropriations, reported as committed, Senate Bill No. 1298, entitled:

An Act to amend sections one and two of the act approved the seventh day of August, one thousand nine hundred thirty-six (Pamphlet Laws one hundred twenty-six) entitled, "An act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions; eliminating fire and other hazards to safety at State institutions; providing for the purchase of safety and other equipment; the erection and construction of new buildings and repairs, alterations, and additions to and replacement of existing buildings and equipment," authorizing the use of said appropriation to remove hazards to health.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1299, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction of a sewer at the East Stroudsburg State Teacher's College.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1351, (House Bill No. 2119), entitled:

An Act making an appropriation to the Department of Welfare for the payment of claims, charges, court costs and other expenses against the Commonwealth for the erection and construction of a reservoir at the State Industrial Home for Women at Muncy, Pennsylvania.

Also, from the Committee on Appropriations, reported as amended, Senate Bill No. 1340, (House Bill No. 1147), entitled:

An Act making an appropriation to the Navigation Commission for the Delaware River and its navigable tributaries.

Also, from the Committee on Municipal Government, reported as amended, Senate Bill No. 117, entitled:

An Act to amend section one thousand three hundred and one of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven, (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," as amended, establishing a compulsory tax levy for fire protection.

Also, from the Committee on Municipal Government, reported as amended, Senate Bill No. 118, entitled:

An Act to amend clause five of section nine hundred five of the act, approved the first day of May, one thousand nine hundred and thirty-three, (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto" requiring the levy of a tax for fire protection.

Mr. McCREESH, from the Committee on Insurance, reported as amended, Senate Bill No. 754, entitled:

An Act to amend the title and to add a new subdivision (h) and two new sections six hundred and seventy-six and six hundred and seventy-seven to the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled, "An act relating to insurance, amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and fire insurance rating bureaus and

the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund, providing penalties and repealing existing laws," by establishing one or more rating bureaus for the classification of risks, underwriting rules, premium rates and schedule or merit rating plans, applying to all classes of insurance except fidelity, surety, accident and health which may be transacted by any stock or mutual casualty company or exchange.

Mr. SHAPIRO, from the Committee on Insurance, reported as amended, Senate Bill No. 752, entitled:

An Act to further amend Section 624 of the Act approved the 17th day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance; establishing an Insurance Department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties, and repealing existing laws," so as to permit excess brokers to procure policies of casualty insurance from companies, associations or exchanges not authorized to do business in this Commonwealth when such insurance is not procurable from companies duly authorized to do business in this Commonwealth.

Also, from the Committee on Public Utilities, reported as amended, Senate Bill No. 446, entitled:

An Act requiring inspectors of weights and measures to test and read all water, gas and electric meters, imposing the cost of apparatus therefor on counties and cities; and imposing duties on the Public Service Commission.

Mr. KUNKEL, from the Committee on Appropriations, reported as committed, Senate Bill No. 1337, (House Bill No. 611), entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1343, (House Bill No. 1563), entitled:

An Act making an appropriation to the Department of Revenue to defray the expenses of investigation and litigation in the Estate of Henrietta E. Garrett, Deceased.

Mr. SONES, from the Committee on Highways, reported as committed, Senate Bill No. 1360, (House Bill No. 1984), entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws, nine hundred five), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," as amended, by adding new sections; further regulating the use of highways and the operation of, and the equipment used in connection with, vehicles, including trailers and semi-trailers, street cars, trackless trolley omnibuses, school buses, and commercial motorcycles upon the highways of this Commonwealth; providing exemptions, extending certain provisions of the act to trailers and semi-trailers; providing for the renewal and automatic satisfaction of encumbrances and liens, and further amending the procedure relating thereto providing for the further registration of certain vehicles and the licensing of the operators thereof, including additional requirements, reciprocity agreements and additional reasons for suspension and revocation; conferring additional powers and imposing additional duties upon the Department of Revenue and the Department of Highways; further imposing upon municipalties within the Commonwealth liability for damages caused by the negligent operation of fire department equipment; changing the procedure, disposition of fines and penalties for certain violations of the act and making the fines thereunder mandatory; and extending existing penalties and providing additional penalties.

with the understanding that it be recommitted to Committee on Highways after second reading.

Mr. RANKIN, from the Committee on Appropriations, reported as committed, Senate Bill No. 1344, (House Bill No. 1566), entitled:

An Act making an appropriation to the Department of Welfare for the purchase of materials to be used in making articles required at the State institutions in connection with sewing projects, established in Pennsylvania by the Federal Works Progress Administration.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1339, (House Bill No. 1020), entitled:

An Act to amend the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and the exercise of fiduciary powers by corporations, providing for the organizations of corporations with fiduciary powers and of banking corporations with or without fiduciary powers, including the conversion of National Banks into State banks and for the licensing of private bankers, defining the rights, powers, duties, liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers, directors, trustees, share holders, attorneys and other employes of all such corporations or private bankers or of affiliated corporations, associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation, conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions and officers, imposing penalties and repealing certain acts and parts of acts," by further providing for the powers and limitations upon powers of corporations with fiduciary powers.

Also, from the Committee on Banking, reported as committed, Senate Bill No. 201, entitled:

An Act to amend clause C of section three hundred fifteen of the act approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 289), entitled

"An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the Courts of Common Pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations"; by changing the rule for the investment of certain funds by burial and cemetery companies.

Mr. GILSON, from the Committee on Public Utilities, reported as committed, Senate Bill No. 292, (House Bill No. 634), entitled:

An Act to amend the act, approved the thirteenth day of April, one thousand nine hundred and twenty-seven (P. L. 273), entitled "An act for the registration and regulation of certain individuals and entities selling, offering for sale or delivery, soliciting subscriptions to, or orders for, or undertaking to dispose of, inviting offers for, or inquiries about, or dealing in any manner in, securities, defined herein, including securities issued by them; conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act; providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania; prescribing penalties and making appropriations by extending the provisions thereof to employes of companies subject to the Public Service Company Law.

Also, from the Committee on Public Utilities, reported as committed, Senate Bill No. 1320, (House Bill No. 851), entitled:

An Act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle conferring upon the Pennsylvanina Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interests and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings or facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations except municipal corporations subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts giving the Court of Common Pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act.

Mr. GILSON. Mr. President this is a Public Utility regulatory bill, and is reported with the understanding that it be recommitted to the Committee on Public Utilities after first or second reading for the purpose of further study.

Also, from the Committee on State Government, reported as committed, Senate Bill No. 1321, entitled:

An Act to amend section two hundred one as re-enacted, section two hundred six, section two hundred seven as amended, and sections two hundred eight and two hundred nine of, and to add article twenty-five A to, the act approved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating a new adminitrative department to be known as the Department of the Unemployed, prescribing its powers and duties and providing for the appointment of the Secretary of the Unemployed by the Governor.

Mr. HENNEY, from the Committee on State Government, reported as committed, Senate Bill No. 1214, entitled:

An Act to repeal section two of the act, approved the first day of April, one thousand seven hundred and ninety-seven (3 Smiths' Laws 294), entitled "An aot tc regulate the manner of selling loaf bread, and to repeal certain existing laws respecting the same."

Mr. SIPE, from the Committee on Agriculture, re-reported as amended, Senate Bill No. 1062, (House Bill No. 1981), entitled:

An Act to amend the act approved the thirty-first day of May, one thousand nine hundred and thirty-three (Pamphlet Laws one thousand one hundred sixteen) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture, sale, offering for sale, exposing for sale and having in possession with intent to sell of adulterated or deleterious ice

cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet ice and fruit ice, including coated ice cream and the coating thereof, fixing standards for ice cream, custard ice cream, french ice cream, french custard, frozen custard, sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream, providing penalties for the violation thereof and providing for the enforcement thereof," further regulating the manufacture, importation and sale of such products, providing for injunctions and changing the penalties prescribed.

Also, from the Committee on State Government, reported as committed, Senate Bill No. 1328, entitled:

An Act prohibiting the wearing or imitation of the uniform of the Pennsylvania Motor Police; prescribing penalties.

Mr. RANKIN, from the Committee on Finance, reported as committed, Senate Bill No. 1357, entitled:

An Act creating a commission to study the practice of chiropractic; defining the powers and duties of said commission; and making an appropriation.

The PRESIDENT. The bill is recommitted to the Committee on Appropriations.

Mr. HEYBURN, from the Committee on Legislative Apportionment re-reported as committed, Senate Bill No. 1072, entitled:

An Act to fix the number of Senators in the General Assembly of the State; to apportion the State into senatorial districts, as provided by the Constitution; and to regulate the election of, and the terms of office of, the present and future elected Senators.

Mr. RICE, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 846, entitled:

An Act making an appropriation to the Department of Military Affairs to pay the traveling expenses of the respective Commanders of the Pennsylvania Departments of the Veterans of Foreign Wars of the United States, the American Legion and the Disabled American Veterans of the World War or their representatives in accompanying the members of the United States Battle Monuments Commission to Europe to dedicate certain monuments.

Also, from the Committee on Appropriations, reported as amended, Senate Bill No. 1352, (House Bill No. 2136), entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general, special or local or any parts thereof that are or may be inconsistent therewith," requiring medical inspectors to make eye and ear tests annually, providing for the use of scientific apparatus furnished by school district and providing for certain instruction in State teachers' colleges for the appointment of certain experts in the Department of Public Instruction and making an appropriation.

Also, from the Committee on Highways, re-reported as amended, Senate Bill No. 974, (House Bill No. 1570), entitled:

An Act to promote safety for the traveling public on State highways to extend the responsibility for subsidence of such highways by the failure of vertical and lateral support and declaring said subsidence a public nuisance to provide for inspection of mine maps by the Department of Highways and the furnishing to said Department of copies of such mine maps in certain cases to authorize entry by the Department of Highways into mines in certain cases and to provide for notices to the Department of Highways of certain mining operations under or adjacent to highways and providing penalties.

Mr. DiSILVESTRO, from the Committee on Education, reported as committed, Senate Bill No. 1355, entitled:

An Act to amend section twenty-seven of the act approved the twentieth day of July, one thousand nine hundred seventeen (Pamphlet Laws, one thousand one hundred forty-three) entitled, "An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation, and for the maintenance and regulation of such free, public, nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects," by exempting from collateral inheritance tax all gifts, devises, grants or endowments made to national libraries.

Mr. CAVALCANTE. Mr. President, under this order of business I wish to call the attention of the Chair to Senate Bill No. 517. This bill originated in the House and is House Bill No. 115 Printer's No. 255. In examining the bill it appeared that in the House, when the bill was introduced it was referred to the Committee on Cities, but I fel that through some inadvertancy, when the bill came to the Senate, instead of it being referred to the Committee on City Government in the Senate, it was referred to the Committee on Municipal Government. I, therefore, move that at this time that this bill be recalled from the Committee on Municipal Government so that it may be referred to the Committee on City Government.

Mr. EROE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SHAPIRO. Mr. President, I rise to inquire what this bill is?

Mr. CAVALCANTE. Mr. President, Senate Bill No. 517, an Act relating to cities of the third class amending revising and consolidating the law thereto by fixing the compensation for patrolmen in such cities.

Mr. SHAPIRO. Mr. President, will the Senator from Fayette state what prompts him to be so courteous?

Mr. CAVALCANTE. Mr. President, I am prompted merely by the confidence I have in the learning and knowledge of existing laws, but I do not want to participate in a quarrel with the Chairman of that Committee, because of his having considered very carefully and studiously the laws referred to his committee pertaining to the cities of this Commonwealth.

Mr. SHAPIRO. Mr. President, does the Senator think that I know very little of second and third class cities—I do know something about cities of the first class, and I should like to inform the Senator that we would be very glad if the Committee on City Government will get this bill out in time for it to pass, because we have seen two bills like that that were very difficult to get out, and I serve notice on the gentleman that there is very little likelihood of the bill coming out.

Mr. CAVALCANTE. Mr. President, I am merely interested in the coming out of the bill, and I feel that as this bill deals with laws of cities, that it should have been referred to the Committee on City Government.

Mr. SHAPIRO. Mr. President, I want to put the Senator on notice.

Mr. KILGALLEN. Mr. President, may I inquire what bill we are talking on.

The PRESIDENT. Will the Senator from Fayette, Mr. Cavalcante answer the inquiry?

Mr. CAVALCANTE. Mr. President, Senate Bill No. 517, House 115, commonly known as the third class cities bill.

Mr. KILGALLEN. Mr. President, I was outside the Chamber when this discussion started. This bill has been in my committee for some two months, and during that time the committee gave it very serious study. We have had it up for discussion on five different occasions and voted on it on six occasions. We had some information gathered to study it and we should be given another day to study this bill in Committee, and in my opinion there is not enough time left in this session for another committee to properly handle this bill.

The PRESIDENT. May the Chair suggest that he does not know who referred the bill. All bills received at the desk pertaining to first class cities were referred to the Committee on City Government, and all other bills pertaining to second and third class cities were referred to the Committee on Municipal Government, so that there was no inadvertancy on the part of the Chair insofar as this bill is concerned.

Mr. CAVALCANTE. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. Kilgallen.

The PRESIDENT. Will the Senator from Allegheny, Mr. Kilgallen, permit himself to be interrogated?

Mr. KILGALLEN. Mr. President, I will.

Mr. CAVALCANTE. Mr. President, I did not inquire as to what disposition the committee made of this bill, but the Senator from Allegheny, Mr. Kilgallen, has undertaken to inform the Senate. May I inquire whether the Senator from Allegheny inquired for and obtained the opinions of all the Members of this Senate, who have third class cities in their districts?

Mr. KILGALLEN. Mr. President, no, because in my absence I did not know what turn the discussion had taken, so I did not stop to inquire.

Mr. CAVALCANTE. Mr. President, the question is very simple; I am merely inquiring whether or not the Chairman of the Committee on Municipal Government did poll the sentiments of the Members of this Senate who do have third class cities in their Senatorial Districts.

Mr. KILGALLEN. Mr. President, yes.

Mr. CAVALCANTE. Mr. President, was the report of the polling favorable to the bill?

Mr. KILGALLEN. Mr. President, yes.

POINT OF ORDER

Mr. SALUS. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Philadelphia will state his point of order.

Mr. SALUS. Mr. President, I do not believe it is parliamentary or fair that the Chairman of any committee be put on the floor and asked what the workings of that particular committee were?

The PRESIDENT. Unless the chairman of the committee is agreeable to the interrogation, it would be out of order, but the Chairman of this Committee is evidently agreeable to this interrogation.

POINT OF ORDER

Mr. LAW. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Mercer, Mr. Law, will state his point of order.

Mr. LAW. Mr. President, the point of order is that the Senator from Fayette, Mr. Cavalcante, is out of order. The bill is not in the custody of the Senate but is in the custody of the Committee.

The PRESIDENT. The Chair might ask the Senator, from Mercer, Mr. Law, if in the discussion on this motion, there may not be a possibility that the motion is equivalent to a motion to discharge this committee on Municipal Government, which committee has been handling the bill.

Mr. LAW. Mr. President, the motion is not so worded.

Mr. CAVALCANTE. Mr. President, will the Senator from Allegheny Mr. KILGALLEN, yield to further interrogation?

Mr. KILGALLEN. Mr. President, I will.

Mr. CAVALCANTE. Mr. President, I have prefaced this question on the fact that the Senator from Allegheny has himself volunteered to state what action the committee had taken on the bill. Will the Senator from Allegheny, Mr. KILGALLEN, state whether or not when the last tction was taken on this bill, it was not taken by a secret ballot?

Mr. KILGALLEN. Mr. President, that is true.

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his point of order.

Mr. SHAPIRO. Mr. President, my point of order is that this is the action of the committee in committee, and it is not a fair question to debate on the floor of the Senate the actions of any committee.

The PRESIDENT. The Chair assumes that the Chairman of the Committee on Municipal Government is the best judge as to whether or not the question is fair, and he can answer that.

Mr. KILGALLEN. Mr. President, I have no objection at all; there were never enough votes to get this bill out of committee, notwithstanding the fact that five open votes and one secret vote were taken.

Mr. CAVALCANTE. Mr. President, in order not to further prolong this discussion, with the consent of the seconder to my motion, I withdraw it and

MOTION TO DISCHARGE COMMITTEE

I move that the Committee on Municipal Government be discharged from further consideration of Senate Bill No. 517, House Bill No. 115, Printer's No. 255, so that the bill may be returned to the floor of this Senate for constitutional action.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will file his motion in writing.

Mr. CAVALCANTE. Mr. President, I offer the following resolution and ask its immediate adoption.

Mr. EROE. Mr. President, I second the motion.

Mr. CAVALCANTE offered the following resolution, which was twice read and considered:

In the Senate, May 20, 1937.

Resolved, That the Committee on Municipal Government be discharged from further consideration of Senate Bill No. 517, House Bill No. 115, Printer's No .255, so that the bill may be returned to the floor of this Senate for consideration, according to the provisions of the Constitution.

On the question,

Will the Senate agree to the motion?

Mr. KILGALLEN. Mr. President, I ask my colleagues in the Senate to vote down this motion. I think I have presented the situation fairly and squarely, when I say that I have another bill in my committee making it mandatory that a certain salary be paid to mayors of third class cities, and after this motion has gone through to discharge this Committee from further consideration of this bill, then we will be faced with another resolution getting another bill out of this committee, so that the mayors of the third class cities, under compulsion from Harrisburg, shall be paid such and such a wage.

Mr. MALLERY. Mr. President, I feel that I would be utterly lacking in any kind of moral stamina, if I were to sit quietly in my seat at this time. I do not know anyone in this Senate who could have been more courteous in hearing the sponsor of this resolution, than was the Senator from Allegheny, Mr. Kilgallen. As he said, this particular bill was considered and reconsidered five different times by that committee, and it was brought out plainly that while there may be municipalities in this State that could pay the salaries to their police in double the amount that is asked for in this bill, there are other municipalities that could not pay that amount.

Now, the sponsor of this resolution has paid a great deal in this Chamber about Home Rule and about the poor taxpayer, the over-burdened real estate owner, but by reason of the fact that a lobby has appeared here, and they have come to me in my office and at my home, and the very fact that an organized group comes and demands something of me that I do not feel that the taxpayers of my district can afford to spend does not pursuade me in any way. I certainly feel that it is the duty of and obligation of every member of this Senate to assert his courage and vote down this resolution.

Mr. KILGALLEN. Mr. President, I do not want to prolong this discussion, but the Senate should have a few facts; if this bill goes through and is enacted into a law, there will be 12 county sheriffs in the State of Pennsylvania, who will get less money than the policemen in third class cities; there will be 54 county commissioners in the State of Pennsylvania, who will be paid less money than policemen in third class cities; there will be 23 mayors in the State of Pennsylvania who will get less money than policemen in third class cities. I have studied this bill very carefully. I was dealing with a group of men towards whom I have a very kindly feeling and who have received very kind treatment from this committee, but in all fairness to myself and in fairness to the job I hold in Harrisburg, I will have to vote against this bill.

Mr. CAVALCANTE. Mr. President, I have been very cautious in this proceeding so far not to impeach the integrity of anybody in this whole proceeding including the Senator from Allegheny, Mr. Kilgallen, who is Chairman of the Committee, and whom I understand has no third class cities in his district, nor anyone else, but I am prompted in this action solely because of the members of this Senate who do have third class cities in their districts, and when the Chairman of the Committee on Municipal Government said that the consensus of opinion of its members was that they wanted this bill out, and I am further prompted by the thought that I have been fighting for the well known policy of the Senator from Blair, Mr. Mallery, that on controversial measures such as this one, that the committee which has the bill is not to pickle it; but controversial matters like this the bill should be brought out on the floor of the Senate and an opportunity given to those who are interested in it to argue pro and con, and then the members of this Senate can show their honesty and sincerity and vote the convictions of their own consciences, and in a way decently and honestly which will permit them to vote, and I will always be and always have been ready to vote on the floor on any measure that was ever introduced in this Senate and referred to a committee. I can either do that in committee or I can face the issue right here on the floor of this Senate, by voting for or against any measure.

MOTION TO LAY ON THE TABLE

Mr. RICE. Mr. President, I move that the motion be laid on the table.

Mr. FREY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. CAVALCANTE. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. CAVALCANTE and Mr. EROE and were as follows, viz:

YEAS—31.

Buckman,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Owlett,	Shapiro,
DiSilvestro,	Jacobs,	Pierson,	Sones,
Ealy,	Jaspan,	Pytko,	Wolfenden,
Frey,	Kilgallen,	Rice,	Woodward,
Gelder,	Law,	Rodgers,	

NAYS—12.

Barthold,	Eroe,	Kunkel,	Ruth,
Cavalcante,	Gilson,	Lanius,	Sipe,
Dent,	Haluska,	Rankin,	Stiefel,

So the question was determined in the affirmative.

REPORTS FROM COMMITTEES

Mr. BUCKMAN from the Committee on Insurance reported as committed, Senate Bill No. 1159, entitled:

An Act to amend subsection (e) of section 206 of the act, approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by providing minimum capital and financial requirements to do business for title insurance companies.

Mr. BUCKMAN from the Committee on Insurance reported as committed, Senate Bill No. 1160, entitled:

An Act to further amend Article VI of the act, approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by adding thereto sub-article VI (h) consisting of sections 685 (six hundred and eighty-five) to 696 (six hundred and ninety-six) inclusive defining the specific powers and financial requirements of title insurance companies and providing for the regulation and supervision thereof and prohibiting the guaranteeing of mortgages by such companies.

Mr. BUCKMAN from the Committee on Insurance reported as committed, Senate Bill No. 1161, entitled:

An Act to amend section 101 of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two entitled "An act relating to insurance amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by including title insurance companies within the definition of the word "company" as used in the act.

Mr. MALLERY from the Committee on Appropriations reported as committed, Senate Bill No. 1342, (House Bill No. 1434), entitled:

An Act making a deficiency appropriation to the Department of Agriculture for reimbursing certain incorporated agricultural associations.

Mr. KILGALLEN from the Committee on Insurance reported as amended, Senate Bill No. 602, entitled:

An Act to amend section six and sections eleven and eighteen as amended of the act approved the second day of June, one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled, "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto, declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof," further regulating the administration of such Fund the fixing of premiums payable by subscribers, the distribution of unexpended balances to subscribers, the collection of accounts against subscribers and providing for the giving of certified copies of the records of the Fund showing liens against subscribers and fixing fees therefor.

Mr. RUPP from the Committee on County Government reported as committed, Senate Bill No. 613, (House Bill No. 749), entitled:

An Act requiring county commissioners to provide at the expense of the county, telephone, typewriter and stenographic services for the county superintendent of schools.

Mr. RUPP from the Committee on County Government reported as committed, Senate Bill No. 521, (House Bill No. 723), entitled:

An Act to amend section five hundred and eighty of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended extending the powers of the county commissioners in the construction and maintenance of comfort stations

Mr. RUPP from the Committee on County Government reported as committed, Senate Bill No. 930, entitled:

An Act to repeal the laws relating to the Lancaster County Prison, and relating to the election of the board of inspectors to manage said prison.

Mr. OWLETT from the Committee on Insurance re-reported as committed, Senate Bill No. 744, entitled:

An Act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier, authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof.

Mr. OWLETT from the Committee on Highways re-reported as committed, Senate Bill No. 668, entitled:

An Act to amend route 15176 of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-one (P. L. 594), entitled "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligations of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act," as amended, by changing certain routes.

BILLS INTRODUCED

Mr. CAVALCANTE read in his place and presented to the Chair Senate Bill No. 1370, entitled:

A Joint Resolution proposing an amendment to section one, article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Which was committed to the Committee on Consitutional Changes.

Mr. KILGALLEN read in his place and presented to the Chair Senate Bill No. 1371, entitled:

An Act to amend section three hundred forty-six as amended and section three hundred seventy of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by regulating the method of making expenditures and appropriations regulating the payment of money from the county treasury and authorizing the adoption of supplementary appropriations to meet certain emergencies and requirements of mandate legislation.

Which was committed to the Committee on Municipal Government.

Mr. RANKIN read in his place and presented to the Chair Senate Bill No. 1372, entitled:

An Act requiring aliens to register with the Department of Labor and Industry and to carry and, upon proper

demand, to exhibit identification cards; prohibiting the issuing of certain registrations and licenses to, or the employment of aliens under certain circumstances; and prescribing penalties.

Which was committed to the Committee on Labor and Industry.

CONTINUANCE ON UNEMPLOYMENT RELIEF SEWING PROJECTS

Mr. SHAPIRO. Mr. President, I call up at this time for consideration by the Senate the resolution relative to State Sewing projects, reported from the Committee on Welfare on May 19th.

The resolution was read as follows:

In the Senate, May 19, 1937.

Whereas, Withdrawal of the S.E.R.B. from the sponsorship of the State Sewing projects means the return of approximately nine thousand (9,000) women in the State of Pennsylvania alone to direct relief, rolls financed by the Commonwealth, and

Whereas, The work relief plan for these women and their families has been definitely proven the cheaper plan, and withdrawal of same will react unfavorably on the communities who have received the pay-roll benefit of the plan, and the clothing provided to the needy of our own community has proven a wonderful asset, together with the restoration of human value, and juvenile delinquency has been decreased through the return of standard decency in home, which was caused previously by inadequate relief grants, and

Whereas, Luzerne County is faced with the dismissal of five hundred fifty (550) families involving two thousand two hundred (2,200) persons from the sewing projects who are at the present time receiving grants from the sewing projects. The closing of these projects at the present time would cause the possibility of increasing relief rolls supported by the State and cause these families to again become discouraged and victims of undernourishment caused by the present inadequate relief grants. It is certain that the State of Pennsylvania can save money by the continuance of the sponsorship of these projects by the S.E.R.B. and

Whereas, Luzerne County would save the sum of five thousand sixty-nine ($5,069.00) dollars monthly, by the contribution of the material cost of these projects. The county has benefited greatly, the business men have benefited and the Commonwealth has benefited by the process of a "work" of gain quality instead of "relief" and its demoralizing effect, therefore be it

Resolved, (if the House of Representatives concur), That the General Assembly direct the Bureau of Assistance of the Department of Welfare to prevent the cessation of these sewing projects and that the State Relief Director be instructed to continue the sponsorship of these projects and retain former relief families in gainful employment with a minimum of State Relief expenditure.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

RECONSIDERATION OF SENATE BILL NO. 815

Mr. LAW. Mr. President, I move to reconsider the vote by which Senate Bill No. 815, entitled:

An Act relating to motor vehicles new and used creating a motor vehicle dealers' commission establishing its jurisdiction powers and duties, and creating and providing for approved motor vehicle appraisers establishing their powers and duties regulating the sale trade-in allowance appraisals and information furnished the Commonwealth on motor vehicles new and used and establishing regulations concerning speedometers authorizing the Commission to establish periodical prices for used motor vehicles either sold or traded in establishing the appraisal value of motor vehicles new or used either for sale or used trade-in allowances providing for the licensing of motor vehicle dealers and salesmen and approved motor vehicle appraisers and the payment of fees therefor authorizing examination of the business papers and affairs of and requiring the filing of reports by licensees authorizing and empowering the Commission to hold hearings and to issue rules and orders and the issuance of subpoena by the Commission or its agents and conferring jurisdiction upon the Courts to punish contempts or to prohibit violations of orders of the Commission providing for appeals to the Courts from decisions of the Commission imposing penalties and making appropriation.

was defeated on final passage.

The PRESIDENT. How did the Senator vote?

Mr. LAW. Mr. President, I voted "no."

Mr. FREY. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FREY. Mr. President, I voted "no."

The motion was agreed to.

And the question recurring.

Shall the bill pass finally?

Mr. LAW. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. FREY. Mr. President, I voted "aye."

Mr. FREY. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. FREY. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring.

Will the Senate agree to the bill on third reading?

Mr. McGINNIS. Mr. President, I ask unanimous consent to amend page 26, line 11 by inserting at the end of the line after the word "herein" the following: "Provided however that if any part or parts of this act relating to fixing the value for used motor vehicles or the amount to be allowed by motor vehicle dealers for used motor vehicles is held unconstitutional then the remainder of the act shall be given no effect."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

Mr. SHAPIRO. Mr. President, I ask unanimous consent to amend page 11, line 8, by striking out after the word "shall" and before the word "upon" the following: "for the first offense"; amend page 11, line 11 by striking out after the word "($200.00)" the remainder of line 11, all of lines 12, 13, 14, 15, 16, and 17; amend page 19, line 5, by striking out after the word "more" and before the word "old" the following: [than a day] forty-eight hours" and insert in lieu thereof the following: "than seven days"; amend page 26, line 22, by inserting after the word "Governor" the following: "and shall expire midnight May 30, 1939."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

Ordered, That the bill as amended be printed for the use of the Senate.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 429

Mr. KAHLE offered the following resolution which was twice read, considered and agreed to.

In the Senate, May 20, 1937.

Resolved (if the House of Representatives concur) that Senate Bill No. 429, Printer's No. 166, entitled:

An Act to amend sections two three four and six of the act approved the fifth day of June one thousand nine hundred thirteen (Pamphlet Laws four hundred forty-three) entitled "An act for the prevention of blindness by requiring the reporting of cases of ophthalmia meonatorum (inflammation of the eyes of infants) by physicians midwives and others and requiring the reporting of results of treatment of each case of said disease and fixing a penalty for violation thereof" by imposing duties on public health nurses social workers county medical directors and physicians and increasing penalties for violation of said act

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL RE-REFERRED

The PRESIDENT. Senate Bill No. 1371, recently introduced by the Senator from Allegheny, Mr. Kilgallen, has to do more with municipal affairs than county government. The Chair inadvertently referred the bill to the Committee on County Government. It is now re-referred to the Committee on Municipal Government.

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 377, entitled:

An Act to reenact and further amend the title and the act approved the first day of June one thousand nine hundred and thirty-three (Pamphlet Laws 1409) entitled "An act authorizing the Secretary of Highways to enter into agreements relating to support for State highway right of ways underlaid by coal and for the ascertainment and assessment of damages sustained by reason of the obligation to furnish such support whether the damages are payable by the Commonwealth or a county" by extending said act as amended to all counties of this Commonwealth and further clarifying the provisions of the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title and act approved the first day of June one thousand nine hundred and thirty-three (Pamphlet Laws 1409) entitled "An act authorizing the Secretary of Highways to enter into agreements relating to support for State highway right of ways underlaid by coal and for the ascertainment and assessment of damages sustained by reason of the obligation to furnish such support whether the damages are payable by the Commonwealth or a county" as amended by the act approved the eighteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1306) are hereby reenacted and further amended to read as follows

An Act creating the Highway Mining Commission with judicial powers to have exclusive jurisdiction over the mining of coal within or under the right of ways of State highways and the assessment and award of benefits improvements and damages for coal required to be left in place by reason of the obligation to furnish support for State highway routes whether payable by the Commonwealth or a county authorizing counties to enter into agreements to indemnify or reimburse the Commonwealth for damages to highways caused by the removal of coal under or adjacent thereto

Section 1 Be it enacted etc That whenever the Commonwealth has heretofore acquired or may hereafter acquire an easement for highway purposes upon lands underlaid by mineable coal the Highway Mining Commission hereinafter created upon application of the Secretary of Highways the county or the owner of the coal underlying such lands or the person entitled to remove the same in case the assessment of damages is desired or of the owner or person entitled to remove the coal only if the removal of the coal is desired in lieu of damages is hereby empowered to determine authorize and direct the underlying or adjacent coal if any to be left in place for the purpose of furnishing vertical or lateral support to said highway the underlying or adjacent coal if any which may be removed and the material if any to be substituted for the coal so removed together with the method and manner of placing such material in the mine workings for the purpose of furnishing both vertical and lateral support to such highway and the party or parties by whom the expense thereof shall be paid The president judge of the Court of Common Pleas of the county in which the highway is situated who shall be the chairman thereof one member of the Public [Service] Utility Commission or an engineer designated by it the Secretary of Mines or his designated representatives the Secretary of Highways or his designated representative and an engineer designated by the owner or person entitled to remove the coal are hereby constituted a special commission to be known as the Highway Mining Commission This commission shall have exclusive jurisdiction of the mining of coal under highways and judicial powers to hear and determine all evidence which may be presented to compel the attendance of witnesses and the production of books records and other information by subpoena to conduct such investigations as it may deem necessary to make and enforce such orders decrees and rules of procedure as it may deem advisable to determine and assess damages if any for coal required to be left in place and benefits if any for improvements or betterments to allocate among the parties in interest the cost of its proceedings as well as any work which it may order performed and to enforce its orders and decrees through the Court of Common Pleas of the county in which the highway is situated A majority of the commission of which the chairman must be one may act for and exercise the powers of the commission All parties in interest shall have the same right of appeal from decisions orders and decrees of the Highway Mining Commission to the Superior and Supreme Courts as now or hereafter provided for appeals from the decisions orders and decrees of Courts of Common Pleas

Section 2 The condemnation or acquisition of any easement for highway purposes as hereinabove provided shall not be considered as including the condemnation or acquisition of any coal which may be removed under the the terms of any agreement decision order or decree authorized by this act

Section 3 Any damages sustained by the owner of the coal or the person entitled to remove the same as a result of any oblibation to furnish vertical and lateral support arising because of the acquisition of such easement for highway purposes which obligation did not exist prior to the date of such acquisition shall be determined and paid in accordance with the provisions of this act Any county which may be liable for damages for coal required to be left in place for the support and safety of highways as herein set forth shall have authority to

enter into agreements to indemnify the Commonwealth for any damages or reimburse it for the replacement of any highway which may be injured or destroyed by the removal of coal under or adjacent to such highway This act shall not be construed to create any new right of action for damages or any right of action or procedure not existing or available at the time of the original acquisition of such easement

Section [3] 4 This act shall [not] apply in all counties of the [second class] Commonwealth

Section 2 This act shall become effective immediately upon its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Law,	Rupp,
Buckman,	Haluska,	Mallery,	Ruth,
Cavalcante,	Henney,	McCreesh,	Salus,
Chapman,	Heyburn,	McGinnis,	Scarlett,
Dando,	Homsher,	Owlett,	Shapiro,
Deitrick,	Jacobs,	Pierson,	Sipe,
Dent,	Jaspan,	Pytko,	Sones,
DiSilvestro,	Kahle,	Rankin,	Stiefel,
Ealy,	Kilgallen,	Reed,	Thompson,
Eroe,	Kunkel,	Rice,	Wolfenden,
Frey,	Lanius,	Rodgers,	Woodward,
Gelder,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 425, entitled:

An Act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers providing for wage boards and defining the powers and duties of such boards and of the Department of Labor and Industry imposing duties on employers providing for directory and mandatory orders on employers and the publication of the names of employers who do not comply with such orders exempting certain persons from the provisions of this act and providing penalties

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Factual Background Women and minors are employed in some occupations in trade and industry in the Commonwealth of Pennsylvania for wages unreasonably low and not fairly commensurate with the value of the services rendered Such a condition is contrary to public interest and public policy commands its regulation Women and minors employed in such industries are not as a class on a level of equality in bargaining with their employers in regard to minimum fair wage standards and "freedom of contract" as applied to their relations with their employers is illusory Judged by any reasonable standard wages in such industries are often found to bear no relation to the fair value of the services rendered Women and minors employed for gain in such occupations are peculiarly subject to the overreaching of inefficient harsh or ignorant employers and under unregulated competition where no adequate machinery exists for the effective regulation and maintenance of minimum fair wage standards the standards such as exist tend to be set by the least conscionable employers In the absence of any effective minimum fair wage rates for women and minors the constant lowering of wages by unscrupulous employers constitutes a serious form of unfair competition against other employers reduces the purchasing power of the workers and threatens the stability of industry The evils of oppressive unreasonable and unfair wages as they affect women and minors employed in the Commonwealth of Pennsylvania are such as to render imperative the exercise of the police power of the Commonwealth for the protection of industry and of the women and minors employed therein and of the public interest of the community at large in their health and well being

Section 2 Definitions as used in this act

(1) "Secretary" shall mean the Secretary of Labor and Industry

(2) "Department" shall mean the Department of Labor and Industry

(3) "Wage board" shall mean a board created as provided in this act

(4)" Woman" shall mean a female of twenty-one years or over

(5) "Minor" shall mean a person of either sex under the age of twenty-one years

(6) "Occupation" shall mean an industry trade business or class of work in which women or minors are gainfully employed but shall not include domestic service in the home of the employer or services in a religious community or charitable institution or labor on a farm or boys lawfully employed in the sale and delivery of newspapers and magazines

(7) "A fair wage" shall mean a wage fairly and reasonably commensurate with the value of the service or class of service rendered

Section 3 Powers of Investigation The department shall have power

(1) To investigate and ascertain the wages of women and minors employed in any occupation in the Commonwealth

(2) To enter the place of business or employment of any employer of women and minors in any occupation for the purpose of

(a) Examining and inspecting any and all books registers payrolls and other records of any employer of women or minors that in any way appertain to or have a bearing upon the wages of any such women or minors and

(b) Ascertaining whether the orders of the department have been and are being complied with

(3) To require from such employer full and correct statements in writing at such times as the department may deem necessary of the wages paid to all women and minors in his employment

Section 4 Investigation of Occupation The Department shall have power and it shall be the duty of the department on the petition of fifty or more rseidents of the Commonwealth to cause an investigation to be made by any duly authorized representative of the wages being paid to women or minors in any occupation to ascertain whether any substantial number of women or minors in such occupation are receiving wages which are less than sufficient to maintain their health or efficiency If on the basis of information in its possession with or without a special investigation the department is of the opinion that any substantial number of women or minors in any occupation or occupations are receiving such wages the secretary shall appoint a wage board to report upon the establishment of minimum fair wages for such women or minors in such occupation or occupations

Section 5 Basis of Fair Wage In establishing a minimum fair wage for any service or class of service under this act the secretary and the wage board without being bound by any technical rules of evidence or procedure may

(1) Take into account the cost of living and all other

relevant circumstances affecting the value of the service or class of service rendered

(2) Be guided by like considerations as would guide a court in a suit for the reasonable value of services rendered where services are rendered at the request of an employer without contract as to the amount of the wage to be paid

(3) Consider the wages paid in the Commonwealth for work of like or comparable character by employers who voluntarily maintain minimum fair wage standards

Section 6 Wage Boards

(1) A wage board shall be composed of not more than three representatives of employers an equal number of representatives of employes and an equal number of disinterested persons representing the public one of whom shall be designated by the secretary as chairman The secretary shall appoint the members of such wage board the representatives of the employers and employes to be selected so far as practicable from nominations submitted by employers or employer representatives for employer members and by employes for employe members in such occupation or occupations Two-thirds of the members of such wage board shall constitute a quorum and the recommendations or report of such wage board shall require a vote of not less than a majority of all its members The members of a wage board shall be entitled to compensation at the rate of not exceeding ten dollars per day for each meeting attended by them or each day actually spent in the work of the board They shall also be paid their reasonable and necessary traveling and other expenses while engaged in performance of their duties The department shall make and establish from time to time reasonable rules and regulations not inconsistent with this act governing the selection of a wage board and its mode of procedure

(2) The department shall present to a wage board promptly upon its organization all the evidence and information in its possession relating to the wages of women and minor workers in the occupation or occupations for which the wage board was appointed and all other information which is deemed relevant to the establishment of a minimum fair wage for such women and minors and shall cause to be brought before the board any witnesses whom the department deems material A wage board may summon other witnesses or call upon the department to furnish additional information to aid it in its deliberation

(3) A wage board shall have power to administer oaths and to require by subpoena the attendance and testimony of witnesses and the production of all books records and other evidence relative to any matters under investigation Such subpoenas shall be signed and issued by a member of the wage board and shall be served and have the same effect as if issued by the department under the authority vested in it by the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws 177) and designated as the Administrative Code of 1929 A wage board shall have power to cause depositions of witnesses residing within or without the Commonwealth to be taken in the manner prescribed for like depositions in civil actions in the Court of Common Pleas

(4) Within sixty days of its organization a wage board shall submit a report including its recommendations as to minimum fair wage standards for the women or minors in the occupation or occupations the wage standards of which the wage board was appointed to investigate If its report is not submitted within such time the secretary may appoint a new wage board as provided in clause (1) of this section

(5) A wage board may classify employments in any occupation according to the nature of the service rendered and recommend appropriate minimum fair wage rates for different classes of employment A wage board may also recommend minimum fair wage rates varying with localities if in the judgment of the wage board conditions make such local differentiation proper and do not effect an unreasonable discrimination against any locality

(6) A wage board may recommend a suitable scale of rates for learners and apprentices in any occupation or occupations which scale of learners' and apprentices' rates may be less than the regular minimum fair wage rates recommended for experienced women or minor workers in such occupation or occupations

(7) In addition to the report a wage board may recommend such reasonable regulations as it may deem appropriate to safeguard the minimum fair wage standards recommended in its report Such regulations may among other things define and govern learners and apprentices their rates number proportion or length of service piece rates or their relation to time rates overtime or part-time rates bonuses or special pay for special or extra work deductions for board lodging apparel or other items or services supplied by the employer and other special conditions or circumstances and in view of the diversities and complexities of different occupations and the dangers of evasion and nullification without departing from the basic minimum rates recommended by wage board the board may provide for such modifications or reductions of or additions to such rates in or for such special cases or classes of cases as those herein enumerated as the board may find appropriate to safeguard the basic minimum rates established

Section 7 Action on Report of Wage Board

(1) A wage board shall submit its report and recommendations to the department which shall within ten days thereafter accept or reject such report During such ten days the secretary or his representative may confer with the wage board which may make such changes in the report or recommendations as it may deem fit If the report is rejected the department shall re-submit the matter to the same wage board or to a new wage board to be appointed as provided in clause (1) of section six If the report is accepted it shall be published together with such of the regulations recommended by the board and with such modifications and amendments as the department may approve The department shall give notice of a public hearing to be held by the secretary or his representative not sooner than fifteen nor later than thirty days after such publication at which all persons in favor of or opposed to the recommendations contained in such report or in such proposed regulations may be heard

(2) Within ten days after such hearing the department shall approve or disapprove the report of the wage board If the report is disapproved the department may re-submit the matter to the same wage board or to a new wage board If the report is approved the department shall make a directory order which shall define minimum fair wage rates in the occupation or occupations as recommended in the report of the wage board and shall include the regulations as approved by the department

Section 8 Special Licenses For any occupation for which minimum fair wage rates have been established the department may cause to be issued to a woman or minor including a learner or apprentice whose earning capacity is impaired by age or physical or mental deficiency or injury a special license authorizing employment at such wages less than such minimum fair wage rates and for such period of time as shall be fixed by the department and stated in the license

Section 9 Order Made Mandatory If at any time after a directory minimum fair wage order has been in effect for three months the department is of the opinion based upon a statement of reasons in writing made by the department that the persistent non-observance of such order by one or more employers is a threat to the maintenance of fair minimum wage standards in any occupation or occupations the department may give notice of its intention to make such order mandatory and of a public hearing to be held not sooner than fifteen nor later than thirty days after such publication at which all persons in favor of or opposed to a mandatory order may be heard by the secretary or his representative After such hearing the department may make an order making the previous directory order or any part thereof mandatory and shall publish such order

Section 10 Publication of Names of Employers Not Observing Order If the department has reason to believe

that any employer is not observing the provisions of any directory or mandatory order it may on fifteen days' notice summon such employer to appear before it to show cause why the name of such employer should not be published as having failed to observe the provisions of such order After such hearing and the finding of nonobservance of such order by the secretary or his representative the department may cause to be published in a newspaper or newspapers published and circulating within the Commonwealth or in such other manner as it may deem appropriate the name of any such employer or employers as having failed in the respects stated to observe the provisions of such order of the department neither the secretary nor any authorized representative of the department nor any newspaper publisher proprietor editor nor any employe thereof shall be liable to an action civil or criminal for publishing the name of any employer as provided for in this article unless guilty of wilful misrepresentation

Section 11 Reconsideration of Minimum Fair Wage Order (1) At any time after a minimum fair wage order has been in effect for one year or more whether during such period it has been directory or mandatory the department may on its own motion and shall on a petition of fifty or more residents of the Commonwealth reconsider the minimum fair wage rates set therein and reconvene the same wage board or appoint a new wage board as provided in clause (1) of section six to recommend whether or not the rate or rates contained in such order should be modified The report of such wage board shall be dealt with in the manner prescribed in section seven of this act provided that if the order under reconsideration has theretofore been made mandatory in whole or in part by the department then the department in making any new order or confirming any old order shall have power to declare to what extent such order shall be directory and to what extent mandatory

(2) The department may from time to time propose such modifications of or additions to any regulations included in any directory or mandatory order of the department without reference to a wage board as may be deemed appropriate to effectuate the purposes of this act provided such proposed modifications or additions are reasonable and could legally have been included in the original order and shall give notice of a public hearing to be held by the secretary or his representative not less than fifteen days after such publication at which all persons may be heard in respect to such proposed modifications or additions After such hearing the department may make an order putting into effect such of the proposed modifications of or additions to the regulations as it may deem appropriate and if the order of which the regulations form a part has theretofore been made mandatory in whole or in part then the department in making any new order shall have the power to declare to what extent such order shall be directory and to what extent mandatory

Section 12 Review of Orders

(1) All questions of fact arising under this act except as otherwise herein provided shall be decided by the secretary or his representative and there shall be no appeal from the decision on any such question of fact but there shall be a right of review by the Court of Common Pleas from any order ruling or holding on any question of law included or embodied in any decision of the secretary or his representative or order of the department

(2) Any such review shall be by the Court of Common pleas of Dauphin County Any person aggrieved by the decision of the secretary or his representative or by any order of the department may petition said court for such a review within thirty days after notice of such decision or order A copy of such petition shall be filed with the department which filing shall constitute service Within thirty days after service of the petition the department shall file with the prothonotary of said court a transcript of the record of the proceedings duly certified over the seal of the department which record shall include all papers on file and all evidence taken including stenographic notes of testimony The cost of said transcript at twenty-five cents per folio and one dollar for certification shall be entered as part of the record costs to be paid as the court may direct

(3) The court upon application of either party shall fix a time and place for argument After argument and review of the record and testimony the court may sustain modify or reverse the decision of the secretary or his representative or the order of the department as in its judgment the law may warrant

Section 13 Duty of Employer Every employer of women and minor workers shall keep a true and accurate record of the hours worked by each and the wages paid by him to each and shall furnish to the department or its duly authorized agent upon demand a sworn statement of the same Such records shall be open to inspection by any duly authorized agent of the department at any reasonable time Every employer subject to a minimum fair wage order whether directory or mandatory shall keep a copy of such order posted in a conspicuous place in every room in which women or minors are employed Employers shall on request be furnished copies of order without charge Employers shall permit any duly authorized agent of the department to question any employe of such employer in the place of employment and during work hours in respect to the wages paid to and the hours worked by such employe or other employe

Section 14 Penalties

(1) Any employer and his agent or the officer or agent of any corporation who discharges or in any other manner discriminates against any employe because such employe has served or is about to serve on a wage board or has testified or is about to testify before any wage board or in any other investigation or proceeding under or related to this act or because such employer believes that said employe may serve on any wage board or may testify before any wage board or in any investigation or proceeding under this act shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty nor more than one hundred dollars and in default of the payment of such fine and costs shall be sentenced to imprisonment for not less than ten days nor more than thirty days

(2) Any employer or the officer or agent of any corporation who pays or agrees to pay to any woman or minor employe less than the rates applicable to such woman or minor under a mandatory minimum fair wage order shall upon conviction thereof be sentenced to pay a fine of not less than fifty nor more than two hundred dollars or to undergo imprisonment of not less than ten nor more than ninety days or both such fine and imprisonment and each week in any day of which such employe is paid less than the rate applicable to him under a mandatory minimum fair wage order and each employer who paid less shall constitute a separate offense

(3) Any employer or the officer or agent of any corporation who fails to keep the records required under this act or to furnish such records or any information required to be furnished under this act to the department the secretary or any authorized representative of the department upon request shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty-five nor more than one hundred dollars and each day of such failure to keep the records requested under this act or to furnish such records or information shall constitute a separate offense

Section 15 Civil Action If any woman or minor worker is paid by his or her employer less than the minimum fair wage to which such worker is entitled under or by virtue of a mandatory minimum fair wage order such worker may recover in a civil action the full amount of such minimum wage less any amount actually paid to the worker by the employer together with costs and such reasonable attorney's fees as may be allowed by the court and any agreement between the employer and the worker to work for less than such mandatory minimum fair wage shall be no defense to such action At the request of any woman or minor worker paid less than the minimum wage to which such worker was entitled under a mandatory order the department may take an assignment of such wage claim in trust for the assigning worker and may

bring any legal action necesary to collect such claim and the employer shall be required to pay the costs and such reasonable attorney's fees as may be allowed by the court

Section 16 Act not to Apply to Certain Persons The provisions of this act shall not apply to any person or persons subject to the provisions of the Federal Railway Labor Act

Section 17 Unconstitutionality If any provisions of this act or the application thereof to any person or circumstances is held invalid the remainder of the act and the application of such provisions to other persons or circumstances shall not be affected thereby

Section 18 Effective Date This act shall become effective immediately upon its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Barthold,	Gilson,	Kunkel,	Reed,
Cavalcante,	Haluska,	Lanius,	Rice,
Dando,	Henney,	Law,	Rodgers,
Deitrick,	Huffman,	McCreesh,	Rupp,
Dent,	Jacobs,	McGinnis,	Ruth,
DiSilvestro,	Jaspan,	Pytko,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,		

NAYS—11

Buckman,	Gelder,	Owlett,	Wolfenden,
Chapman,	Homsher,	Pierson,	Woodward,
Ealy,	Mallery,	Scarlett,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 776, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by modifying the procedure for the sale of unserviceable property and enlarging the scope of the appropriation of the Manufacturing Fund clarifying the provisions pertaining to the furnishing of State automobiles from the temporary fleet authorizing the purchase of liability insurance covering State officers or employes operating vehicles loaned by the Federal government prohibiting contractors with the Commonwealth from requiring or receiving refunds of part of any premium wage or wages required by their contract to be paid to their employes providing for the demolition or destruction of certain military stores in certain cases authorizing the transfer of surplus products between State institutions further defining the working hours and duties of State employes amplifying the supervision of the Department of Welfare over inmates in and the transfer of inmates from State penal and correctional institutions empowering the Department of Welfare to enfroce compliance with its orders to remedy unfavorable conditions in State and supervised institutions eliminating the office of business manager in State institutions under the Department of Welfare authorizing the Department of Welfare to fix and establish service charges at State-owned medical and surgical hospitals authorizing the Department of Property and Supplies to establish standards for the operation of certain State equipment and to make periodical surveys of the buildings equipment land and improvements of State institutions further modifying and regulating the procedure to be followed for construction projects making further provision for bid performance bonds of bidders for State contracts extending the scope of the work of the State Park Commission further regulating purchases made directly by departments boards and commissions requiring counties to pay compensation and expenses of special attorneys in criminal cases authorizing the Governor to grant commissions to State pilots providing for the disposal of accumulated files of papers no longer needed or useful in the Commonwealth providing for the promulgation of rules and regulations by and enlarging the powers of the Department of Forests and Waters and the Water and Power Resources Board further regulating the maximum price that may be paid for land acquired for State forestry purposes prescribing the membership and powers and duties of the State Park Commission creating and prescribing the powers and duties of Regional State Park Boards eliminating the limitation on the amount per acre that may be paid for land acquired for State park purposes eliminating the Board of Game Commissioners and extending the provisions of the Code to its successor the Pennsylvania Game Commission eliminating the Public Service Commission of the Commonwealth of Pennsylvania and extending the provisions of the Code to its successor the Pennsylvania Public Utility Commission transferring the State Athletic Commission from the Department of Military Affairs to the Department of Revenue and the State Board of Undertakers from the Department of Public Instruction to the Department of Health eliminating the State Aeronautics Commission the Pennsylvania Alcohol Permit Board and the Board of Trustees of Cumberland Valley State Institution for Mental Defectives and the Anatomical Board and generally further reorganizing and clarifying the conduct of the administrative work of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Sections 201 202 203 210 221 222 301 303 401 427 31 448 507 508 511 522 701 709 712 906 907 1402 1802 1804 1806 2110 2304 2307 2311 2312 2315 2318 2319 2402 2403 2404 2405 2406 2407 2408 2409 and 2414 of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers College abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and

other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" are hereby amended or further amended as the case may be to read as follows

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commisions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant Governor Secretray of the Commonwealth Attorney General Auditor General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania State Police by the following administrative departments Department of State Department of Justice Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and Waters Department of Mines Department of Highways Department of Health Department of Labor and Industry Department of Welfare Department of Property and Supplies and Department of Revenue and by the following independent administratvie boards and commissions [Board of Game Commissioners] Pennsylvania Game Commission Board of Fish Commissioners and the [Public Service Commission of the Commonwealth of Pennsylvania] Pennsylvania Public Utility Commission

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

In the Department of State
State Employes' Retirement Board

In the Department of Justice
Board of Pardons
Board of Commissioners on Uniform State Laws

In the Treasury Department
Board of Finance and Revenue

In the Department of Internal Affairs
Board of Property
[State Aeronautics Commission]

In the Department of Public Instruction
State Council of Education
Pennsylania State Board of Censors
Public School Employes' Retirement Board
Pennsylvania Historical Commission
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Home for Training in Speech of Deaf Children Before They Are of School Age which shall hereafter be known as Board of Trustees of Home for Training in Speech of Deaf Children
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion, State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
[State Board of Undertakers]
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers

In the Department of Military Affairs
Armory Board of the State of Pennsylvania
Board of Trustees of Pennsylvania Soldiers' and Sailers' Home
[State Athletic Commission]

In the Department of Banking
Board to License Private Bankers
Pennsylvania Securities Commission

In the Department of Agriculture
State Farm Product Show Commission

In the Department of Forests and Waters
Water and Power Rescources Board
Geographic Board
Lake Erie and Ohio River Canal Board
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Valley Forge Park Commission
Fort Washington Park Commission

In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors

In the Department of Highways
State Bridge Commission

In the Department of Health
Sanitary Water Board
[Anatomical Board]
State Board of Undertakers

In the Department of Labor and Industry
Workmen's Compensation Board
Workman's Compensation Referees
State Workmen's Insurance Board

In the Department of Welfare
State Council for the Blind
[Pennsylvania Alcohol Permit Board]
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial Reformatory hereafter to be known as Board of Trustees of Pennsylvania Industrial School
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Fairview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital

Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
[Board of Trustees of Cumberland Valley State Institution for Mental Defectives]
Board of Trustees of Selinsgrove State Colony for Epileptics
In the Department of Property and Supplies
Board of Commissioners of Public Grounds and Buildings
State Art Commission
In the Department of Revenue
State Athletic Commission

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 203 Advisory Boards and Commissions The following advisory boards and commissions are placed in and made parts of the respective administrative departments as follows

In the Department of Military Affairs
State Military Reservation Commission
State Veterans Commission
In the Department of Forests and Waters
State Forest Commission
State Parks Commission
Bushy Run Battlefield Commission
Regional State Park Boards
In the Department of Health
Advisory Health Board
In the Department of Labor and Industry
Industrial Board
In the Department of Welfare
State Welfare Commission
In the Department of Property and Supplies
General Galusha Pennypacker Monument Commission

Section 210 Compensation of Members of Administrative Boards and Commissions (a) Annual salaries shall be payable in equal semi-monthly installments as follows

To the Commissioner of Fisheries six thousand dollars

To the Chairman of [The Public Service Commission of the Commonwealth of Pennsylvania] the Pennsylvania Public Utility Commission ten thousand five hundred dollars as provided by law

To the members of [The Public Service Commission of the Commonwealth of Pennsylvania] the Pennsylvania Public Utility Commission other than the chairman each ten thousand dollars as provided by law

(b) The members of the [Board of Game Commissioners] Pennsylvania Game Commission and of the Board of Fish Commissioners other than the Commissioner of Fisheries shall not receive any compensation

(c) Except as in this act otherwise provided the members of departmental administrative boards and commissions and of advisory boards and commissions shall serve without compensation

Section 221 Office Hours All administrative offices of the State Government shall be open for the transaction of public business at least eight hours each day except Saturdays Sundays and legal holidays [On Saturdays when not legal holidays such offices shall be open for business for at least three hours] The hours when such offices shall open and close shall from time to time be determined by the Executive Board

Section 222 Work-Hours and Vacations Each employe of an administrative department of an independent administrative board or commission or of a departmental administrative board or commission if employed for continuous service shall work during such hours as the head of the department or the board or commission shall require but not less than [thirty-eight] thirty-five hours per week Such employe shall be entitled during each calendar year to fifteen days' leave of absence with full pay and in special and meritorious cases where to limit the annual leave to fifteen days in any one calendar year would work peculiar hardships the extent of such leave with pay may in the discretion of the head of the department or of the board or commission be extended but any such extension shall not be for more than fifteen days except with the approval of the Executive Board in the case of employes of departments or of independent administrative boards or commissions and in the case of employes of departmental administrative boards or commissions of the departments with which such boards or commissions are respectively connected This section shall be construed to mean that the pay of such employe shall cease upon the expiration of the granted leave regardless of his or her continuation thereafter upon the rolls of the department board or commission The annual leave of absence with pay shall be exclusive of Saturdays Sundays and legal holidays

Section 301 [Board of Game Commissioners The Board of Game Commissioners shall consist of eight competent citizens of this Commonwealth no two of whom shall be from the same senatorial district The board shall annually elect a president and a vice-president from among its members It shall also appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive secretary who need not be a member of the board and who shall attend to the administrative work of the board

Five members of the board shall constitute a quorum

Members of the board shall be appointed to serve for terms of six years] Pennsylvania Game Commission The Pennsylvania Game Commission shall consist of eight competent citizens of this Commonwealth who shall be so appointed that they shall fairly represent the several geographical sections of the Commonwealth and shall be well informed on the subject of wild life conservation and restoration The commission shall annually elect a president and a vice-president from among its members It shall also appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive director who shall attend to the administrative work of the commission No member of the commission nor anyone who has served as a member thereof within one year shall be eligible for appointment as executive directors

Five members of the commission shall constitute a quorum

The members of the Board of Game Commissioners in office on the effective date of this act shall constitute the Pennsylvania Game Commission and shall hold their offices as members of the Pennsylvania Game Commission until their successors are appointed as provided by law The original members of the commission shall be appointed for such terms as are prescribed by law and subsequent appointments of commissioners shall be for terms of eight years and shall be staggered as provided by law

Section 303 [The Public Service Commission of the Commonwealth of Pennsylvania The Public Service Commission of the Commonwealth of Pennsylvania shall consist of seven members who shall have the qualifications and be appointed as now provided by law

A member designated by the Governor as now provided by law shall be the chairman of the commission during such member's term of office When present the chairman shall preside at all meetings but in his absence the member who has served on the Commission for the longest period of time shall preside and shall exercise for the time being all of the powers of the chairman In addition to the authority now conferred by law the chairman shall have power as often as he may deem the work of the commission requires (a) to designate the time and place for the conducting of investigations inquiries and

hearings (b) to assign cases to a commissioner or commissioners for hearing investigation inquiry study or other similar purpose (c) to assign cases to special agents or examiners for the taking and receiving of evidence and (d) to direct and designate officers and employes of the commission to make investigations inspections inquiries studies and other like assignments for report to the commission

The commission may appoint a secretary to hold office at its pleasure Such secretary if appointed shall have such powers and shall perform such duties not contrary to law as the commission shall prescribe and shall receive such compensation as the commission with the approval of the Governor shall determine He shall have power and authority to designate from time to time one of the clerks appointed by the commission to perform the duties of the secretary during his absence and the clerk so appointed shall possess for the time so designated the powers of the secretary of the commission

The terms of the members of the commission shall be ten years

The offices of counsel of marshall and of investigator of accidents as they exist under The Public Service Company Law are hereby retained appointments thereto to be made as now provided by law The compensation of counsel marshal and investigator of accidents shall be fixed by the commission with the approval of the Governor] Pennsylvania Public Utility Commission The Pennsylvania Public Utility Commission shall consist of five members who shall have the qualifications and be appointed in the manner and for such terms as now provided by law

A member designated by the Governor as now provided by law shall be the chairman of the commission during such member's term of office

The commission may appoint a secretary to hold office at its pleasure as now provided by law

Section 401 Boards fo Trustees of State Institutions The board of trustees of each of the State institutions hereinafter mentioned shall consist of nine members and the head of the department having supervision over the institution ex officio

The terms of the members of each such board shall be four years and until their successors are qualified

Five members of any such board shall constitute a quorum

Each such board shall annually elect a president and vice-president from among its members and a secretary and treasurer who need not be members of the board The secretary and treasurer may be the same person This section shall apply to

Board of Trustees of Thaddeus Stevens Industrial School
Board of Tustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Home for Training in Speech of Deaf Children
Board of Trustees of Pennsylvania Soldier's Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers College
Board of Trusteees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial School
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Penhurst State School
Board of Trustees of Polk State School
[Board of Trustees of Cumberland Valley State Institution of Mental Defectives]
Board of Trustees of Selinsgrove State Colony for Epileptics

Section 427 State Athletic Commission The State Athletic Commission shall consist of three members who shall be appointed for terms of two years and the [Adjutant General] Secretary of Revenue ex officio

Each member of the commission except the [Adjutant General] Secretary of Revenue shall receive a salary of five thousand dollars per annum

Two members of the commission shall constitute a quorum and the concurrence of at least two members of the commission shall be necessary to render valid any action by the commission

The commission may appoint such number of deputies as shall be approved by the Executive Board whose compensation shall be fixed by the commission with the approval of the Governor

The commission may with the approval of the [Adjutant General] Secretary of Revenue appoint a secretary who shall receive a salary to be fixed by the commission with the approval of the Governor

Section 431 Water and Power Resources Board The Water and Power Resources Board shall consist of five members four of whom shall be the Secretary of Forests and Waters the Secretary of Health the Commissioner of Fisheries and a member of [The Public Service Commission of the Commonwealth of Pennsylvania] the Pennsylvania Public Utility Commission to be designated by the Governor The fifth member shall be an engineer and shall receive [compensation for his services at such rate per diem as shall be fixed by the other members of the board but such compensation shall not exceed] salary of three thousand dollars per annum

The Secretary of Forests and Waters shall be chairman of the Board

Three members of the board shall constitute a quorum

Any investigation hearing or other proceeding which the board has power to undertake or hold may be undertaken or held by or before any member of the Board or by or before any official of the board designated by the board for such purpose provided all actions and orders shall be approved by a majority thereof

The board shall have authority to make and adopt rules and regulations for its procedure acts and orders not inconsistent with this act

Interim permits and orders may be issued and made

by the chairman of the board or by any official of the board designated for such purpose by the board but such interim permits and orders shall be subject to subsequent approval or confirmation by the board

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

(a) The State Military Reservation Commission shall consist of the Governor the Major General commanding the National Guard of Pennsylvania any Major General who commands has commanded or shall hereafter command the National Guard of Pennsylvania and who shall retire from the service subsequent to the first day of January one thousand nine hundred and thirty-three regardless of such retirement the Adjutant General the Brigadier Generals commanding brigades the Chief of Staff of the Twenty-eighth Division and two other members to be appointed by the Governor

The commission shall elect from among its members a chairman and a secretary

(b) The State Veterans' Commission shall consist of the Adjutant General ex-officio and five members all of whom shall have served in the armed forces of the United States while a state of war existed between the United States of America and another sovereign power and shall be members in good and regular standing of a Pennsylvania branch post lodge or club of a recognized national veterans organization active in this Commonwealth

Three members of the commission shall constitute a quorum

The commission shall select from its number a chairman and a secretary

(c) The State Forest Commission shall consist of four persons and the Secretary of Forests and Waters ex-officio who shall be chairman thereof

(d) The State Parks Commission shall consist of the Secretary of Forests and Waters the Secretary of Highways the Executive Director of the Pennsylvania Game Commission the Commissioner of Fisheries the Chairman of the several Regional State Park Boards and the chairman of the Pennsylvania Historical Commission [and four other citizens]

[Four] A majority of the members of the commission shall constitute a quorum

The State Parks Commission shall annually elect from among its members a chairman and vice-chairman

(e) Bushy Run Battlefield Commission The Bushy Run Battlefield Commission shall consist of the Secretary of Forests and Waters and the chairman and Secretary of the Pennsylvania Historical Commission ex-officio and six other members residing in the vicinity of the Bushy Run Battlefield State Park and having a knowledge of and interest in the history of the locality wherein said park is situated

The members of the commission shall annually elect a chairman and a secretary

Five members of the commission shall constitute a quorum

(f) The Advisory Health Board shall consist of the Secretary of Health and six members a majority of whom shall be physicians graduates of legally constituted medical colleges and of at least ten years' experience in the practice of their profession and one of whom shall be a civil engineer The Secretary of Health shall be chairman of the board

Three members of the board together with the Secretary of Health shall constitute a quorum

(g) The Industrial Board shall consist of the Secretary of Labor and Industry and four additional members one of whom shall be an employer of labor one a wage earner and one a woman The Secretary of Labor and Industry shall be a chairman of the board

Three members of the board shall be a quorum

The members of the Industrial Board other than the chairman shall receive fifteen dollars per day while in the performance of their official duties

(h) The State Welfare Commission shall consist of the Secretary of Welfare ex-officio and eight other members The Secretary of Welfare shall be chairman of the board The Secretary of Welfare and four other members of the board shall constitute a quorum

(i) The General Galusha Pennypacker Monument Commission shall consist of the Secretary of Property and Supplies the president of the Pennsylvania Academy of Fine Arts of Philadelphia and three other persons The Commission shall annually elect a president and secretary

Three members of the commission shall constitute a quorum

(j) The Regional State Park Boards shall consists of the Secretary of Forests and Waters and five other members three of whom shall reside in the region where the particular board of which they are members functions

Each Regional State Park Board shall annually elect from its membership a chairman and a vice-chairman

The Secretary of Forests and Waters shall appoint a secretary for each Regional State Park Board

Four members of a Regional State Park Board shall constitute a quorum

Section 507 Purchases It shall be unlawful for any administrative department other than the Department of Property and Supplies or for any independent administrative board or commission or for any departmental administrative body board or commission or for any advisory board or commission to purchase or contract for the purchase of any stationery paper printing binding ruling lithographing engraving envelopes or other printing or binding supplies or any fuel supplies furniture furnishings or equipment except

(a) Any departments boards or commissions which by law are authorized to purchase materials or supplies and pay for the same out of fees or other moneys collected by them or out of the moneys appropriated to them by the General Assembly Provided That every such department board and commission shall make its purchases through the Department of Property and Supplies as purchasing agency and all such purchases shall conform to the effective supplies contracts of the Department of Property and Supplies unless in any case the Board of Commissioners of Public Grounds and Buildings shall specifically authorize a departure from such effective supplies contracts

(b) Any department board or commission having charge of a State institution which may purchase perishable foodstuffs [and fuel] for such institution directly and may purchase any article directly if it can after competitive bidding purchase the same f o b the institution for a price [equal to or] less than the Department of Property and Supplies can furnish it f o b the institution but all articles purchased directly hereunder shall conform to the specification contained in the effective supply contracts of the Department of Property and Supplies or if the article be not included in the effective supply contracts then to the standard specification if any adopted by the Department of Property and Supplies for the commodity purchased unless the Board of Commissioners of Public Grounds and Buildings shall have specifically authorized a departure from such specification

In all other cases such departments boards or commissions shall make purchases through the Department of Property and Supplies as purchasing agency and all purchases made by the Department of Property and Supplies as purchasing agency hereunder shall conform to the specifications contained in the effective supply contracts of the department or if the article be not included in the effective supply contracts then to the standard specifications if any adopted by the department for the commodity purchased unless the Board of Commissioners of Public Grounds and Buildings shall specifically authorize a departure from such effective supply contracts or specifications

(c) Any department board or commission which shall have been authorized in writing by the Department of Property and Supplies to make purchases in the field not exceeding a specified amount but records of all such purchases shall be transmitted periodically to the Department of Property and Supplies in such form as it may require In so far as practicable purchases under this paragraph shall be made from contractors having effective supplies contracts with the Department of Property and Sup-

plies and shall be in accordance with applicable specifications in such contracts otherwise such purchases shall be made from the lowest of at least two bidders

Section 508 Erection Repairs or Alterations of and Additions to Buildings (a) No administrative department except the Department of Property and Supplies and no administrative board or commission shall except as in this act otherwise specifically provided erect or construct or contract for the erection or construction of any new building or make or contract for making any alterations or additions to an existing building involving an expenditure of more than [ten thousand ($10,000)] one thousand dollars ($1,000) and in any case in which any other department or any board of commission is by this act authorized to erect or construct buildings or make alterations or additions such erection or construction shall be under the [general] complete supervision and shall be the responsibility of the Department of Property and Supplies

[(b) All repairs to or alterations of existing buildings of the Commonwealth involving expenditures of more than one thousand dollars ($1,000) shall be subject to inspection by and the general supervision of the Department of Property and Supplies which shall be notified thereof at least ten days prior to the execution of the contract or if the work is not to be done under contract then at least ten days prior to the commencement of the work and all plans and specifications for repairs to or alterations of buildings under the control of the departmental administrative boards and commission shall be subject to approval by the departments with which such boards or commissions are respectively connected]

(b) The Department of Property and Supplies shall make at least once every two fiscal years a survey of all buildings equipment land improvements connected with and comprising each State institution After making and survey the Department of Property and Supplies shall prepare a report setting forth in detail the results of the survey including the needs of such institution with respect to the maintenance of and repairs improvements laterations and additions to its buildings lands and equipment The Department of Property and Supplies shall file a copy of such report with the Governor and the department or departmental administrative board having supervision or control of the institution Such reports shall be used so far as practical as a guide in formulating the biennial budgetary requests for appropriations for the maintenance of any repairs improvements alterations and additions to the buildings lands and equipment of State institutions

(c) All plans and specifications for new buildings and for alterations or additions to existing buildings shall be subject to the approval of the Department of Property and Supplies and in addition thereto shall also be subject to the approval of the department board or commission using or intending to use the building being erected or constructed or to which an alteration or addition is being made [and in] with respect to the type and general character of the proposed building the floor layouts radiation natural light artificial illumination ventilation medical equipment or other equipment of a nature peculiar to the building for which the plans and specifications are being prepared In the case of buildings used by or for the use of departmental administrative boards or commissions the plans and specifications shall also be approved with respect to the above mentioned matters by the department with which the board of commission is connected

(d) Buildings may be erected or constructed or alterations or additions made wholly or partially by the labor of employes or inmates or patients of State institutions if in the judgment of the agency responsible for the management of such institutions and of the Department of Property and Supplies the work can be properly and safely done by such employes inmates or patients In such cases the Department of Property and Supplies [or such agency of the State Government] or outside supervising engineer or engineering concern as it may approve shall have full and direct [supervision] responsibility for the management of the work and [in all cases the Department of Property and Supplies shall have the right to inspect and generally supervise the work] the department board or commission using or intending to use the building shall have complete charge of such employes inmates or patients

Section 511 Sale and Transfer of Surplus Products All departments boards and commissions may sell for the best price obtainable but not less than the current market price for similar products any surplus products of the soil meats live stock timber or other materials raised or grown upon or taken from property of the Commonwealth administered by such departments boards or commissions or their by-products respectively Transfers may be made of such products by and between State institutions under the control and management of such departments boards or commissions

As used in this section "surplus" shall mean products meats live stock timber or other materials or their by-products respectively which cannot conveniently and economically be used in connection with the proper maintenance of the institution park or other property administered by the department board or commission involved but under no circumstances shall live trees be cut for sale unless and until the Department of Forests and Waters has approved the cutting of such trees and no sales or transfers shall be made under this section by any departmental administrative board or commission without the approval of the department with which such board or commission is connected

The proceeds of the sale of any products of the soil meats live stock timber or other materials sold by any department board or commission under the provisions of this section shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund unless the expenses of such department board or commission are paid wholly or mainly out of a special fund in which case such proceeds shall be credited to the proper special fund Any questions arising hereunder shall be determined by the Governor and his decision shall be certified to the Department of Revenue and the Treasury Department

Every department board or commission which sells or transfers any product of the soil meats live stock timber or other materials under the provisions of this section shall keep an accurate record of the dates quantities and prices of all sales or transfers which records shall at all times be subject to audit by the Department of the Auditor General

The Executive Board shall prescribe rules and regulations prescribing the manner in which transfers shall be made under this section

Section 522 Wage Specifications in Contract for Public Works The specifications upon which contracts are entered into by the Commonwealth for the construction alteration or repair of any public work shall as far as possible contain the minimum wage or wages which may be paid by the contractor or his subcontractors for the work performed by laborers and mechanics employed in such public work and such laborers or mechanics shall be paid not less than such minimum wage or wages and shall not be required to refund directly or indirectly any part of such wage or wages The contractor shall submit to the Commonwealth certified detailed payrolls giving names classifications hours worked rates per hour and total paid on each pay day The contractor shall also certify that he is not receiving or requiring or will not receive or require directly or indirectly from any employe any refund of any such minimum wage or wages

Every contract entered into upon such specifications shall stipulate a penalty of an amount equal to twice the difference between the minimum wage contained in said specifications and the wage actually paid to each such laborer or mechanic for each day during which he has been employed at a wage less than that prescribed in said specifications Every officer or person designated as inspector of the work to be performed under any such contract or to aid in the enforcing of the fulfillment thereof shall upon observation or investigation report to the department board or commission which made the contract award all violations of minimum wage stipulations together with the name of each laborer or mechanic who

has been paid less than that prescribed by the specifications and the day or days of such violation All such penalties shall be withheld and deducted for the use of the Commonwealth from any moneys due the contractor by the officer or person whose duty it shall be to authorize the payment of moneys due such contractor whether the violation of the minimum wage stipulation of the specifications is by the contractor or by any of his subcontractors

Section 701 The Governor The Governor shall have the power and it shall be his duty

(a) To take care that the laws of the Commonwealth shall be faithfully executed

(b) To act as Commander-in-Chief of the Army and Navy of the Commonwealth and of the Militia except when they shall be called into active service by the United States Government

(c) To cause to be published through the Department of Property and Supplies from time to time for the information of the public bulletins of the work of the State Government

(d) To prescribe and require the installation of a uniform system or systems of bookkeeping accounting and reporting for the several administrative departments boards and commissions except for the Department of the Auditor General and the Treasury Department but before prescribing and requiring such installation the Governor shall consult with the Department of the Auditor General

(e) To prescribe forms for accounts and financial records reports and statements for the several administrative departments boards and commissions except the Department of the Auditor General and the Treasury Department but before prescribing such forms the Governor shall consult with the Department of the Auditor General

(f) To approve or disapprove all investments by departments boards or commissions of funds administered by such departments boards or commissions

(g) To submit to the General Assembly a State budget

(h) After each biennial appropriation to the Department of Property and Supplies (1) for the purchase of stationery paper printing binding ruling lithographing color printing engraving paper envelopes and other printing and binding supplies (2) for fuel supplies furniture furnishings repairs alterations and improvements (3) for automobiles and (4) for rentals of branch offices after making proper deductions for the needs of the legislative and judicial departments to allocate and from time to time to re-allocate to the several administrative departments boards and commissions such portions of such appropriations as will fairly represent the needs of the departments boards and commissions for the biennium taking into consideration the right of any such department board or commission to pay its necessary expenses or purchase furniture materials or supplies out of fees or other moneys received by or moneys specifically appropriated to it

Every administrative department board or commission shall be limited to its right to make requisition upon the Department of Property and Supplies to the amount allocated to it unless the Governor shall subsequently permit the Department of Property and Supplies to honor requisitions in excess of such amount

(i) To do all other acts make all appointments fill all vacancies exercise all the powers vested in him and perform all the duties imposed upon him as provided and required by the Constitution and laws of this Commonwealth

(j) To grant to pilots engaged in the aeronautical work of the Department of Revenue commissions of such grades as the Governor may prescribe

Section 709 Executive Board The Executive Board shall have the power

(a) To standardize the qualifications for employment and all titles salaries and wages of persons employed by the administrative departments boards and commissions except the Department of the Auditor General and the Treasury Department In establishing such standards the board may

(1) Take into consideration the location of the work and the conditions under which the service is rendered

(2) Establish different standards for different kinds grades and classes of similar work or service

(b) To approve or disapprove the establishment of bureaus and divisions by the administrative departments other than the Department of the Auditor General and the Treasury Department and by the independent administrative boards and commissions and to investigate duplication of work of the several administrative departments boards and commissions and the efficiency of the organization and administration thereof and the better coordination of such departments boards and commissions

(c) To approve or disapprove as provided by this act the payment of extra compensation to employes of administrative departments boards or commissions who are employed at fixed compensation

(d) To determine from time to time the hours when the administrative offices of the State Government shall open and close

(e) To approve or disapprove extensions of leaves of absence with pay for employes of administrative departments or of independent administrative boards or commissions

(f) To make rules and regulations defining the expenses for which officers and employes of the executive branch of the State Government may be reimbursed

(g) To determine by what members of independent administrative boards and commissions fidelity bonds shall be given to approve or disapprove recommendations of department heads or of independent administrative boards or commissions for the bonding of officers or employes of their departments or members or officers or employes of departmental administrative boards or commissions or officers or employes of independent administrative boards or commissions to fix the amounts of the bonds of all such members officers or employes required to give bond and to require any bond or bonds to be executed by a surety or sureties even though the Commonwealth may have established its own indemnity fund as elsewhere in this act provided

(h) To approve or disapprove the establishment of branch offices outside of the Capital city by or for administrative departments boards or commissions

(i) From time to time to determine within what limits the Department of Property and Supplies shall procure liability insurance covering claims for damages against the Commonwealth and State officers and employes arising out of the operation of State automobiles by such officers and employes

(j) From time to time to determine the number and type of automobiles to be purchased by the Department of Property and Supplies acting either on its own behalf or as purchasing agency for any other department except the Department of the Auditor General and the Treasury Department or for any board or commission and to make rules and regulations for the use of State automobiles by State officers and employes except the Department of the Auditor General and the Treasury Department

(k) To approve or disapprove requests for and to direct the disposal of files of correspondence reports records or other papers which are not needed for the current or anticipated future operations of any administrative department board or commission

Section 712 The Pennsylvania State Police Force The various members of the Pennsylvania State Police are hereby authorized and empowered

(a) To make arrests without warrant for all violations of the law which they may witness and to serve and execute warrants issued by the proper local authorities They shall have all the powers and prerogatives conferred by law upon members of the police force of cities of the first class and upon constables of the Commonwealth

(b) To act as game protectors and as forest fish or fire wardens and for the better performance of such duties

(1) Seize all guns boats decoys traps dogs game fish shooting paraphernalia or hunting or fishing appliances or devices used taken or had in possession contrary to the laws of this State Any article so seized shall be held sub-

ject to such disposition as the Commissioner of Fisheries or the [Secretary of the Board of Game commissioners] Executive Director of the Pennsylvania Game Commission or the Secretary of Forests and Waters may respectively determine

(2) Seize and take possession of all birds animals or fish which have been taken caught or killed or had in possession or under control or which have been shipped or are about to be shipped contrary to any law of this State

(3) Search without warrant any boat conveyance vehicle or receptacle when there is good reason to believe that any law has been violated the enforcement or administration of which is imposed on or vested in the Board of Fish Commissioners or the [Board of Game Commissioners] Pennsylvania Game Commission or in the Department of Forests and Waters

(4) Serve subpoenas issued for any examination investigation or trial had pursuant to any law as aforesaid

(5) Purchase game or fish for the purpose of securing evidence

Section 906 Deputy Attorneys General In addition to such deputy attorneys general as may be appointed to assist in the conduct of the regular work of the department the Attorney General with the approval of the Governor shall have power

(a) To appoint and fix the compensation of such special deputy attorneys general as may be required to represent and advise the Workmen's Compensation Board and any other departments boards and commissions which may require the services of counsel to such an extent as to render it reasonably necessary to assign deputy attorneys general exclusively to their work Provided That the office of counsel to the [Public Service Commission of the Commonwealth of Pennsylvania] Pennsylvania Public Utility Commission shall be retained such counsel to be appointed by the Attorney General as now provided by law The Attorney General as now provided by law may also from time to time with the approval of the Governor appoint such assistant counsel to the [Public Service Commission] Pennsylvania Public Utility Commission as may be required for the proper conduct of its work The compensation of the counsel and assistant counsel of the [Public Service Commission] Pennsylvania Public Utility Commission shall be fixed by the commission with the approval of the Governor as now provided by law

(b) From time to time appoint and fix the compensation of special deputy attorneys general and special attorneys to represent the Commonwealth or any department board or commission thereof in special work or in particular cases

(c) To appoint and fix the compensation of deputy attorneys general to represent the Commonwealth and the several departments boards and commissions thereof in all legal matters arising in any city or county other than the State capital except as otherwise provided in this act Provided That the same deputy attorney general may be assigned to two or more cities or counties in the discretion of the Attorney General

Section 907 Special Attorneys in Criminal Cases When the president judge in the district having jurisdiction of any criminal proceedings before any court of oyer and terminer general jail delivery or quarter sessions in this Commonwealth shall request the Attorney General to do so in writing setting forth that in his judgment the case is a proper one for the Commonwealth's intervention the Attorney General is hereby authorized and empowered to retain and employ a special attorney or attorneys as he may deem necessary properly to represent the Commonwealth in such proceedings and to investigate charges and prosecute the alleged offenders against the law Any attorney so retained and employed shall supersede the district attorney of the county in which the case or cases may arise and shall investigate prepare and bring to trial the case or cases to which he may be assigned He shall take the oath of office required by law to be taken by district attorneys and shall be clothed with all the powers and subject to all the liabilities imposed upon them by law The compensation for services rendered and necessary expenses incurred by such attorney or attorneys shall be fixed by the Attorney General and shall be paid by the county in which the case arose

Section 1402 Pennsylvania National Guard The Department of Military Affairs has the power and its duty shall be

(a) To keep in its custody all books and accounts and military property of the Commonwealth issued by it pertaining to the Pennsylvania National Guard

(b) To distribute all orders from the Commander-in-Chief and perform such other duties as the Commander-in-Chief shall direct

(c) To make returns periodically as required of the Pennsylvania National Guard and report of their arms uniforms accoutrements and ammunition according to such forms as may be prescribed by the Secretary of War of the United States and to forward a copy thereof to the Secretary of War of the United States

(d) To pay the troops and make all other disbursements authorized by law by requisition presented to the Auditor General in the usual way

(e) To supply to all officers of the Pennsylvania National Guard such copies of drill regulations manuals of rifle practice service manuals and military publication forms and books prescribed for use of the United States Army as the Governor as Commander-in-Chief may designate

(f) To supply to all organizations of the Pennsylvania National Guard all necessary military stores arms and equipment

(g) With the approval of the Governor as Commander-in-Chief to sell or exchange from time to time such military stores belonging to the Commonwealth as are found to be unserviceable or in state of decay or which it may be deemed for the best interests of the Commonwealth to sell or exchange but if the department is unable to obtain a bid for the property it may be demolished or destroyed The destruction of the property shall be witnessed by three disinterested officers of the Pennsylvania National Guard and their certificate shall constitute proper authority to issue a voucher for marking off the property All moneys received for stores so sold shall be paid into the State Treasury through the Department of Revenue

(h) To audit and adjust all claims incident to the organization training discipline maintenance and service of the Pennsylvania National Guard other than fixed allowances and to pay such claims when audited and adjusted but all claims paid thereunder shall be subject to audit by the Department of the Auditor General

(i) Subject to the approval of the Governor as Commander-in-Chief to procure and issue from time to time to the Pennsylvania National Guard such flags standards and guidons as may be necessary which shall however as far as practical be similar in style to those of the United States Army

(j) Appoint a board of not less than three commissioned officers of the Pennsylvania National Guard for the purpose of investigating claims for damages based on injuries to persons or damages to property arising out of accident or negligence and incident to the organization training discipline maintenance and service of the Pennsylvania National Guard and upon the recommendation of the board so appointed to adjust and pay such claims for damages Provided however That each such claim shall be in an amount not exceeding two hundred and fifty dollars ($250) And provided further however That all claims paid hereunder shall be subject to audit by the Department of the Auditor General

Section 1802 Forest Powers and Duties The Department of Forests and Waters shall have the power and its duty shall be

(a) With the approval of the State Forest Commission to acquire in the name of the Commonwealth by purchase gift lease or condemnation and hold as State forests subject to the conditions of any such lease and subject to such reservations if any of mineral rights stumpage rights rights of way or other encumbrances as the

department and the State Forest Commission deem to be consistent with such holding any lands which in the judgment of the department the Commonwealth should hold manage control protect maintain utilize and regulate as State forest [Provided That the] The purchase price of any such lands shall not exceed ten dollars per acre [and that the] except the price paid for interior holdings and farms and marginal farms along State forest lands which shall not exceed twenty dollars per acre The amount expended for the acquisition of lands for State forest purposes in any biennial appropriation period shall not exceed the appropriation for that purpose for such period

(b) To purchase and hold as State forest unseated vacant or unappropriated lands lands advertised for sale for taxes and land sold for taxes as may now or hereafter be provided by law

(c) To hold manage control protect maintain utilize develop and regulate the occupancy and use of all lands heretofore or hereafter acquired owned leased and maintained as State forests together with the resources thereof

(d) To divide the State into such convenient forest districts as it deems economical and effective to administer protect develop utilize and regulate the occupancy and use of the lands and resources of the State forests to protect all forest land in the State from forest fires fungi insects and other enemies to promote and develop forestry and knowledge of forestry throughout the State to advise and assist landowners in the planting of forest and shade trees to obtain and publish information respecting forest lands and forestry in the State to assist in Arbor Day work and promote and advance any other activity in local forestry which the department may deem helpful to the public interest and to execute the rules and regulations of the department for the protection of forests from fire and depredation It may also assign district foresters to take active charge of such forests districts and also foresters forest rangers and other help for the administration of such forest districts as the Secretary of Forests and Waters may deem necessary for the accomplishment throughout the State of the purposes for which the department is established

(e) To cooperate with the authorities of townships boroughs and cities of this Commonwealth in the acquisition and administration of municipal forests as may now or hereafter be provided by law

(f) With the advice of the State Forest Commission to establish such rules and regulations not inconsistent with law for the control management protection utilization development occupancy and use of the lands and resources of the State forests as the department deems proper to conserve the interests of the Commonwealth Such rules and regulations shall be compatible with the purposes for which the State forests are created namely to provide a continuous supply of timber lumber wood and other forest products to protect the watersheds conserve the waters and regulate the flow of rivers and streams of the State and to furnish opportunities for healthful recreation to the public

The net receipts arising out of the occupancy and use of the State forests hereunder shall be paid into the State Treasury through the Department of Revenue and shall belong to and form part of the State School Fund

(g) Whenever it shall appear that the welfare of the Commonwealth with reference to reforesting and the betterment of the State forests with respect to control management protection utilization development and regulation of their occupancy and use will be advanced by selling or disposing of any of the timber on the State forests to dispose of such timber on terms most advantageous to the State Provided That the department is authorized and directed to set aside within the State forests unusual or historical groves of trees or natural features especially worthy of permanent preservation to make the same accessible and convenient for public use and to dedicate them in perpetuity to the people of the State for their recreation and enjoyment And the said department is hereby empowered with the advice of the State Forest Commission to make and execute contracts or leases in the name of the Commonwealth for the mining or removal of any valuable minerals that may be found in said State forests whenever it shall appear to the satisfaction of the department that it would be for the best interests of the State to make such disposition of said minerals And provided further That any proposed contracts or leases of valuable minerals exceeding three hundred dollars in value shall have been advertised once a week for three weeks in at least two newspapers published nearest the locality indicated in advance of awarding such contract or lease Such contracts or leases may then be awarded to the highest and best bidder who shall give bond for the proper performance of the contract as the department shall designate

(h) To appoint and with the approval of the Governor fix the compensation of a chief forest fire warden and such district forest fire wardens and to appoint and fix the compensation of such local forest fire wardens and other assistants as shall be required for the prvention control and extinction of forest fires

(i) To establish and administer auxiliary forest reserves in the manner and under such terms and conditions as may now or hereafter be provided by law

(j) To distribute young forest trees as provided by law to those desiring to plant them

(k) To furnish information and issue certificates and requisition necessary for the payment of such fixed charges in lieu of taxes on State forests and auxiliary forest reserves to school districts road districts and counties as May now or hereafter be provided by law

(l) To sell or exchange State forest land as provided by law whenever it shall be to the advantage of the State forest interests Provided that such action has been authorized by resolution of the State Forest Commission unanimously adopted at a meeting at which a majority of its members are present and voting and has been approved by the Governor

Section 1804 Waters The Department of Forests and Waters shall have the power and its duty shall be

(a) To study consider and determine upon a public policy with regard to the conservation marketing and equitable distribution of the water and power to be derived from the utilization of the water resources of the Commonwealth to the restoration development and improvement of transportation by water to the supply of water and power for municipal domestic and industrial use and to the conservation of water resources by the aid of forestation

(b) To investigate or examine dams walls wing walls wharves embankments abutments projections bridges and other water obstructions determine whether they are unsafe need repair alteration or change in their structure or location or should be removed notify owners to repair alter or change the structure or location or remove the same repair alter or change the structure or location or remove the same in emergencies without notice and at the cost of the owners and apply for injunctions to enforce compliance with or restrain the violation of the law in regard to the safety of dams or the derogatory effect of walls wing walls wharves embankments abutments projections bridges or other water obstructions upon the regiment of streams or the violation of any lawful order or notice the department of the Water and Power Resources Board in regard thereto The power of the department under this paragraph shall extend to and include all types of water obstructions regardless of the date when such obstructions were constructed and whether or not the same were constructed by express or implied permission of the Commonwealth or any agency thereof

(c) To collect such information relative to the existing conditions of the water resources of the State as in the opinion of the department shall be necessary for the utilization of waters and for the conservation purification development and equitable distribution of water and water power resources and in particular for the use of such citizens and communities as may be in need of extended facilities for these purposes

(d) To establish and maintain gauging stations on rivers and their tributaries

(e) To issue bulletins during freshet and flood conditions forcasting gauge heights and the times thereof

(f) To maintain a complete inventory of all the water resources of the Commonwealth collect all pertinent data facts and information in connection therewith classify tabulate record and preserve the same and upon the basis thereof determine with the approval of the Water and Resources Board the points at which storage reservoirs may be constructed for flood control for municipal and domestic supply hydraulic and hydoelectric power steam raising steam condensation navigation and other utilization and generally to devise all possible ways and means to conserve and develop the water supply and water resources of the Commonwealth for the use of the people thereof

(g) To construct maintain and operate works for water storage flood control channel improvement or other hydraulic purposes

Section 1806 Parks The Department of Forests and Waters shall have the power and its duty shall be

(a) To supervise maintain improve regulate police and preserve all parks belonging to the Commonwealth except the Pennsylvania State Park at Erie Washington Crossing Park Valley Forge Park and Fort Washington Park

(b) For the purpose of promoting healthful outdoor recreation and education and making available for such use natural areas of unusual scenic beauty especially such as provide impressive views water falls gorges creeks caves or other unique and interesting features to acquire in the name of the Commonwealth by purchase gift lease or condemnation any lands which in the judgment of the department should be held controlled protected maintained and utilized as State park lands Such lands may be purchased or accepted subject to the conditions of any such lease and subject to such reservations if any of mineral rights rights of way or other encumbrances as the department may deem not inconsistent with such holdings Provided however That the amount expended for the acquisition of lands for State park purposes shall not exceed the amount specifically appropriated for such purposes [nor shall the purchase cost exceed fifty dollars per acre]

(c) To establish such rules and regulations not inconsistent with law for the control management protection utilization development occupancy and use of the lands and resources of State parks as it may deem necessary to conserve the interests of the Commonwealth Such rules and regulations shall be compatible with the purposes for which State parks are created

(d) To see that conveniences and facilities for the transportation shelter comfort and education of people shall be so designed and constructed as to retain so far as may be the naturalistic appearance of State park areas surroundings and approaches and conceal the hand of man as ordinarily visible in urban industrial and commerical activities

(e) To lease for a period not to exceed ten years on such terms as may be considered reasonable to any citizen or organization of this Commonwealth a portion of any State park whether owned or leased by the Commonwealth as may be suitable as a site for temporary buildings to be used for health recreational or educational purposes or for parking areas or concessions for the convenience and comfort of the public

(f) To study counsel and advise in reference to gifts of lands or money for park purposes

(g) To counsel and advise in reference to the development of park lands by concessionaries with facilities and equipment for the accommodation and education of the public

Section 2110 Sanitary Water Board Subject to any inconsistent provisions in this act contained the Sanitary Water Board shall have the power and its duty shall be

(a) To exercise all the powers and perform all the duties vested in and imposed upon the Commissioner of Health the Governor and the Attorney General or any of them by sections four and five and sections seven to eleven inclusive of the act approved the twenty-second day of April one thousand nine hundred and five (P. L. 260) entitled "An act to preserve the purity of the waters of the State for the protection of the public health" which reads as follows

"Section 4 No person corporation or municipality shall place or permit to be placed or discharge or permit to flow into any of the waters of the State any sewage except as hereinafter provided But this act shall not apply to waters pumped or flowing from coal mines or tanneries nor prevent the discharge of sewage from any public sewer system owned and maintained by a municipality provided such sewer system was in operation and was discharging sewage into any of the waters of the State at the time of the passage of this act But this exception shall not permit the discharge of sewage from a sewer system which shall be extended subsequent to the passage of this act

"For the purpose of this act sewage shall be defined as any substance that contains any of the waste products or excrementitious or other discharges from the bodies of human beings or animals

"Section 5 Upon application duly made to the Commissioner of Health by the public authorities having by law the charge of the sewer system of any municipality the Governor of the State the Attorney General and the Commissioner of Health shall consider the case of such a sewer system otherwise prohibited by this act from discharging sewage into any of the waters of the State and whenever it is their unanimous opinion that the general interests of the public health would be subserved thereby the Commissioner of Health may issue a permit for the discharge of sewage from any such sewer system into any of the waters of the State and may stipulate in the permit the conditions on which such discharge may be permitted Such permit before being operative shall be recorded in the office of the recorder of deeds for the county wherein the outlet of the said sewer system is located Every such permit for the discharge of sewage from a sewer system shall be revocable or subject to modification and charge by the Commissioner of Health on due notice after an investigation and hearing and an opportunity for all interested therein to be heard therein being served on the public authorities of the municipality owning maintaining or using the sewage system The length of time after receipt of the notice within which the discharge of sewage shall be discontinued may be stated in the permit but in no case shall it be less than one year or exceed two years and if the length of time is not specified in the permit it shall be one year On the expiration of the period of time prescribed after the service of a notice of revocation modification or change from the Commissioner of Health the right to discharge sewage into any of the waters of the State shall cease and terminate and the prohibition of this act against such discharge shall be in full force as though no permit had been granted but a new permit may thereafter again be granted as hereinbefore provided

"Section 7 The penalty for the discharge of sewage from any public sewer system into any of the waters of the State without a duly issued permit in any case in which a permit is required by this act shall be five hundred dollars and a further penalty of fifty dollars per day for each day the offense is maintained recoverable by the Commonwealth at the suit of the Commissioner of Health as debts of like amount are recoverable by law The penalty for the discharge of sewage from any public sewer system into any of the waters of the State without filing a report in any case in which a report is required to be filed shall be fifty dollars recoverable by a like suit

"Section 8 All individuals private corporations and companies that are at the time of the passage of this act are discharging sewage into any of the waters of the State may continue to discharge such sewage unless in the opinion of the Commissioner of Health the discharge of such sewage may become injurious to the public health If at any time the Commissioner of Health considers that the discharge of such sewage into any waters of the

State may become injurious to the public health he may order the discharge of such sewage discontinued

"Section 9 Every individual private corporation or company shall discontinue the discharge of sewage into any of the waters of the State within ten days after having been so ordered by the Commissioner of Health

"Section 10 Any individual private corporation or company that shall discharge sewage or permit the same to flow into the waters of the State contrary to the provisions of this act shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine of twenty-five dollars for each offense and a further fine of five dollars per day for each day the offense is maintained or by imprisonment not exceeding one month or both at the discretion of the court

"Section 11 Any order or decision under this act of the Commissioner of Health or that of the Governor Attorney General and Commissioner of Health shall be subject to an appeal to any Court of Common Pleas of the county wherein the outlet of such sewer or sewer system otherwise prohibited by this act is situated and said court shall have power to hear said appeal and may affirm or set aside said order or decision or modify the same or otherwise fix the terms upon which permission shall be granted But the order or decision appealed from shall not be superseded by the appeal but shall stand until the order of the court as above"

Provided That it shall require the affirmative votes of three of the members of the board to authorize the granting of a permit for discharging sewage into any of the waters of the State under section five of the said act

(b) To exercise all other powers not contrary to law formerly exercised by the Department of Health or the Commissioner of Health with regard to granting permits for the erection of sewage disposal works or plants and the construction of sewers or sewer systems

(c) To exercise all the powers not contrary to law exercised by the former Department of Fisheries the former Commissioner of Fisheries and the former Water Supply Commission of Pennsylvania with regard to the prevention of pollution of the waters of this Commonwealth

(d) To investigate hold hearings upon and determine any question of fact regarding the purity of water supplied to the public by any [public service company] public utility over which the [Public Service Commission] of the Commonwealth of Pennsylvania] Pennsylvania Public Utility Commission has jurisdiction whenever said commission shall certify such question to the board

The findings of the board upon any such questions shall be incorporated in and made a part of the determination or decision of said commission of the controversy or other proceeding in connection with which the question arose and shall be binding upon the parties to such controversy or other proceeding unless either party shall take an appeal from the commission's determination or decision as may now or hereafter be provided by law

(e) To make rules and regulations for the effective administration and enforcement of the laws of this Commonwealth prohibiting the pollution of the waters thereof

(f) To study investigate and from time to time report ways and means of eliminating from the streams and waters of the Commonwealth so far as practicable all substances and materials which pollute or tend to pollute the same and to determine and recommend methods of preventing pollution detrimental to the public health or to the health of animals fish or aquatic life or detrimental to the use of waters for recreational purposes The board shall have the power to investigate the character of all wastes discharged into or deposited on the banks of the streams or waters of the Commonwealth and shall make similar investigations and recommendations with regard to the matter of preventing pollution of the waters of interstate streams which touch the boundaries of the Commonwealth

(g) To call upon the Department of Health to make such inspections conduct such investigations and to do such other acts as may be necessary and proper in the exercise of the powers and the performance of the duties of the board

Section 2304 Visitations and Inspections The Department of Welfare shall have the power and its duty shall be

(a) To make and enforce rules and regulations for the visitation examination and inspection of all supervised institutions

(b) To visit and inspect at least once in each year all State and supervised institutions to inquire and examine into their methods of instruction discipline detention imprisonment care or treatment the care treatment government or management of their inmates or those committed thereto or being imprisoned detained treated or residing therein the official conduct of their inspectors trustees managers directors or other officer or officers charged with their management by law or otherwise or having the management care custody or control thereof the buildings grounds premises and equipment thereof or connected therewith and all and every matter and thing relating to their usefulness administration and management and to the welfare of the inmates thereof or those committed thereto or being imprisoned detained treated or residing therein

For these purposes the Secretary of Welfare or other officer inspector or agent of the department shall have free and full access to the grounds premises and buildings of and to all the records books or papers of or relating to any such State or supervised institution and full opportunity to interrogate or interview any inmate thereof or any person or persons committed to or being imprisoned detained treated or residing therein and all persons connected with any such State or supervised institution as officers or charged with the management thereof by law or otherwise or in any way having the care custody control or management thereof or connected therewith as employes are hereby directed and required to give to the Secretary of Welfare or to such officer inspector or agent of the department such means facilities and opportunity for such visitation examination inquiry and interrogation as is hereby provided and required or as the department by its duly ordained rules or regulations may require

(c) Whenever upon the visitation examination and inspection of any State or supervised institution any condition is found to exist therein which in the opinion of the department is unlawful unhygienic or detrimental to the proper maintenance and discipline of such State or supervised institution or to the proper maintenance custody safety and welfare of the inmates thereof or of the persons committed thereto or being treated detained or residing therein to direct the officer or officers charged by law with or in any way having or exercising the control government or management of such State or supervised institution to correct the said objectionable condition in the manner and within the time specified by the department whereupon it shall be the duty of such officer or officers to comply with the direction of the department If such officer or officers shall fail to comply with such direction the department may request the Department of Justice to institute appropriate legal proceedings to enforce compliance therewith or the department may withhold any State money available for such institution until such officer or officers comply with such direction

(d) To cause to be visited and examined any person found by an inquisition to be insane and to authorize such visiting and examining by an officer or agent of the department or any board of visitors or by a physician and to apply to the court having jurisdiction over the committee or guardian of such insane person or to a judge of a Court of Common Pleas of the county in which the insane person is a resident or detained to make such orders for the maintenance custody or care of the insane person and for the care and disposition of the property of the insane person as the case may require

Section 2307 Recommendations The Department of Welfare shall have the power and its duty shall be from time to time to recommend and bring to the attention of the officers or other persons having the management of the State and supervised institutions such standards and methods as may be helpful in the government and administration of such institutions and for the betterment

of the inmates therein whereupon it shall be the duty of such officers or other persons to adopt and put into practice such standards and methods

Section 2311 Restoration The Department of Welfare shall have the power and its duty shall be

(a) To require and supervise the transfer of inmates [of one penitentiary to another under any law providing therefor] from one State penal or correctional institution to any other State penal or correctional institution

(b) To formulate and put into operation plans for the classification of State penal or correctional institutions and also to formulate and put into operation a program for the classification of inmates so that the inmates may be grouped in those institutions which have the proper facilities

[(b)] (c) To request from any or all magistrates chiefs of police sheriffs district attorneys courts judges probation officers and all others concerned in the control apprehension trial and punishment of criminals and delinquents in this Commonwealth periodical reports as to the number and kind of crimes reported the numbers age sex color nativity and offenses of criminals and delinquents arrested tried and otherwise disposed of the sentences imposed and whether executed or suspended the number placed on probation and the reason therefor the number of probation officers and the nature of the oversight exercised over those placed on probation and for the purpose of verifying the reports so made the department shall have the power to make such further inquiry or investigation as may seem to it necessary and it shall be the duty of all such migistrates and other officers to make such reports at such time or times and to furnish such facilities for investigation and such cooperation as the department may require

Section 2312 Inmate Labor The Department of Welfare shall have the power and its duty shall be

(a) To establish maintain and carry on industries in the Eastern State Penitentiary the Western State Penitentiary the Rockview Penitentiary the new Eastern State Penitentiary at Graterford the Pennsylvania Industrial Reformatory at Huntingdon and such other penal or correctional institutions of this Commonwealth as it may deem proper in which industries all persons sentenced to such institutions who are physically capable of such labor may be employed at labor for not to exceed eight hours each day other than Sundays and public holidays Such labor shall be for the purpose of doing printing or of manufacturing and producing supplies or for the preparation and manufacture of building material for the construction or repair of any State institution or in the work of such construction or repair or for the planting of seed trees or the performance of other work in State forests or for the purpose of industrial training or instruction or in the manufacture and production of crushed stone brick tile and culvert pipe or other material suitable for draining roads of the State or in preparation of road building and ballasting material

(b) To determine the amount kind and character of the machinery to be erected in each of the said penitentiaries reformatory or other penal or correctional institutions of the Commonwealth and the industries to be carried on therein having due regard to the location and convenience thereof with respect to other institutions to be supplied to the machinery therein and the number and character of inmates

(c) To contract to sell or sell the article manufactured or produced in the said industries carried on in the said penitentiaries reformatory or other penal or correctional institutions which cannot be used therein to the Commonwealth or to any county city borough township school district or poor district thereof or to any State institution or to any educational or charitable institution receiving aid from the Commonwealth or to the Government of the United States or any department bureau commission or agency thereof or to any other State or political subdivision thereof or to any institution receiving aid from the Government of the United States or of any other State

(d) To arrange for the employment of inmates of such institutions at such work or labor wihtin or upon the grounds of such institutions as may be necessary for the maintenance of the institutions or the raising of food products therefor

(e) To charge to each such institution such rate per diem as may be paid by the department to such inmate hereunder for his services for the work or labor of each inmate engaged in work or labor within or upon the grounds of such institution for the maintenance of the institution or the raising of food products therefor

Also to collect from each such institution for any manufactured supplies or products used by it the same price per article used as it would receive upon the sale of such article in similar quantities to the Commonwealth or any other agency to which it is authorized to sell articles manufactured or produced by inmate labor All amounts collected by the Department of Welfare from such institutions hereunder shall be paid through the Department of Revenue into the Manufacturing Fund in the State Treasury and all such amounts shall be considered a part of such institutions' maintenance expense

(f) To charge to each such institution in like manner for the labor of all inmates engaged in preparing materials for the construction of buildings or in doing construction work such payments to be made by the institutions out of funds available for construction work All moneys received hereunder shall be paid into the Manufacturing Fund through the Department of Revenue

(g) Through the Department of Revenue to pay into the Manufacturing Fund the proceeds of all sales of manufactured products made under this section and all moneys received for the labor of inmates in State forests or elsewhere than on the grounds of the institutions This clause shall not however apply to the sale of surplus foods products or products of the soil as elsewhere in this act permitted

(h) To pay out of the Manufacturing Fund [for the machinery equipment and material required or used in the carrying on of the industries in the said penitentiaries reformatory or other institutions under the provisions hereof and all salaries of superintendents managers salesmen clerks and others employed in the management of the industries and the wages as hereinafter provided for the labor of the inmates of said penitentiaries reformatory or other institutions in such industries] all expenses necessary for the proper conduct of the work of the department pertaining to the establishment maintenance and carrying on of industries in the State penal and correctional institutions including the payment of salaries wages and other compensation of superintendents managers supervisors chairmen clerks assistants and other employes engaged in the operation and management of such industries the payment of wages for the labor of inmates of such institutions the payment of rentals and other expenses for offices rooms garage space and other accommodations outside of the Capitol buildings either in or outside the City of Harrisburg the erection construction alteration or repair of buildings necessary to house such industries the payment of premiums for workmen's compensation insurance covering officers and employes and for surety bonds for such officers and employes as may be required by law to furnish such bonds the purchase and the payment of the operating cost of motor vehicles required for full-time use including premiums and liability insurance covering such motor vehicles ofr officers and employes operating them the payment of mileage charges to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use the purchase of machinery equipment furniture materials supplies and commodities the payment of charges to the Department of Property and Supplies for any purchases or service made through the Puchasing Fund and for the payment of all other necessary expenses

Estimates of the amounts to be expended from the Manufacturing Fund shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations and it shall be unlawful for the Department of the Auditor General to honor any requisition for expenditures or moneys out of this appropriation in excess of the estimates approved by the Governor Subject to this provision the Department of the Auditor General shall from time to time draw warrants

upon the Treasury Department for the amounts specified in such requisitions not exceeding however the amount in the Manufacturing Fund at the time of the making of any such requisitions

(i) To require that an account shall be kept by the proper officers of each said penitentiary reformatory and other correctional institution of the labor performed by inmates In such account shall be shown the time each inmate is actually engaged in work the rate of wage at which he is to be paid which shall be regulated by the department In no case shall the amount be less than ten cents for each day of labor actually performed The rate of compensation shall be based both upon the pecuniary value of the work performed and also on the willingness industry and good conduct of the inmate All amounts payable to inmates hereunder shall be paid to the institution out of the Manufacturing Fund to be disbursed or held by such institution in the manner following

Three-fourths of the amount of wages payable to an inmate of such penitentiary reformatory or other institution or the entire amount if the inmate so wishes shall constitute a fund for the relief of any person or persons dependent upon such inmate and shall be paid upon the order of the board of trustees of the penitentiary reformatory or other institution in which the inmate is a prisoner to the person or persons establishing such dependency to the satisfaction of such board at such time or times as said board may order

All sums credited to any inmate and not paid to a dependent or dependents shall be paid to the inmate on his discharge from the penitentiary reformatory or other institution in which he was a prisoner Provided however That subject to the rules and regulations of the board of trustees of the penitentiary reformatory or other institution in which such inmate is a prisoner the whole or any part of said sum may be paid to him during his imprisonment for his present needs such rules and regulations to be subject to the approval of the department

(j) To have and exercise supervision over the labor employed in the aforesaid industries and to make rules and regulations for carrying on such industries

(k) To the extent to which it is unable to provide work for every physically able inmate of such institutions to authorize the several boards of trustees of such institutions to permit inmates to engage in such work or industries as the department may approve and which they are able to provide from other sources but all such work shall be performed the products thereof sold and the proceeds thereof disposed of under the rules and regulations of the department covering the same

(l) To supervise the establishment in other State institutions of industries classes in occupational therapy and other means for the employment and training of inmates or patients

Section 2315 State Institutions With regard to State institutions the department shall have the power and its duty shall be

(a) To determine the capacity of such institutions

(b) To determine and designate the type of persons to be received by such institutions the proportion of each type to be received therein and the districts from which persons shall be received by such institutions

(c) To issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of such institutions for the payment out of moneys specifically appropriated to the department for the purpose of the expenses of administering operating maintaining and developing such State institutions

(d) To require the submission to the department of any contract for repairs alterations or equipment which any such State institution desires to make and to approve or disapprove such proposed contract No such contract shall be vaild without the approval of the department as evidenced by the signature of the Secretary of Welfare

(e) To fix and establish charges for all services rendered by State-owned medical and surgical hospitals

Section 2318 Boards of Trustees of State Institutions The board of trustees of each State institution within the Department of Welfare shall have general direction and control of the property and management of such institution It shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a superintendent or warden of the institution who shall subject to the authority of the board administer the institution in all its departments [and if the board shall deem it advisable a business manager]

(b) On nomination by the superintendent or warden from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The boards of trustees of the several State institutions shall exercise the foregoing powers in the management of the following institutions

Board of Trustees of Eastern State Penitentiary of Eastern State Penitentiary at Philadelphia

Board of Trustees of Western State Penitentiary of Western State Penitentiary at Pittsburgh and of the State Penitentiary at Rockview

Board of Trustees of Pennsylvania Industrial School of Pennsylvania Industrial Reformatory hereafter to be known as Pennsylvania Industrial School at Huntingdon

Board of Trustees of State Industrial Home for Women of State Industrial Home for Women at Muncy

Board of Trustees of Pennsylvania Training School of Pennsylvania Training School at Morganza

Board of Trustees of Allentown State Hospital of Homeopathic State Hospital for the Insane at Allentown

Board of Trustees of Danville State Hospital of State Hospital for the Insane at Danville Pennsylvania

Board of Trustees of Farview State Hospital of State Hospital for the Criminal Insane at Farview.

Board of Trustees of Harrisburg State Hospital of Harrisburg State Hospital at Harrisburg

Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown

Board of Trustees of Warren State Hospital of State Hospital for the Insane at Warren Pennsylvania

Board of Trustees of Wernersville State Hospital of State Asylum for the Chronic Insane of Pennsylvania at South Mountain

Board of Trustees of Torrance State Hospital of Western State Hospital for the Insane Torrance

Board of Trustees of Ashland State Hospital of State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania at Ashland

Board of Trustees of Blossburg State Hospital at Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg

Board of Trustees of Coaldale State Hospital of State Hospital at Coaldale Schuylkill County

Board of Trustees of Connellsville State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville

Board of Trustees of Hazleton State Hospital of State Hospital of the Middle Coal Field of Pennsylvania at Hazleton

Board of Trustees of Nanticoke State Hospital of State Hospital of Luzerne County at Nanticoke

Board of Trustees of Philipsburg State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Philipsburg

Board of Trustees of Scranton State Hospital of State Hospital of the Northern Anthracite Coal Regions of Pennsylvania at Scranton

Board of Trustees of Shamokin State Hospital of State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin

Board of Trustees of Locust Mountain State Hospital of Locust Mountain State Hospital at Shenandoah

Board of Trustees of Laurelton State Village of Penn-

sylvania Village for Feeble-Minded Women at Laurelton
Board of Trustees of Pennhurst State School of State Institution for the Feebleminded and Epileptic of Eastern Pennsylvania at Pennhurst
Board of Trustees of Polk State School of State Institution for the Feeble-Minded of Western Pennsylvania at Polk
Board of Trustees of Selinsgrove State Colony for Epileptics of the State Colony for Epileptics at Selinsgrove

Section 2319 [Board of Trustees of Cumberland Valley State Institution for Mental Defectives The Board of Trustees of Cumberland Valley State Institution for Mental Defectives shall when and as the legislature shall appropriate money for the purpose cooperative [cooperate] with the Department of Property and Supplies as provided in this act in the erection on the property at New Cumberland Cumberland County Pennsylvania acquired by the Commission for the Selection of a Site and the Erection of a State Institution for Inebriates of a State institution for mental defectives

Upon the completion of such institution the board of trustees shall manage and control the same as provided in the proceeding section of this act Provided That the Superintendent of such institution shall always be a physician experienced in the treatment of mental diseases and mental defectives] New Pennsylvania Industrial School and Maximum Security State Prison Upon the erection construction and completion of the new Pennsylvania Industrial School and the Maximum Security State Prison pursuant to law the Department of Welfare shall manage and control the same and shall have such powers and duties with respect thereto as are provided by law

Section 2402 Grounds Building and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

(a) Subject to the powers by this act vested in the Board of Commissioners of Public Grounds and Buildings to control and supervise the State Capitol Buliding and the public grounds and buildings connected with the State Capitol including the State Arsenal] and the Executive Mansion and to make or supervise the making of all repairs alternations and improvements in and about such grounds and buildings including the furnishing and refurnishing of the same and also to have general supervision over repairs alterations and improvements to all other buildings lands and property of the State except as in this act otherwise provided

(b) To employ such captains sergeants of police and police officers as may be necessary to preserve good order in the Capitol grounds and buildings and fix their compensation Provided however That the number and compensation of such captains sergeants and officers shall be subject to the approval of the Governor Such captains sergeants and officers shall be known as the Capitol Police

(c) To employ such help as may be reasonably necessary for the cleaning care and preservation of the Capitol grounds and buildings and the furnishings therein for operating the mechanical plants in the Capitol buildings and the Executive Mansion and for service at the Executive Mansion

(d) To contract in writing for and rent proper and adequate offices rooms or other accommodations outside of the Capitol buildings for any department board or commisison which cannot be properly and adequately accommodated with offices rooms and accommodations in the Capitol buildings and in all cases in which the head of a department for such department or for a departmental administrative board or commission within such department or an independent administrative board administrative board or commission with the approval of the Executive Board has established or is about to establish a branch office in any city or place outside of the capital city with the approval of the Board of Commissioners of Public Grounds and Buildings to contract in writing for and rent such offices rooms and other accommodations as shall be proper and adequate for such department board or commission The department shall rent such garages or contract for such garage space as may be necessary for the accommodation of State-owned automobiles either in or outside of the capital city at such rentals or rates as it shall deem reasonable The department may also if the General Assembly shall have appropriated funds therefor lease any lands which may be necessary for use by any department board or commission in the exercise of its powers or the performance of its duties It shall be unlawful for any other department board commission or agency of the State Government to enter into any leases but the Department of Property and Supplies shall act only as agent in executing leases for departments boards and commissions the expenses of which are paid wholly or mainly out of special funds and in such cases the rentals shall be paid out of such special funds

(e) To employ and with the approval of the Governor fix the compensation of such capable superintendents of construction engineers or inspectors as may be necessary properly to supervise building repairing altering adding to or improving State buildings in cases in which the work is not being done directly by or under contract with the Department of Property and Supplies Such superintendents engineers or inspectors shall see that the plans and specifications prepared and adopted for such new buildings or for repairs alterations additions or improvements to existing buildings shall be faithfully carried out and shall be subject to appeal to and final decision by the head of the department define determine and decide all questions of the proper interpretation of the plans and specifications which may be raised during the progress of the work

(f) Out of funds appropriated to the department therefor to purchase or condemn land with or without buildings thereon for the purpose of adding the same to any of the public lands or parks or for use as sites for or in connection with arsenals armories military reservations intermediate landing fields hospitals normal schools teachers' colleges penal or correctional institutions or other institutions of the Commonwealth whenever in the judgment of the Governor the purchase or condemnation of such land is necessary or whenever such purchase or condemnation shall have been authorized by law and an appropriation shall have been made therefor The condemnation of land hereunder shall be in the manner provided by the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred seventy-six entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor" its amendments and supplements Except as otherwise in this act expressly provided no other department board or commission of the State Government shall hereafter exercise the right of eminent domain for any of the purposes aforesaid any other act of Assembly heretofore enacted to the contrary notwithstanding

(g) To erect or supervise the erection of all monuments which may now or hereafter be authorized by law and to maintain and care for all monuments belonging to the Commonwealth which may now or hereafter be erected Provided That with regard to any monument which comes within the jurisdiction of an advisory board in the Department of Property and Supplies the exercise of the powers hereby vested in the department shall be subject to approval or disapproval by such advisory board

(h) Whenever loss or damage by fire or other casualty shall occur to any structure building equipment or other property owned by the Commonwealth and be reported to the department to make an examination thereof and in its discretion subject only to the approval of the Governor to rebuild restore or replace the property damaged or destroyed and for that purpose to have plans and specifications prepared and contracts executed and to supervise the erection construction or replacement thereof such rebuilding restoration or replacement to be in substantial accord with the original character use and purposes of the property damaged or destroyed The cost of the materials furnished and work and labor performed under such contracts shall be certified by the department to the

Auditor General who shall issue his warrant against the State Insurance Fund of this Commonwealth which warrant shall be paid by the State Treasurer in the manner provided by law Provided That whenever the department shall have taken such action as will involve expenditures from said fund it shall forthwith certify the probable amount of expenditure to the State Treasurer who shall forthwith take such action as is necessary to provide funds sufficient to meet the obligations so entered into

(i) To rent to individuals firms or corporations such real estate owned by the Commonwealth as is not being used in connection with the work of any department board or commission thereof upon such terms and conditions as the Secretary of Property and Supplies may prescribe with the approval of the Governor in writing Provided however That no lease executed under the authority hereby conferred shall be for a longer term than one year and so on from year to year

(j) From time to time to rent to persons associations or corporations upon such terms as shall be approved by the Board of Commissioners of Public Grounds and Buildings the auditorium in the South Office Building Number Two when it shall not be required for the Commonwealth's use

(k) To establish standards for and supervise generally the operation of all mechanical and electrical equipment used in connection with the operation of any State institution or other State building

Section 2403 Standards and Purchases The Department of Property and Supplies shall have the power and its duty shall be

(a) To formulate and establish standards or specifications whenever practicable for articles materials supplies furnishings and equipment used by administrative departments independent administrative departmental administrative and advisory boards and commissions but no specification shall be fixed as a standard until it shall be approved by a majority of the departments boards and commissions using the article material or supply described in the specifications

(b) To enter into contracts for supplying all stationery printing paper and fuel used in the legislative and other departments of the Government and for repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees All such contracts shall be awarded to the lowest responsible bidder below such maximum price and under such regulations as are prescribed by this act and shall be subject to the approval of the Governor the Auditor General and the State Treasurer

(c) To purchase in like manner (exclusive of the requirement as to maximum price) all other furniture materials or supplies required by the legislative and other departments of the State Government except as otherwise provided in this act

(d) To distribute stationery paper and fuel to the legislative and other departments of the government and arrange for the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees upon requisition of the Governor or of the appropriate administrative department or independent administrative board or commission or the proper officer of the General Assembly or of the judicial department as the case may be Provided That all requisitions for furniture materials or supplies required by any department administrative board commission or officer or any advisory board or commission shall be made by the administrative department with which such departmental administrative board commission or officer or such advisory board or commission is connected And provided further That the department shall not without the consent of the Governor honor any requisition from any administrative department board or commission after the amount of any biennial appropriation for furniture stationery materials and supplies allocated to such department board or commission by the Governor shall have been expended for such department board or commission

(e) To act as the purchasing agency for any administrative department or independent administrative or departmental administrative board or commission which by law is authorized to purchase materials or supplies and pay for the same out of fees or other moneys collected by it or out of moneys specifically appropriated to it by the General Assembly except that all departments boards and commissions requiring perishable food-stuffs [or fuels] for use in State institutions may purchase such food-stuffs [and fuel] directly and any department board or commission having charge of a State institution which is able after competitive bidding to purchase any article for a less price f o b the institution than the price at which such article can be furnished by the Department of Property and Supplies f o b the institution may purchase such article directly All purchases made by the Department of Property and Supplies as purchasing agency under this clause shall conform to schedule unless the Board of Commissioners of Public Grounds and Buildings shall specifically authorize a departure from schedule and all purchases made directly for any State institution shall conform to the specification contained in the schedules or if the article be not included in the schedules then to the standard specification if any adopted by the Department of Property and Supplies for the commodity purchased unless the Board of Commissioners of Public Grounds and Buildings shall have specifically authorized a departure from such specification

(f) To collect and furnish on request market prices and such other information as will be serviceable in purchasing to any institution receiving State funds directly or indirectly

(g) To authorize any other department or any board or commission to make direct purchases in the field not exceeding a specified amount but the department shall require records of all such purchases to be transmitted to it periodically in such form as it may prescribe In so far as practicable purchases under this paragraph shall be made from contractors having effective supplies contracts with the Department of Property and Supplies and shall be in accordance with applicable specifications in such contracts otherwise such purchases shall be made from the lowest of at least two bidders

Section 2404 Bonds and Liability Insurance The Department of Property and Supplies shall have the power and its duty shall be

(a) To procure from a corporation or corporations authorized by law to act as sureties in the Commonwealth of Pennsylvania good and sufficient bonds which shall be approved by the Attorney General and filed with the State Treasure to meet the requirements of law in the case of all State officers and employes required by statute to give surety bonds to the Commonwealth for the faithful performance of their official duties or to account for State funds in their possesion Provided That if and when the Commonwealth shall establish its own indemnity fund such bonds shall be purchased only in such cases as the Executive Board may require

(b) To produce liability insurance covering vehicles owned by the Commonwealth and operated by State officers or employes or State officers or employes operating vehicles loaned by the Federal government and in its discretion excess fire insurance on State buildings and any other kind of insurance which it may be lawful for the Commonwealth or any department board commission or officer thereof to carry and for which an appropriation has been made to the department

The department shall pay for such insurance out of the moneys appropriated to it except that it shall not pay for insurance covering officers employes or property of the departments boards and commissions whose expenses are wholly paid out of funds other than the General Funds of the State Treasury and except officers employes and property of State institutions Insurance covering the officers employes and property of such departments boards and commissions shall be paid for out of the special funds appropriated to them and insurance covering the officers employes and property of State institu-

tions shall be paid for out of the moneys appropriated for their maintenance

All automobile liability insurance procured by the Department of Property and Supplies hereunder shall protect both the Commonwealth and the State officer or employe opertaing the vehicle against claims for damages for injury to person or property within such limits as the department with the approval of the Executive Board shall prescribe

Section 2405 Sale of Unserviceable Property The Department of Property and Supplies shall have the power and its duty shall be to receive from the several administrative departments and independent administrative and departmental administrative boards and commissions unserviceable personal property of this Commonwealth to issue a receipt therefor make a complete record thereof and if no other department board or commission is able to make use of the same presently then as soon as convenient to sell the same either at public auction or private sale in the city of Harrisburg or elsewhere as may be deemed advisable Except in the case of perishable property such sales shall if the department deems it feasible in view of the value of the property involved be advertised in not exceeding five newspapers of the Commonwealth once a week for three weeks such advrtisements to state the time place and conditions of any such sale but if after such advertising the department is unable to obtain a bid for the property it may be demolished or destroyed Provided That when the unserviceable property is located [at a State institution] outside the city of Harirsburg the [department] Department of Property and Supplies in its discretion may authorize [such institution] the department board or commission having possession of the same without advertising to obtain at least two bids in the locality where the property is located Such bids shall be referred to the [department] Department of Property and Supplies and if it believes that the property will not realize a higher net sale price if transported to the Capitol for sale the department may authorize the [institution] department board or commission having possession of the same to sell the property locally to the highest bidder to take a proper receipt therefor and to transmit the proceeds to the [department] Department of Property and Supplies to be by it paid into the State Treasury through the Department of Revenue And provided further That whenever any department board or commission shall deliver to the Department of Property and Supplies any unserviceable personal property and at the same time requisition the said department to furnish new property of a similar character to replace the unserviceable property delivered as aforesaid or request said department as purchasing agency to purchase new property of a similar character the Department of Property and Supplies [with the approval of the Board of Commissioners of Public Grounds and Buildings] shall endeavor to exchange the unserviceable property for or on account of the purchase price of the new property about to be purchased but such unserviceable property shall not be delivered for or on account of the purchase price of any property at a lower valuation than the price which such unserviceable property would bring if sold in the open market for cash and to the extent that advertising any such unserviceable property for sale may be necessary to establish its market value the Department of Property and Supplies is authorized and directed to advertise as hereinabove provided The Department of Property and Supplies shall obtain from the person partnership or corporation to which any personal property is delivered in exchange under the authority of this section a receipt therefor describing such personal property and specifying the value at which it was taken in exchange and such receipt shall be delivered to the Auditor General attached to the requisition for the payment of the balance of the purchase price due for the new property purchased The proceeds of sales of personal property hereunder shall be transmitted by the Department of Property and Supplies to the Department of Revenue which shall transmit it to the Treasury Department to be credited to the fund out of which the property sold was originally purchased

Section 2406 Publications The Department of Property and Supplies shall have the power and its duty shall be

(a) To edit for publication all reports bulletins and other publications of the various departments boards and commissions of the State Government

(b) With the approval of the President pro tempore of the Senate and the Speaker of the House to determine the size and character of the various publications to be printed for the use of the General Assembly Provided That the quantity of any new publication for the members and officers of the General Assembly shall be fixed by act or resolution And provided That the members and officers of the General Assembly shall receive not less than the same number of advance sheets of the laws bills calendars journals Pamphlet Laws department reports and other publications as is now authorized by law which shall be distributed to the members and officers of the General Assembly only on the requisition of the librarian of the Senate and the resident clerk of the House of Representatives

With the approval of the Governor to determine the need size character quantity and method of distribution of the various publications to be printed for the use of or distribution by the several departments boards commissions and other agencies engaged in the administrative work of the State Government Provided That in the case of reports made by the several departments boards of commissions the department board or commission making the report shall be consulted with regard to the need size character quantity and method of distribution of such reports

With the approval of the Governor and of the Chief Justice of the Supreme Court of Pennsylvania to determine the size character quantity and method of distribution of the various publications to be printed for the use of the judicial department

Unless specifically authorized by act or resolution no public printing and binding shall be ordered performed or furnished by the department for the General Assembly or any department board commission or other agency of the State Government until a requisition for said work or materials has been presented to the department duly signed by the chief clerk or librarian for the Senate the chief clerk or president clerk for the House of Representatives or the head or the person or persons who may be given such authority by the head of the department or the chief executive officer or other authorized representative of the board commission or other agency of the State Government making such requisition

(c) To compile and edit a State Manual which shall be published annually or biennially under such name as the department and the Governor shall determine The members and officers of the Senate and House of Representatives shall be given for distribution of said publication not less than the number that they were heretofore given of Smull's Legislative Hand Book The number to be published for the several State departments boards and commissions shall be fixed by the department with the approval of the Governor If in the judgment of the department it is deemed advisable to publish copies of said manual in addition to those herein authorized which can be sold at the cost of printing and binding the department is authorized to publish such additional copies and pay the amount realized from the sale of same to the State Treasurer through the Department of Revenue

(d) To enter into contracts for furnishing all printing used in the legislative and other departments of the government and the printing binding and distributing of the laws journals department reports and all other printing and binding lithographing cuts plates dies and supplies and material incident thereto which contracts shall be given to the lowest responsible bidder below such maximum price and under such regulations as are prescribed by this act and shall be subject to the approval of the Governor Auditor General and State Treasurer

(e) To distribute all documents upon requisition of

the persons entitled to make requisition therefor by causing the same to be packed in packages or boxes addressed as reqired in the requisition and delivered personally at the office of the department or free at the post office express or freight office indicated in the requisition Provided That the department shall not without the consent of the Governor honor any requisition from any administrative department board or commission after the amount of any biennial appropriation for documents allocated to such department board or commission shall have been expended for such department board or commission

(f) To furnish blank requisition forms at cost to all persons entitled to make requisitions upon the department for documents stationery furniture or supplies of any character

(g) From time to time to solicit by advertising proposals for the purchase of all waste paper documents and other materials that have been accumulated and are no longer needed and the department is hereby authorized to make sale thereof by contract or contracts to the highest bidder upon such terms and conditions as it shall determine but the department shall have the right to reject any and all proposals for the sale The proceeds of any such sale shall be paid into the General Fund in the State Treasury through the Department of Revenue

(h) To publish advance sheets of the Pamphlet Laws and to transmit one copy thereof by mail to each department board and commission of the State Government to each prothonotary and to each law judge of the courts and to every county and public library of this Commonwealth and to each member of the General Assmbly Such copies shall be furnished without charge The department shall also mail to any persons who shall pay to it the sum of five dollars on ecopy of each such law enacted during any legislative session All moneys received hereunder shall be paid into the General Fund in the State Treasury through the Department of Revenue

(i) To copyright in the name of the Commonwealth all publications of the Commonwealth or of any department board or commission or officer thereof including the State Reports which under existing or future laws it shall be necessary to have copyrighter and such other publications as the Secretary of Property and Supplies with the approval of the Governor shall deem it advisable to copyright

(j) To distribute to the public upon payment to the department of such sum per copy as shall cover the cost of publication any documents published by the department for the Commonwealth or any department board commission or officer thereof which shall cost more than five cents per copy to publish except documents published for the Governor and the General Assembly which shall be distributed without charge as heretofore To administer this subsection the department may publish for free distribution to applicants therefor a price-list showing the publications which the department is prepared to furnish to the public and the charges for each such document All moneys collected by the department hereunder shall be paid through the Department of Revenue into the General Fund in the State Treasury except that if the cost of publishing any document sold by the department hereunder shall have been paid out of any special fund in the State Treasury the proceeds of the sale thereof shall be paid into such special fund through the Department of Revenue

Section 2407 Automobiles The Department of Property and Supplies shall upon the effective date of this act take over and thereafter assume responsibility for the maintenance and operation of all automobiles owned by the Commonwealth or any administrative department board or commission thereof except the Department of Highways

After the effective date of this act all automobiles required for use by the administrative departments boards commissions and officers of the State Government shall be purchased by the Department of Property and Supplies but in purchasing automobiles required for the use of any department board or commission having authority to purchase automobiles out of money appropriated to it the Department of Property and Supplies shall act as purchasing agency

The Department of Property and Supplies shall make or contract for the making of all repairs to automobiles owned by the Commonwealth except those operated by the Department of Highways unless in any case it shall specifically authorize any department board commission or officer to make or order the making of repairs to any specified automobiles and except emergency repairs necessarily made while any automobile is away from its garage

The Department of Property and Supplies may assign to any department board or commission such automobiles as may be required by it for full-time daily use and such automobiles shall be operated by employes of such departments boards or commissions The Department shall maintain a sufficient number of automobiles not assigned to departments boards or commissions to meet the requirements of departments boards and commissions which do not require the full-time daily use of automobiles and to meet extraordinary and occasional demands of all departments boards and commissions other than the Department of Highways Such automobiles with or without chauffeurs shall be furnished to departments boards or commissions upon requisition of the heads of the respective boards or commissions This paragraph the respective boards or commissions This paragraph shall not be construed to prohibit a State officer or employe from being reimbursed for the use of his own automobile on State business but all such reimbursements shall be made under and subject to the rules of the Executive Board regulating the payment of expenses to State officers and employes

The cost of oil gasoline tires repairs parts for and repairs to automobiles permanently assigned to departments boards and commissions shall be paid out of the appropriations to such departments boards and commissions but the Department of Property and Supplies shall contract for all such oil gasoline tires repair parts and repairs except that repairs may be made by the Department of Highways and if authorized as hereinbefore provided by other departments and by boards and commissions For the use of other automobiles departments boards and commissions shall be billed by the Department of Property and Supplies upon a mileage basis at such amount per mile as the Department of Property and Supplies with the approval of the Governor shall determine Amounts payable for the use of such automobiles shall be paid out of the appropriations to such departments boards or commissions to the Department of Property and Supplies and shall be by it paid into the General Fund of the State Tresaury through the Department of Revenue

The Department of Property and Supplies shall require every administrative department including the Department of Highways and every independent administrative and departmental administrative board or commission to report to it monthly upon forms supplied by it and with such detail as it shall require the places to and from which each automobile was operated the mileage traveled the amount of oil and gasoline purchased the names of employes of the department board or commission operating each automobile the names of the employes of the department board or commission for whom the automobiles were operated and such other information as may be necessary to enable the Department of Property and Supplies to hake and keep complete records of the use and cost of operation of all State automobiles except that it shall not be necessary for the Department of the Auditor General the Treasury Department or the Pennsylvania State Police to report the places to and from which or the names of the persons by or for whom automobiles were operated

The types and number of automobiles to be purchased by the Department of Property and Supplies hereunder shall be subject to approval by the Executive Board and

the use of automobiles by State officers and employes shall be subject to the rules and regulations of the Executive Board

Section 2408 Procedure for Erection of Buildings and Alterations or Additions to Existing Buildings Whenever the General Assembly shall have appropriated money to the Department of Property and Supplies or to any other department or to any administrative board or commission for the erection of new buildings or sewage or filtration plants other service systems or athletic fields or other structures or for alterations or additions or repairs to existing buildings or to such plants systems fields or structures to cost more than [ten thousand dollars ($10,000)] one thousand ($1,000) the following procedure shall apply unless the work is to be done by State employes or by inmates or patients of a State institution or State institutions or unless the department board or commission to which the General Assembly has appropriated money for the foregoing purposes is by this act or by the act making the appropriation authorized to erect alter or enlarge buildings independently of the Department of Property and Supplies or under a different procedure

(a) If the appropriation is to a department other than the Department of Property and Supplies or to a board or commission such department board or commission shall notify the Department of Property and Supplies as soon as it is ready to have plans and specifications for the work prepared

(b) Promptly after such notice in such cases or promptly after any appropriation made to it becomes available the Department of Property and Supplies shall select an architect and if necessary an engineer or both to design the work and prepare the specifications therefor but in the case of a building to be done for the use of any other department or any board or commission (unless the building is on the Capitol grounds) the selection of the architect and engineer if any shall be subject to approval by such department board or commission and in case of departmental administrative boards or commissions by the departments with which such boards or commissions are respectively connected Any architect or engineer so selected and approved shall submit promptly the name or names of his associate architect or engineers to the Department of Property and Supplies for its approval

(c) The Department of Property and Supplies shall enter into a contract with the architect [and] [if any] which shall provide a date for the completion of the plans and specifications and that the plans and specifications must meet with the approval of the department board or commission for which the building is being erected altered or enlarged (unless the building is on the Capitol grounds) and in the case of departmental administrative boards or commissions of the departments with which such boards or commissions are respectively connected to the extent of the type and general character of the building the floor layouts radiation natural light artificial illumination ventilation medical equipment or other equipment of a nature peculiar to the building for which the plans and specifications are being prepared that the plans drawings and specifications must be approved by the Department of Property and Supplies that the exterior design of the buliding must be approved by the State Art Commission and that the plans and specifications must be approved by the Department of Labor and Industry and the Department of Health to the extent to which those departments respectively have jurisdiction to require the submission to them for approval of certain features of the building Such architect [and] or engineer [if any in preparing plans and specifications shall consult with the department board or commission for which the building is to be erected altered or enlarged [(unless the building is on the Capitol Grounds) but the Department of Property and Supplies shall insist upon the prompt completion of the plans and specifications within the time prescribed in the achitect's [and] or engineer's contracts unless it shall agree to an extension thereof

Every department board or commission whose approval of plans [or] and specifications is required hereunder shall within [sixty] twenty days after submission thereof by the architect or engineer approve or disapprove all sketches drawings specifications and other documents and shall inform the architect or engineer of decisions in such reasonable time as not to delay him in his work

(d) Upon the completion of the plans and specifications and their approval by all necessary State agencies the Department of Property and Supplies shall invite proposals by advertisements inserted at least three times in not less than six or more than twelve newspapers of large general circulation in different parts of the Commonwealth The first and last publications of any such advertisement shall be at least ten days apart and the department shall not advertise hereunder in more than three newspapers in the same county

(e) The department may invite proposals either for completely erecting altering or adding to any building or separately for parts of the work or both Whether it shall invite proposals for part of the work and if so for what parts shall rest within the sole discretion of the department

(f) All proposals shall be accompanied by certified or bank checks in such amounts or percentages of the amounts of the proposals as shall be specified in the advertisement and shall be publicly opened and tabulated at the time and place specified in the advertisement

(g) The department shall as soon as practicable award the contracts to the lowest responsible qualified bidder but it shall have the right to reject any or all bids to waive technical defects and to accept or reject any part of any bid if in the judgment of the department the best interests of the Commonwealth shall require it The successful bidder shall also deliver to the Commonwealth at the time of execution of the contract a surety bond having as surety a surety company authorized to transact business in this Commonwealth or two individual sureties approved by the Department of Justice in the amount of ten per centum (10%) of the contract price as surety against defective or inferior materials or workmanship which may develop during the period of one (1) year from the date of completion and acceptance of the work performed under the contract

(h) No proposal for any contract shall be considered unless accompanied by a certified or blank check as prescribed by the department at the time of advertising A bidder who shall have accompanied his proposal with a certified or bank check as aforesaid and to whom a contract shall have been awarded must within ten days after such award substitute for said check a surety performance bond for not less than fifty per centum (50%) or more than one hundred per centum (100%) of the bid price of the work as shall have been prescribed by the department in its invitation for proposals and an additional bond in a sum not less than fifty per centum (50%) and not more than one hundred per centum (100%) of the contract price of the work as prescribed by the department in its invitation for proposals conditioned that the contractor will promptly pay for all material furnished and labor supplied or performed in the prosecution of the work whether or not the material or labor enter into and become component parts of the building Such additional bond shall be held by the Department of Property and Supplies for the use of every party who whether as sub-contractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and wh ohas not been paid therefor and among other things shall provide specifically that any such party may bring a suit thereon in the name of the Commonwealth for his their or its own use prosecute the same to final judgment for such sum or sums as may be justly due and have execution thereon Provided however That the Commonwealth shall not be liable for the payment of any costs or expenses of any such buit Each surety bond required hereunder shall have as surety a surety company authorized to transact business in this Commonwealth or two individual sureties approved by the Department of Justice

(i) No contract shall be valid or effective unless a certified copy thereof detail break-down sheet of the work and contract price of the work involved shall have been filed in the offices of the Auditor General the State Treasurer and the department board or commission for which the work is to be done promptly after the execution of the contract

(j) The enforcement of all contracts provided for by this section shall be under the control and supervision of the Department of Property and Supplies In the event that the Department of Property and Supplies and the contractor cannot agree on any of the general conditions of the contract and on the specifications such disagreement shall be subject to decision by the Department of Justice and its decision shall be final

(k) The Department of Property and Supplies shall examine all bills on account of the contracts entered into under the provisions of this section and if they are correct the department shall certify that the materials have been furnished or that the work or labor has been performed in a workmanlike manner and in accordance with the contract approve the bills and issue its requisition therefor or forward its certificate to the proper department board or commission as the case may be

(l) The Department of Property and Supplies shall have the right to engage the services of any consulting or supervising engineer or engineers whom it may deem necessary for the proper designing of or inspection or supervision of buildings erected altered or enlarged by the department hereunder

(m) Changes in the plans or specifications or both may be made after their approval only with the consent of all of the departments boards and commissions whose approval of the original plans or specifications or both was necessary hereunder

(n) If the appropriation is to a department other than the Department of Property and Supplies or to a board or commission the Department of Property and Supplies shall award and enter into the contract as agent for the department board or commission to which the appropriation was made

Section 2409 Method of Awarding Contracts for Stationery Paper Fuel Repairs Furnishings and Supplies The Department of Property and Supplies shall [on or before the first day of February in each year] notify the Governor the several administrative departments the independent administrative departmental administrative and advisory boards and commissions the chief clerks of the Senate and House of Representatives and the proper officers of the judicial department respectively to furnish at such times as the Department of Property and Supplies may require lists of all equipment furniture and furnishings supplies repairs alterations improvements fuel and all other articles that may be needed by their respective departments boards or commissions or the Senate or the House of Representatives for [the fiscal year beginning the first day of June next following] such periods as the Department of Property and Suplies shall prescribe excepting only perishable foodstuffs [and fuel] for the State institutions and repairs or alterations which are not to be made by the Department of Property and Supplies

Upon receipt of such lists the Department of Property and Supplies shall as far as practicable consolidate and classify the articles named therein taking care that there shall be full descriptions given with make and number of goods when possible and proper maximum price fixed and shall prepare annual semi-annual or quarterly schedules thereof as deemed for the best interests of the Commonwealth Whenever deemed necessary it shall have plans designs and specifications prepared of any equipment furniture or furnishings repairs alterations and improvements paying for the preparation of the same out of the funds appropriated to the department

The department shall state in the schedules that the work or articles for which the plans designs and specifications are prepared are to be done or furnished in accordance therewith and that the plans designs or specifications will be found in its office for inspection and copies of the same shall be furnished to the successful bidders The schedules shall state that bids will be received on one or more of the items of any classification of the schedules In such schedules the form of proposal shall be given and all other information which the department shall consider necessary for the bidder In preparing the lists or schedules the department shall in all cases give preference to goods of American production or manufacture The quantities given in the schedules shall be the estimated maximum quantities that are likely to be required during the term of contract but the schedule shall in all cases provide that the goods shall be furnished in greater or less quantity and at such times as the needs of the departments boards commissions and the Senate and House shall require

The schedules shall also provide whenever practicable a per diem penalty or forfeiture after a stated time for the failure of a contractor to finish or furnish the work or materials contracted for which penalty or forfeiture shall be deducted by the Auditor General from the amount of the contractor's bill before settlement is made when so directed to do by the department

The department after conferring with the heads of the various departments boards commissions and the chief clerks of the Senate and House shall have the power to make such changes in the schedules as may be deemed proper and may standardize any or all articles therein When the schedules have been finally prepared they shall be [printed in pamphlet] prepared in such form as the department shall deem advisable and shall be the schedules of stationery paper supplies fuel equipment furniture furnishings repairs alterations improvements and other matters and things needed for the public grounds and buildings the Senate and House of Representatives the several departments boards and commissions of the State Government and the Executive Mansion

The department shall not less than six weeks prior to the termination of schedule contracts now existing or that may be made in the future advertise the opening of bids for the annual semi-annual or quarterly schedules by advertising inserted for at least three days the first and last publication to be at least ten days apart in not less than six or more than twelve newspapers of extensive general circulation in different parts of the Commonwealth not more than three of which shall be published in any one county invite sealed proposals for contracts to furnish all stationery supplies paper and fuel used by the Senate and House of Representatives the several departments boards and commissions of the State Government and the Executive Mansion and for repairing altering improving furnishing or refurnishing and all other matters or things required for the public grounds and buildings legislative halls and rooms connected therewith the rooms of the several departments boards and commissions and the buildings connected with the State Capitol and the Executive Mansion the advertisement shall contain a reference to the schedules so [printed] prepared by the department and as briefly as practicable invite bids for the furnishing of articles named in the schedules and give notice of the time and place where such bids will be received and when they will be opened

All proposals shall be delivered to the department on or before [twelve o'clock meridian] the hour designated in the proposal on the day set by the department following the date of the last advertisement and each bid shall be in duplicate one of which shall be marked "Duplicate Bid" Each bid together with the proper certified or bank check as provided for in this act shall be enclosed in an envelope securely sealed and shall be mailed or delivered to the department which shall retain all envelopes unopened until the time fixed for the opening thereof

The department shall on the date fixed for opening of bids at [twelve o'clock meridian] the hour designated in the proposal open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidded on each of the items of the several classifications of the schedules The department shall have the right to reject any or all bids The bids when opened shall be tabulated and shall be subject to examination by bidders A record of all bids shall be made by the department in a book kept for that purpose

When no proposal has been received or if for any reason the department shall reject all proposals the department shall reject all proposals the department shall advertise again for proposals giving at least fifteen days' notice of the time of receiving the same which proposals shall be opened awarded and approved in like manner as heretofore provided

[No] Except as hereinafter provided no proposal for any contract shall be considered unless such proposal is accompanied by a certified or bank check to the order of the State Treasurer in one-fourth the amount of the estimated contractor by a bond in such form and amount as may be prescribed by the department Any such bond shall be conditioned for the faithful performance of the terms of the contract if awarded and shall have as surety one surety company authorized to act as surety in this Commonwealh or two individual sureties approved by the Department of Justice

A bidder who shall have accompanied his proposal with a certified or bank check as aforesaid and to whom a contract shall have been awarded may within ten days after such award substitute for said check a bond as herein prescribed otherwise said check shall be retained in lieu of a bond

The department may in its discretion permit a bidder to file a bond for an annual period to cover proposals that may be made from time to time by such bidder during such period Such bond shall be in such amount as the department may determine and may be increased from time to time as the department may require in order to keep the same commensurate with proposals made from time to time by such bidder during such period Any such bidder to whom a contract shall have been awarded shall within ten (10) days after such award file a bond conditioned for the faithful performance of the terms of the contract

The department may in its discretion permit a bidder to file a bond to cover proposals made by and the performance of contracts awarded to any such bidder during an annual period Such bonds shall be in such amount as the department may prescribe and may be increased from time to time during the annual period by the department to keep the same commensurate with the contracts awarded to such bidder during such period

In the event that any contractor shall fail to fulfill or comply with the terms of any contract such contract shall be awarded to the next lowest responsible bidder and the department shall request the Department of Justice to bring suit against the failing contractor or his sureties to recover the loss sustained by the Commonwealth by the reletting

All contracts awarded shall be severally void unles first approved by the Governor the Auditor General and the State Treasurer and when so approved together with all checks or bonds given for their faithful performance be filed with the department which shall keep a record sof the same and shall within twenty days after the award certify copies of all said contracts to the Auditor General The bonds and certified checks of all unsuccessful bidders shall be returned to such bidders as soon as practicable after contracts have been awarded and approved but not later than sixty days after the date of opening the proposals

The enforcement of all contracts provided for by this act and of all similar contracts heretofore entered into and now in force shall be under the control and supervision of the department

The department shall receive from the contractor or contractors the articles mentioned in the schedules Articles contracted for must be furnished promptly It shall be the duty of the department to reject all articles not up to the standard required and if a contractor shall fail to exchange them for articles that meet the requirements prescribed or shall fail to deliver any article within a reasonable time the department may go into the open market and purchase articles to take the place of those adjudged to be of inferior quality or which have not been delivered and deduct the expense including any excess in price over that called for in the contract from the amount due the contractor from the Commonwealth If the amount due said contractor is not sufficient to meet such expenses and excess price paid for the articles purchosed the department may proceed against the contractor or his sureties under the bond aforesaid by proper action through the Department of Justice

In all cases where a lump sum contract containing a provision for partial payments on account of materials delivered and work done is entered into by the department a percentage to be fixed by the department of the amount due as set forth in the contract shall be withheld from the contractor by the Auditor General until the department shall certify that the contract has been fully complied with

The department except in those cases where the department acts in the capacity of purchasing agent shall examine all bills on accounts of contracts entered into under the provisions of this section and if they are correct the department shall certify that the materials have been furnished or that the work of labor has been performed in accordance with the contract and approve the bills When so approved the bills shall be audited settled and paid by the Auditor General and State Treasurer in the manner provided by law

It shall be the duty of the department when the articles named in the schedules are received from the contractors to care for them properly in storage rooms and the department shall be held responsible for their safekeeping

The Board of Commissioners of Public Grounds and Buildings shall provide suitable storage rooms for the furniture stationery supplies and fuel that may be procured

Whenever the Governor the heads of departments the executive officers of independent administrative boards and commissions the chief clerks of the Senate and House of Representatives or the proper officers of the judicial department shall require any portion of the stationery supplies fuel furniture furnishings repairs alterations improvements and other matters or things appearing in the schedules for which contracts have been awarded by the board a requisition giving number and description of the item needed shall be made on the department which shall cause the article to be delivered taking a proper receipt therefor

Whenever any administrative department or any independent administrative or departmental administrative board or commission shall call upon the department to purchase for it as purchasing agency any article named in the schedules if the department has such article on hand it may deliver the same to such department board or commission and forthwith [as purchasing agency for such department board or commission purchase another article to replace the article so delivered such replacement] bill such department board or commission for the cost of the same such bill to be paid for out of the appropriation available to the department board or commission for the purchase of the article

In the event that requisitions are made upon the department for any article of furniture furnishings stationery supplies fuel or any other matter or thing the want of which was not anticipated at the time of the making of the schedules the department may in its discretion invite proposals from at least two responsible bidders unless the article can be procured from only one source and when one proposal shall be invited such proposal or proposals together with such requisition or requisitions shall be submitted to the Board of Commissioners of Public Grounds and Buildings for approval or disapproval [at its next meeting] Provided however That the department may in its discretion purchase in the open market without inviting any proposal any such article costing less than fifty dollars but all such purchases shall be reported to the Board of Commissioners of Public Grounds and Buildings at its next meeting

Whenever any contract for the furnishing of materials for use in the construction or maintenance of highways exceeds five hundred dollars ($500.00) in amount and includes the performance of labor or the use of other materials in the delivery of such material to the site of the work or in the incorporation thereof into the completed structure the Department of Property and Sup-

plies shall require the contractor to furnish an additional bond conditioned for the payment of labor and materials in the same manner as is required by paragraph (h) of section two thousand four hundred and eight of the Administrative Code to which this act is an amendment

Section 2414 State Art Commission Subject to any inconsistent provisions in this act contained the State Art Commission shall have the power and its duty shall be to examine and approve or disapprove the [exterior] design and proposed location of all public monuments memorials buildings or other structures except in cities of the first or second class in accordance with the act approved the first day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred three) entitled "An act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings requiring the approval of the commission of the design and location of all public monuments memorials buildings or other structures and certain private structures proposed to be erected anywhere in this Commonwealth other than in cities of the first and second classes" and any amendments thereto

Section 2 That article twenty-six of the said act is hereby amended to read as follows

Article XXVI

Powers and Duties of the [Board of Game Commissioners] Pennsylvania Game Commission and Its Enforcement Officers

Section 2601 Powers and Duties in General The [Board of Game Commissioners] Pennsylvania Game Commission shall subject to any inconsistent provisions in this act contained [continue to] exercise the powers and perform the duties by law vested in and imposed upon the said [board] commission

Section 2602 Enforcement of Game Laws The [Board Game Commissioners] Pennsylvania Game Commission shall have the power and its duty shall be

(a) To protect propagate and preserve the game furbearing animals and protected birds of the Commonwealth and to enforce by proper action and proceedings the law relating to the same

(b) To appoint such number of game protectors as the Governor shall approve at such compensation as the Governor shall approve to assist the [board] commission in the proper discharge of its duties and such number of deputy game protectors as the Governor shall approve Deputy game protectors shall not receive any compensation for services rendered or expenses incurred in the performance of their duties unless specifically employed for special duties by written order of the [secretary of the board] executive director of the commission

The [secretary of the board] executive director of the commission shall be the Chief Game Protector and shall have the direction supervision and control of the other game protectors

Section 2603 Special Hunters' Licenses The [Board of Game Commissioners] Pennsylvania Game Commission shall have the power to issue special deer licenses special licenses to persons of known scientific attainment agents of public museums teachers of ornithology breeders taxidermists and fur dealers and other special licenses upon such terms and conditions and upon payment of such fees as may from time to time be provided by law

Section 2604 State Game Refuges and Farms The [Board of Game Commissions] Pennsylvania Game Commission shall have the power to acquire lands with or without mineral reservations by purchase lease or gift and to establish and maintain State Game Refuges and Game Farms State Game Propagation Areas and Special Preserves for the protection and propagation of game as may now or hereafter be authorized by law

Section 2605 Powers of Game Protectors Each member of the [Board of Game Commissioners] Pennsylvania Game Commission the executive [secretary] director of the [board] commission each game protector and each deputy game protector shall have the power

(a) To enforce all the laws relating to game or other wild birds or wild animals and to go upon any property outside of buildings posted or otherwise in the performance of his duty

(b) To execute all warrants and search warrants for the violation of the laws relating to game or other wild birds or wild animals

(c) To serve subpoenas issued for the examination investigation and trial of all offenses against the laws relating to game or other wild birds or wild animals

(d) To carry firearms or other weapons concealed or otherwise in the performance of their duties

(e) To arrest without warrant any person found in the act of violating any provisions of the laws relating to game or other wild birds or wild animals or in pursuit immediately following such violations or any person whom they have reason to suspect as being an unnaturalized foreign born resident when such person has in possession a firearm or a dog of any kind

(f) To call upon any citizen of this Commonwealth for assistance in making arrests

(g) To search without warrant and examine any person or any boat conveyance vehicle game bag game coat or other receptacle for game or any camp tent or cabin in the presence of any person stopping at or belonging to such camp tent or cabin or any roster when he has reason to believe and has stated to the suspected person or persons in charge his reason for believing that any of the laws relating to game or other wild birds or wild animals has been violated

(h) To secure and execute search warrants and in pursuance thereof to enter any building enclosure or car and to break open any apartment chest locker box trunk crate basket bag package or container and to examine the contents thereof

(i) At any time in any manner or for any purpose to seize and take possession of all birds or animals which have been caught taken or killed or had in possession or under control or which have been shipped or are about to be shipped contrary to the laws of this Commonwealth (j) To seize all guns shooting or hunting paraphernalia traps dogs boats decoys or other appliances used in violation of any of the laws relating to game or other wild birds or wild animals when making an arrest or found in the execution of a search warrant

(k) To administer any oath required by the provisions or relative to any violation of any law relating to game found in a camp or in possession under control or other wild birds or wild animals and where game is found in a camp or in possession or under control of any individual or hunting party to question such person or persons under oath relative to the taking ownership or possession of the same

Section 3 That article twenty-eight of the said act is hereby amended to read as follows

Article XXVIII

Powers and Duties of the [Public Service Commission of the Commonwealth of Pennsylvania] Pennsylvania Public Utility Commission

Section 2801 Powers and Duties in General [The Public Service Commission of the Commonwealth of Pennsylvania shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said commission] The Pennsylvania Public Utility Commission shall continue to exercise the powers and perform the duties by law vested in and imposed upon such commission

[Section 2802 Public Company Law The Public Service Commision of the Commonwealth of Pennsylvania shall have the power and its duties shall be

(a) To administer and enforce the act approved the twenty-sixth day of July one thousand nine hundred and thirteen entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation afore

said prescribing and defining the powers and duties of such commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroads corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the commission of the expense and damage resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determination by the courts of common pleas and giving the Court of Common Pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloading within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" as amended and supplemented

(b) To certify to the Sanitary Water Board any question of fact regarding the purity of water supplied to the public by any public service company over which it has jurisdiction when any such question arises in any controversy or other proceeding before it and upon the determination of such question by the Sanitary Water Board to incorporate the findings of the board thereon in its decision upon the controversy or other proceeding out of which the question arose

Section 2803 Elevated and Underground Railways The Public Service Commission of the Commonwealth of Pennsylvania shall have the power and its duty shall be to exercise the powers and perform the duties heretofor by law vested in and imposed upon the board consisting of the Governor the Secretary of the Commonwealth and the Attorney General by the act approved the twentieth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and seventy-seven) entitled "An act providing that no company hereafter formed for the purpose of construction and operation of a passenger railway either elevated or underground or partly elevated or partly underground with incidental surface rights shall be incorporated except where the same shall be located upon streets in thickly populated regions and until the necessity for such railways shall have been passed upon by a board consisting of the Governor the Secretary of the Commonwealth and the Attorney-General after notice" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter no letters patent shall be issued to any company nor shall any corporation be otherwise created for the construction of an elevated or underground or partly elevated and party underground passenger railway except the same shall be located upon over under across through or along a street road or highway in a thickly populated locality where the surface travel is congested nor unless and until the necessity for the construction and operation of said railway shall have been passed on and approved by a board consisting of the Governor the Secretary of the Commonwealth and the Attorney General after thirty days' public notice published as shall be prescribed by said board"]

Section 4 That at the end of Article five of the said act the following new section is hereby added

Section 524 Disposition of Useless Records Except as otherwise provided by law whenever any administrative department board or commission shall have an accumulation of files of correspondence reports records or other papers which are not needed or useful in the transaction of the current or anticipated future work of such department board or commission and which date back a period of four years and more it shall be the duty of the head of such department board or commission to submit to the Executive Board a report of that fact accompanied by a concise statement of the condition quantity and character of such papers If the Executive Board shall be of the opinion that such files of correspondence reports records or other papers or any part thereof are not needed or useful in the transaction of the current or anticipated future work of such department board or commission the head of such department board or commission shall place such files or any part thereof as the case may be in the custody of the Department of Property and Supplies and such department is hereby authorized to dispose of the same as waste paper in the manner prescribed in this act for the sale of unserviceable property Provided however That the Executive Board with the approval of the Department of Public Instruction may direct that any such files of correspondence reports records or other papers or any part thereof that are of historical interest be turned over to the Department of Public Instruction for preservation for historical purposes

Section 5 That at the end of Article eighteen of the said act the following new sections are hereby added

Section 1822 Powers and Duties of the State Parks Commission The State Parks Commission shall have the power and its duty shall be

(a) To act as a central advisory agency for all State parks and parkways and all places of historic scientific scenic or wild life interest which are or may hereafter be under the jurisdiction of the Department of Forests and Waters

(b) To formulate and recommend to the Department of Forests and Waters plans for acquisition of lands improvements construction management use and extension of parks parkways and other places of historic scientific scenic or wild life interest which are or hereafter may be under the jurisdiction of the Department of Forests and Waters and plans for the establishment of a park policy for the Commonwealth

(c) To make available in its discretion information on parks and recreational facilities and to advise as to connections and relations between State parks and other parks within the Commonwealth

(d) To assist in the preparation of State park budgets to be submitted to the General Assembly

(e) To divide the Commonwealth into not less than four (4) park regions to be governed by Regional Park Boards as herein provided for

(f) To adopt such rules and regulations not inconsistent with law for the control management protection development and use of State parks as it may deem proper in aid of its powers and to insure a wise and orderly use of State parks and other places of interest which are or may hereafter be under the jurisdiction of the Department of Forests and Waters

Section 1823 Powers and Duties of State Park Boards The Regional State Park Boards shall act as advisory agents to the State Parks Commission and to the Department of Forests and Waters and shall formulate and recommend through the assistant executive officers appointed by the Department of Forests and Waters of their respective Park Regions plans for the location acquisition development construction use and extension correlation and management of State parks parkways and places of historic scientific scenic or wild life interest which are or may hereafter be under the jurisdiction of the Department of Forests and Waters

Section 6 That at the end of Article twenty-five of the said act the following new section is hereby added

Section 2503 State Athletic Commission The State Athletic Commission shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in such commission It shall administer the laws allowing and regulating boxing sparring and wrestling matches and exhibitions within this Commonwealth

Section 7 The members (exclusive of the ex officio member) officers and employes of the State Athletic Commission which is transferred by this act from the Department of Military Affairs to the Department of Revenue shall continue to be the members officers and employes of such commission and to perform their usual duties upon the same terms and conditions as heretofore until removed or appointed to other positions Such members officers and employes shall retain all accrued retirement rights and their services shall be deemed to be continuous as if such commission had not been transferred as aforesaid

Section 8 The following acts and parts of acts are hereby repealed as respectively indicated

Sections one thousand four hundred eight and two thousand three hundred twenty-one of the act to which this act is an amendment absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred seventy-one) entitled "An act conferring upon the Department of Welfare subject to the approval of the proper board of trustees the power of fixing and establishing charges for services rendered by any State owned medical and surgical hospital" absolutely

Section 9 This act shall become effective on the first day of June one thousand nine hundred thirty-seven

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. OWLETT. Mr. President, I move to reconsider the vote by which Senate Bill No. 776, passed third reading.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill?

Mr. OWLETT. Mr. President, I ask the unanimous consent to amend sec. 4 (Sec. 524), page 118, line 3, by inserting after the word "commission" the following: "and which date back a period of four years and more."

The PRESIDENT. Is there objection?

Mr. RICE. Mr. President, will the Senator explain his amendments before putting that motion?

Mr. OWLETT. Mr President, this bill provides, on page 117, that any department in the State Government may destroy any of the records of that department at any time that the department feels that it is wise to do so. The amendments which I offer would prohibit any department from destroying records that are less than four years old, with the idea that no department may destroy its own records, but records of the previous administration. It seems to me that we are, by this bill placing great powers in the department by giving them the right to destroy their own records at any time they choose to do so.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

QUESTION OF PERSONAL PRIVILEGE

Mr. SIPE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Armstrong, Mr. Sipe, will state his question of personal privilege.

Mr. SIPE. Mr. President, I rise at this time, Mr. President, to call the attention of the Senate to a bill on today's calendar which may be reached at a time when it will be necessary for me to be out of this Chamber. I refer to Senate Bill No. 1146, House Bill No. 1055, an educational bill. The bill itself is not on our desks so far as I can find, it is a bill drawn up by the Department of Public Education, and I hope that the Senate will not get me wrong, for I am not opposed to popular education. I have been for many years of my life in the work of education, but I fear certain implications in this bill. I will read the section that I fear, and which I understand is still in the bill: "The board of school directors of any school district is hereby authorized and empowered to enter into agreement with any college of the Commonwealth approved by the State Council of Education for the purpose of establishing undergraduate centers with the financial assistance of such school district and under such terms and regulations as shall be prescribed by the State Council of Education or to provide for the establishment of courses of study of college grade or rank in a separate department operated by such school district under regulations to be prescribed by the State Council of Education.

Each school district undertaking such higher education in any manner provided herein shall prescribe the amount and manner of payment of fees if any shall be required to be paid by students attending such courses departments or schools."

I am in favor of popular education as I said before, and I consider I am still in the work of education, although the days of my teaching in the school room are passed and gone. I fear the implication of this bill in the Sections which I have read. I fear they may open the door to a situation that we are not ready for in Pennsylvania. I fear it will open the door for the setting-up of a super state-wide university to educate everybody for everything and do that at the state's expense. Similar conditions to this were taken out of the bill sometime ago in the Committee on Education, and now, when we are in the closing hours of this Senate, when we are in the hurly-burly, rough and tumble, and when we are trying to get through with our work, the

Department of Education slips in this provision as an amendment to this bill, the practice which I have no regard for, and I do not consider that it is has any true champion, by reason of the fact that it comes from the Department of Education. Senator Law will make a motion later on, when the bill is reached, that it be sent back to the Committee on Education for further study, and I certainly hope that the motion will prevail, to say whether or not the implications are of a character that I fear they are.

MOTION TO RECOMMIT BILL

Mr. President, I call up Senate Bill No. 1146, House No. 1055, and make a motion that the bill be recommitted to the Committee on Education for further study.

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. RUTH. Mr. President, as Chairman of the Committee on Education, I want to state that this feature was not in the bill when it was reported from Committee; the amendments were adopted by the Senate on a Tuesday, and were put into the bill by the Senate unanimously. There are features in this bill that are very essential; that we should have in the protection of our teachers and school directors. These amendments were put in by unanimous consent by the Committee, and it was sent back to committee and they cannot be removed by the committee, and the good features should not be sacrificed by putting this back into committee. I would rather suggest that we vote to put this bill on the postponed calendar, and if any other amendments are wanted they can be made directly on the floor.

Mr. LAW. Mr. President, I want to correct the Senator from Berks, in his statement that this cannot be changed in committee. The committee has the power to change anything in the bill. The only thing that cannot be done is to change the nature of the bill and the subject with which it deals. I, therefore, ask the Senate to recommit this bill.

Mr. CAVALCANTE. Mr. President, I do not want to be voting here while there remains any misapprehensions. The Senator from Mercer, Mr. Law, has not stated the proposition correctly; when an amendment is unanimously made by the Senate, it cannot be removed by the committee unless there is unanimous action taken by the Senate.

Mr. LAW. Mr. President, when the Senate recommits bills for further study, any change can be made.

And the question recurring,

Will the Senate agree to the motion?

The motion was agreed to.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 955, as follows:

An Act authorizing and empowering cities of the first class to erect and construct waterworks as herein defined within and without their corporate limits to acquire property within and without their corporate limits by purchase lease gift and the power of eminent domain for such purposes to generate power and erect power plants stations and lines in connection therewith and to use sell and purchase water water power and electric energy within and without their corporate limits prescribing the powers and duties of such cities providing for the assessment of damages and repealing inconsistent laws

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 The word "property' as used in this act shall be construed to mean and include lands buildings earth sand clay gravel rock stone wood materials streams rivers lakes easements and rights of way together with any facilities constructed thereon except property used in rendering service to the public

The term "water-works" as used in this act shall be construed to mean reservoirs dams storing lakes power plants viaducts aquaducts canals tanks cisterns water mains and pipes pumping stations filtration plants buildings machinery and any other works connected with a public water supply system and necessary for the collection reception storage purification conveyance and distribution of water for domestic and industrial consumption

The word "city" means a city of the first class

Section 2 Any city shall have power and authority with the consent of the Water and Power Resources Board of the Commonwealth of Pennsylvania to acquire by purchase lease gift or the exercise of the power of eminent domain any property whether situate within or without the corporate limits of such city and to erect or construct thereon water-works for the purpose of supplying water to such city and the inhabitants thereof Any such city shall have power to lay its water mains and pipes over or under any creek stream river bridge highway railroad or railway

Section 3 Whenever any city shall exercise the power of eminent domain for any of the purposes of this act it shall not be necessary for such city to give or tender security for the taking injury or destruction of property but the funds raised or proper and lawful to be raised by the power of taxation in such city shall be pledged and are hereby made security to the owner or owners of property so taken injured or destroyed for all damages which they may sustain on account of such taking injury or destruction and such city shall not be required to give or tender any further security or to give or tender any bond or bonds whatsoever

Section 4 Whenever any city has condemned property for water-works purposes under the provisions of this act in any county of this Commonwealth other than the one in which such city is located it shall record a copy of the ordinance making such condemnation in the office of the recorder of deeds of each county where any of such property is located together with any subsequent amendments or supplements to such ordinance

Section 5 Upon the recording of the ordinance of condemnation in the county where any property is located it shall be lawful for the city by its officers agents or contractors to enter upon and take possession of any property so condemned and to erect and construct thereon water-works and to do all things necessary for the purpose of fully carrying out the purposes of this act

Section 6 If the owner lessee or occupier shall refuse to remove his personal property or give up possession of any property taken by the city in the exercise of its power of eminent domain the city may serve written notice upon such owner lessee or his agent or the occupier to remove his personal property and give up possession of such property within sixty days from the date of the service of such notice

If the owner lessee or occupier shall refuse to remove his personal property and give possession upon proof of the service of the notice a writ of habere facias possessionem shall forthwith issue directing the sheriff to give to the city possession

Section 7 If any city in erecting and constructing water-works shall find it necessary in storing water to occupy and overflow with water any portion of any public road the city shall cause such road to be reconstructed at its own expense on a favorable location and in as perfect a manner as the original road and for such purposes is authorized to condemn lands Whenever an agreement as to the price cannot be had with the owners the damages

for land so taken shall be assessed as herein provided in the case of property taken for water-works purposes

Section 8 The city shall attempt to agree with the owner of any property taken or to be taken injured or destroyed as to the amount of damage done or likely to be done to him in the taking of such property and in the erection and construction of such water-works and if no agreement can be reached or if the owner cannot be found or is not sui juris the city or the owner or any person interested may apply by petition to the court of common pleas of the county where the property is located or to any law judge thereof in vacation whereupon the court or judge shall appoint three viewers from the county board of viewers to view and ascertain the damages done by reason of said taking use occupancy injury or destruction and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet at or upon the premises affected Thereupon the same proceedings shall be had for the assessment of damages and the costs and expenses in connection therewith with the same right of appeal and trial by jury as is provided by the act approved the sixteenth day of May one thousand eight hundred and ninety-one (Pamphlet Laws 75) entitled "An act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom" the assessment of the damages costs and expenses thereof upon the property benefitted and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom and the amendments and supplements thereto.

Section 9 Any such city shall have power with the consent of the Water and Power Resources Board of the Commonwealth of Pennsylvania to use the reservoirs dams and water-works erected for water supply purposes for the generation of electric power and to erect the necessary power plants distribution systems substations and inter-tie or transmission lines to enable it to use purchase sell and dispose of electric energy inside and outside its corporate limits and with the consent of the Water and Power Resources Board of the Commonwealth of Pennsylvania with the consent of the owner thereof to connect its water-works or power plants and lines with any other water-works or electric distribution systems within and without its corporate limits and to use purchase sell and dispose of water for water supply and power purposes and also to sell and distribute water in territory not supplied with water

Section 10 All acts and parts of acts general local or special inconsistent with this act are hereby repealed but this act shall not be construed to repeal or modify the act approved the eighth day of April one thousand nine hundred thirty-seven (Act No 64) entitled "An act providing for the appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof declaring void certain condemnations and appropriations of waters by municipalities corporations copartnerships or persons providing for ascertainment of the validity and the filing of the records of certain condemnations and appropriations of water by municipalities corporations copartnerships or persons and appeals therefrom conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto providing for future condemnations and appropriations of waters by and allocation of waters to municipalities corporations copartnerships or persons and for compensation for waters hereafter to be taken for public water supply purposes and conferring powers and imposing duties upon the Water and Power Resources Board" and it is the legislative intent that the power herein given so far as it relates to condemnation of streams rivers and lakes shall be exercised in subordination thereto

Section 11 This act shall become effective immediately upon final enactment

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. JASPAN. Mr. President, I desire to call the attention of the Senate to an amendment which has been inserted in the original bill introduced in the Senate which shows the same utility handwriting which only recently emasculated the Rural Electrification Bill in this Chamber. (Senate Bill No. 771).

2. This amendment appears on page 2, lines 9 and 10, and is a "joker" which practically destroys the purposes of the bill.

3. Under the original bill, as introduced in the Senate, a power plant may be erected in conjunction with a water-supply system. Such a power plant is most essential in order to reduce the net cost of supplying water to a given locality and make the system economically feasible. Besides, it will serve as a source of cheap electricity for various communities in the State.

4. However, by prohibiting the acquisition or condemnation of any "property used in rendering services to the public." The amendment prevents the utilization of the electricity generated in the power plant. In other words, in order to transmit the electricity to a prospective consumer, it would be almost impossible to do so without crossing the rights-of-way or other property of some electric utility, as the private utilities have a net-work of transmission and distribution lines scattered about the State. And the refusal of these utilities to permit any crossing of their rights-of-way or other property would therefore render valueless the construction of a power plant. In fact, as soon as the utilities would learn of the proposed location of the power plant, they could easily erect power line so as to completely barricade the plant and effectively prevent the scale of electricity to any persons or communities.

Mr. SHAPIRO. Mr. President, I ask unanimous consent that this bill go over in its order.

Mr. BUCKMAN. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

And the question recurring,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, I am afraid my friends from Philadelphia have not understood the amendments which I offered on the floor of this Senate myself. This project will probably go through my county and through counties in the Delaware Valley, and under this bill as it was submitted to the Senate originally and emasculated over in the House, the City of Philadelphia, if you please, could go up to my county and Senator Barthold's County, and Senator Huffman's County, and condemn everyone of our municipal water plants. That is the reason I put these amendments in. I am not interested in electric plant, I am trying to protect municipal water plants, owned by municipalities, that is the reason I offered this amendment and I submit that it is a good amendment and should stay in the bill.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Bucks, Mr. Buckman.

The PRESIDENT. Will the Senator from Bucks Mr. Buckman, permit himself to be interrogated?

Mr. BUCKMAN. Mr. President, I will.

Mr. SHAPIRO. Mr. President, is there any objection to this bill going over until we compare this amendment

with the amendment which was finally introduced in this bill, which was given to me by the Department of Forests and Waters? I think it describes the water power resources, giving them the right of control, and under these circumstances, if this bill is allowed to go over until tomorrow, we can compare the two amendments, and if the Senator from Bucks is correct, we can then act upon the bill.

Mr. BUCKMAN. Mr. President, let the bill go over until Monday night instead of tomorrow, and I will be very glad to yield.

Mr. SHAPIRO. Mr. President, except that might impede its final passage.

Mr. BUCKMAN. Mr. President, then in that event I feel that we ought to put it through today. However, I will not object to its going over in its order.

BILL OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that the bill go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS OVER IN ORDER

The PRESIDENT: Senate Bill No. 1174 (House Bill No. 168), entitled:

An Act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of nondebt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts.

Senate Bill No. 1190 (House Bill 1186), entitled:

An Act authorizing school districts to make contracts of group life health and accident insurance for the benefit of pupils in vocational schools at the expense of the school district defining the status of the school district and pupils under existing and future insurance laws and requiring school districts to make certain reports to the Department of Public Instruction

Senate Bill No. 1192 (House Bill No. 1354), entitled:

An Act to further amend Section two thousand two hundred and twenty-three of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine) entitled "Public School Code," as amended, by regulating the retirement of and providing additional retirement allowance for superintendents of schools and superintendents of buildings in districts of the first class, under certain circumstances, and authorizing such school districts to provide for the payment of such additional allowances.

Senate Bill No. 1196 (House Bill No. 1524), entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred and thirty-one (P. L. 589), entitled "Barbers License Law" by modifying the provisions relating to barber schools, and licensing of persons as barbers, and the issuing of renewal, student or apprentice permits; providing additional grounds for suspension and revocation of permits and registrations; discontinuing the use of the term "barber college"; and prescribing penalties.

are not up from the Printer and will go over in their order.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 210 (House Bill No. 301), entitled:

An Act to amend sections one hundred eighty-two and one hundred eighty-three and to add sections one hundred fifty and one-tenth one hundred fifty and two-tenth one hundred fifty and three-tenth and one hundred fifty an four-tenth to the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" requiring all county officers hereafter appointed or elected upon the expiration of their terms to pay over to the county treasurer all moneys in their possession for which they are liable to account under their respective bonds together with a statement thereof and providing for the escheat of certain moneys held in the county treasury and releasing such county officers

And said bill having been read at length the third time, and agreed to,

and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barthold,	Gilson,	Lanius,	Rodgers,
Buckman,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Howell,	Owlett,	Shapiro,
Dent,	Huffman,	Pierson,	Sipe,
DiSilvestro,	Jacobs,	Pytko,	Sones,
Ealy,	Jaspan,	Rankin,	Stiefel,
Eroe,	Kahle,	Reed,	Wolfenden,
Frey,	Kilgallen,	Rice,	Woodward,
Gelder,	Kunkel,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 362, entitled:

An Act to amend section two of the act approved the twentieth day of June one thousand nine hundred and nineteen (P. L. 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended allowing for certain deductions of taxes where the same property would be twice taxed within one year

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rodgers,
Buckman,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Owlett,	Shapiro,
Dent,	Jacobs,	Pierson,	Sipe,
DiSilvestro,	Jaspan,	Pytko,	Sones,
Ealy,	Kahle,	Rankin,	Stiefel,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Woodward,
Gelder,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 376, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Kutztown State Teachers College to acquire certain tracts of land for the use of said college and making an appropriation

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rodgers,
Buckman,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Owlett,	Shapiro,
Dent,	Jacobs,	Pierson,	Sipe,
DiSilvestro,	Jaspan,	Pytko,	Sones,
Ealy,	Kahle,	Rankin,	Stiefel,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Woodward,
Gelder,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

RECONSIDERATION OF MOTION TO RECOMMIT

Mr. LAW. Mr. President, to correct a situation which has developed, I move that the action by which Senate Bill No. 1146, House Bill No. 1055, was recomitted to the Committee on Education be reconsidered.

Mr. CAVALCANTE. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the motion?

The motion was not agreed to.

Mr. LAW. Mr. President, I move to reconsider the vote by which Senate Bill No. 1146, House Bill No. 1055 passed third reading.

Mr. CAVALCANTE. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill?

BILL RECOMMITTED

Mr. LAW. Mr. President, I move that Senate Bill No 1146, House Bill No. 1055, be recomitted to the Committee on Education.

Mr. CAVALCANTE. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. STIEFEL. Mr. President, I ask unanimous consent that Senate Bill No. 442, on third reading, entitled:

An Act to further amend section one of the act approved the third day of May one thousand nine hundred and seventeen (P. L. 112) entitled "An act exempting free from the claims of all creditors the proceeds of certain life insurance and annuity contracts bona fide taken out by any person not exceeding one hundred dollars per month" extending the provisions of said act to certain other contracts and increasing the amount of such exemption

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL. Mr. President, I ask unanimous consent that Senate Bill No. 448, on third reading, entitled:

An Act to amend section one of the act approved the seventeenth day of May, one thousand nine hundred nineteen (P. L. 207), entitled, "An act relating to policies of life insurance or annuities," extending the provisions of said act to certain other contracts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 545, entitled:

An Act to amend subsection seven of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended changing the minimum salaries and providing for increments of teachers in school districts of the fourth class

And said bill having been read at length the third time,

Will the Senate agree to the bill?

Mr. OWLETT. Mr. President, I now ask that this bill go over in its order, for the purpose of offering amendments so as to take away the contingency.

Mr. CAVALCANTE. Mr. President, I object.

And the question recurring,

Will the Senate agree to the bill?

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Owlett,	Shapiro,
Dent,	Jacobs,	Pierson,	Sipe,
DiSilvestro,	Jaspan,	Pytko,	Sones,
Ealy,	Kahle,	Rankin,	Stiefel,
Eroe,	Kilgallen,	Reed,	Thompson,
Frey,	Kunkel,	Rice,	Wolfenden,
Gelder,	Lanius,	Rodgers,	Woodward,
Gilson,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 572, entitled:

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield and making an appropriation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Owlett,	Shapiro,
Dent,	Jacobs,	Pierson,	Sipe,
DiSilvestro,	Jaspan,	Pytko,	Sones,
Ealy,	Kahle,	Rankin,	Stiefel,
Eroe,	Kilgallen,	Reed,	Thompson,
Frey,	Kunkel,	Rice,	Wolfenden,
Gelder,	Lanius,	Rodgers,	Woodward,
Gilson			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 575 (House Bill No. 602), entitled:

An Act to amend section one thousand one hundred and two of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" empowering directors of departments to appoint persons employed in their departments and assigning the fire department to the department of public safety

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED

Mr. KUNKEL. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. EROE. Mr. President, I second the motion.

The motion was agreed.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 627, entitled:

An Act making an appropriation to the Department of Forests and Waters for acquisition of land by purchase condemnation or otherwise for State Park purposes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Owlett,	Shapiro,
Dent,	Jacobs,	Pierson,	Sipe,
DiSilvestro,	Jaspan,	Pytko,	Sones,
Ealy,	Kahle,	Rankin,	Stiefel,
Eroe,	Kilgallen,	Reed,	Thompson,
Frey,	Kunkel,	Rice,	Wolfenden,
Gelder,	Lanius,	Rodgers,	Woodward,
Gilson,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 663 (House Bill No. 965), on third reading, entitled:

An Act to further amend the act, approved the sixteenth day of April, one thousand nine hundred and twenty-five (P. L. 244), entitled "An act applying to third class counties only, and regulating the selection, drawing, and summoning of all jurors and talismen, and defining their qualifications in such counties; creating a jury board and defining its powers and procedure; providing for the appointment of a clerk to the jury board and fixing his maximum salary; custody of the jury wheel, and the filing and custody of jury lists; providing for the public drawing of jurors and the methods thereof; giving the trial judge the right to excuse jurors; prescribing the time of challenging jurors or the array, and regulating the procedure if array is quashed; repealing all acts or parts of acts inconsistent therewith," by abolishing the jury board and transferring its powers and duties to the jury commissioners.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 687 (House Bill No. 1078), entitled:

An Act to amend clause thirty-four of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto, by extending the provisions for appropriations to posts of veterans

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Owlett,	Shapiro,
Dent,	Jacobs,	Pierson,	Sipe,
DiSilvestro,	Jaspan,	Pytko,	Sones,
Ealy,	Kahle,	Rankin,	Stiefel,
Eroe,	Kilgallen,	Reed,	Thompson,
Frey,	Kunkel,	Rice,	Wolfenden,
Gelder	Lanius,	Rodgers,	Woodward,
Gilson,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 718 (House Bill No. 1080), entitled:

An Act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Gilson,	Lanius,	Rodgers,
Cavalcante,	Haluska,	Law,	Rupp,
Chapman,	Henney,	Mallery,	Ruth,
Dando,	Heyburn,	McCreesh,	Salus,
Deitrick,	Homsher,	McGinnis,	Scarlett,
Dent,	Huffman,	Owlett,	Shapiro,
DiSilvestro,	Jacobs,	Pierson,	Sipe,
Ealy,	Jaspan,	Pytko,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gelder,	Kunkel,	Rice,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 724 (House Bill No. 1265), entitled:

An Act to further amend the title and section one of the act approved the eighth day of May one thousand nine hundred and twenty-nine (P. L. 1656) entitled "An act authorizing county commissioners to refund taxes erroneously and inadvertently paid by persons and corporations into the county treasury" extending said act to all political subdivisions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Gilson,	Lanius,	Rodgers,
Cavalcante,	Haluska,	Law,	Rupp,
Chapman,	Henney,	Mallery,	Ruth,
Dando,	Heyburn,	McCreesh,	Salus,
Deitrick,	Homsher,	McGinnis,	Scarlett,
Dent,	Huffman,	Owlett,	Shapiro,
DiSilvestro,	Jacobs,	Pierson,	Sipe,
Ealy,	Jaspan,	Pytko,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gelder,	Kunkel,	Rice,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 728 (House Bill No. 1303), entitled:

An Act abating certain tax penalties and interest on city and school taxes in cities of the first class and school districts of the first class

And said bill having been read at length the third time, and agreed to,

and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Gilson,	Lanius,	Rodgers,
Cavalcante,	Haluska,	Law,	Rupp,
Chapman,	Henney,	Mallery,	Ruth,
Dando,	Heyburn,	McCreesh,	Salus,
Deitrick,	Homsher,	McGinnis,	Scarlett,
Dent,	Huffman,	Owlett,	Shapiro,
DiSilvestro	Jacobs,	Pierson,	Sipe,
Ealy,	Jaspan,	Pytko,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey	Kilgallen,	Reed,	Wolfenden,
Gelder,	Kunkel,	Rice,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 767 (House Bill No. 1558), entitled:

An Act to repeal the act approved the second day of April one thousand eight hundred sixty-eight (P. L. 55) entitled "A supplement to an act entitled 'An act to increase the revenues of the Commonwealth by taxation of the shares of stock of the national banks' approved April twelfth one thousand eight hundred and sixty-seven"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barthold,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Dent,	Huffman,	Owlett,	Shapiro,
DiSilvestro,	Jacobs,	Pierson,	Sipe,
Ealy,	Jaspan,	Pytko,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gelder,	Kunkel,	Rice,	Woodward,
Gilson,	Lanius,	Rodgers,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 839 (House Bill No. 1250), entitled:

An Act to prohibit the sale and offer for sale of the labeled artificial flowers of certain veterans' organizations except on the days appointed for such purpose

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barthold,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Dent,	Huffman,	Owlett,	Shapiro,
DiSilvestro,	Jacobs,	Pierson,	Sipe,
Ealy,	Jaspan,	Pytko,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gelder,	Kunkel,	Rice,	Woodward,
Gilson,	Lanius,	Rodgers,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 841 (House Bill No. 1277), entitled:

An Act to amend section one of the act approved the eighth day of April one thousand eight hundred and sixty-seven (P. L. 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" as amended prohibiting the peddling of labeled flowers of certain veteran's organizations and miniature American flags

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barthold,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Dent,	Huffman,	Owlett,	Shapiro,
DiSilvestro,	Jacobs,	Pierson,	Sipe,
Ealy,	Jaspan,	Pytko,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gelder,	Kunkel,	Rice,	Woodward,
Gilson,	Lanius,	Rodgers,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 873, entitled:

An Act making an appropriation to the Department of Forests and Waters for the purpose of improving and developing the Hemlock State Forest Park in the County of Perry

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barthold,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Dent,	Huffman,	Owlett,	Shapiro,
DiSilvestro,	Jacobs,	Pierson,	Sipe,
Ealy,	Jaspan,	Pytko,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gelder,	Kunkel,	Rice,	Woodward,
Gilson,	Lanius,	Rodgers,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. THOMPSON, Mr. President, I ask unanimous consent that Senate Bill No. 879, on third reading, entitled:

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two years beginning June first, one thousand nine hundred thirty-seven, and for the payment of assistance and expenses accrued or incurred prior to, and remaining unpaid on, May thirty-first, one thousand nine hundred thirty-seven.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 880, entitled:

An Act appropriating to the Department of Public Assistance for public assistance all restitutions and overpayments collected by or for such department.

And said bill having been read at length the third time, agreed to,

On the question,

Shall the bill pass finally?

Mr. CAVALCANTE. Mr. President, I wish to explain my vote upon this bill. This bill makes an appropriation to the Department of State that is not yet in existence, and no law has yet been constitutionally passed creating a department of that kind that may receive and spend this money. For that reason I intend to vote "no," unless the sponsor of this bill will agree to postpone action on it until such time as a law is constitutionally passed creating a Department of Public Assistance.

Mr. RICE. Mr. President, this is one of the appropriation bills to the proposed Department of Assistance. The reason for passing this bill through the Senate at this time, is that the Senate has already passed the bill creating a Department of Assistance, and if we delay too long in passing the appropriation bills, the Department will be created without any money to function. If we are going to adjourn on the day set, I suggest that this bill and the one following be passed and go over to the House, where unquestionably it will await the passage, or the action of the House on the other bill.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows viz:

YEAS—43.

Barthold,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Dent,	Huffman,	Owlett,	Shapiro,
DiSilvestro,	Jacobs,	Pierson,	Sipe,
Ealy,	Jaspan,	Pytko,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gelder,	Kunkel,	Rice,	Woodward,
Gilson,	Lanius,	Rodgers,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 881, entitled

An Act making an appropriation to the State Veteran's Commission for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war or their dependents.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Barthold,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Dent,	Huffman,	Owlett,	Shapiro,
DiSilvestro,	Jacobs,	Pierson,	Sipe,
Ealy,	Jaspan,	Pytko,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Wolfenden
Gelder,	Kunkel,	Rice,	Woodward,
Gilson,	Lanius,	Rodgers,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 940, entitled:

An Act authorizing the acquisition in the name of the Commonwealth by the Department of Forests and Waters of Braddock's Park and Jumonville Park by purchase control and for the management and the supervision thereof and appropriating funds for such acquisition.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Barthold,	Heyburn,	McCreesh,	Ruth,
Cavalcante,	Homsher,	McGinnis,	Salus,
Dando,	Huffman,	Owlett,	Scarlett,
Dent,	Jacobs,	Pierson,	Shapiro,
DiSilvestro,	Jaspan,	Pytko,	Sipe,
Ealy,	Kahle,	Rankin,	Sones,
Eroe,	Kilgallen,	Reed,	Stiefel,
Frey,	Kunkel,	Rice,	Thompson,
Gelder,	Lanius,	Rodgers,	Wolfenden,
Gilson,	Law,	Rupp,	Woodward,
Henney,	Mallery,		

NAYS—0.

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1015 (House Bill No. 1565), entitled:

An Act to amend the act approved the thirteenth day of May one thousand nine hundred and nine (Pamphlet Laws five hundred twenty) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" as amended further regulating the adulteration and misbranding of food providing for injunctions against the sale of food in certain cases and changing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Barthold,	Henney,	Mallery,	Rupp,
Cavalcante,	Heyburn,	McCreesh,	Ruth,
Chapman,	Homsher,	McGinnis,	Salus,
Dando,	Huffman,	Owlett,	Scarlett,
Dent,	Jacobs,	Pierson,	Shapiro,
DiSilvestro,	Jaspan,	Pytko,	Sipe,
Ealy,	Kahle,	Rankin,	Sones,
Eroe,	Kilgallen,	Reed,	Stiefel,
Frey,	Kunkel,	Rice,	Wolfenden,
Gelder,	Lanius,	Rodgers,	Woodward,
Gilson,	Law,		

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1024, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" to further except from subdivision (b) of article six of that act policies of group health and accident insurance defining group health and accident insurance.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42.

Barthold,	Henney,	Mallery,	Rupp,
Cavalcante,	Heyburn,	McCreesh,	Ruth,
Chapman,	Homsher,	McGinnis,	Salus,
Dando,	Huffman,	Owlett,	Scarlett,
Dent,	Jacobs,	Pierson,	Shapiro,
DiSilvestro,	Jaspan,	Pytko,	Sipe,
Ealy,	Kahle,	Rankin,	Sones,
Eroe,	Kilgallen,	Reed,	Stiefel,
Frey,	Kunkel,	Rice,	Wolfenden,
Gelder,	Lanius,	Rodgers,	Woodward,
Gilson,	Law,		

NAYS—0.

A majority of all Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1030 (House Bill No. 1216), entitled:

An Act providing that investment in shares of Federal Savings and Loan Associations or share of other institution insured under the Federal Savings and Loan Insurance Corporation shall be legal investments for certain corporations and certain funds.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29.

Barthold,	Haluska,	Kunkel,	Rice,
Cavalcante,	Henney,	Lanius,	Rupp,
Dando,	Heyburn,	Law,	Ruth,
Dent,	Jacobs,	Mallery,	Sipe,
DiSilvestro,	Jaspan,	McCreesh,	Sones,
Eroe,	Kahle,	McGinnis,	Stiefel,
Frey,	Kilgallen,	Reed,	Thompson,
Gilson,			

NAYS—9.

Chapman,	Homsher,	Pierson,	Wolfenden,
Ealy,	Owlett,	Scarlett,	Woodward,
Gelder,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. THOMPSON. Mr. President, I ask unanimous consent that Senate Bill No. 1032 (House Bill No. 1567), on third reading, entitled:

An Act to amend section two and section nine as amended of the act approved the fifth day of January one thousand nine hundred and thirty-four (Pamphlet Laws two hundred twenty-three 1933-34) entitled "An act providing compensation to certai npersons who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam

providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties" further regulating the making of payments to representatives of persons who cannot personally receive compensation.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1036 (House Bill No. 1977), entitled:

An Act to amend sections three seven eight fifteen twenty-four and twenty-eight sections fourteen thirty-four and thirty-eight as amended sections eighteen and sixty-one as amended sections fifty-four and fifty-seven as amended and to repeal section nineteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred sixty-nine) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" by providing for the reorganization of the division changing the designation Staff Corps and Departments to State Staff and Detachment defining the powers of the division commander providing for the vacation of commissions upon transfer to the Inactive National Guard making the period of enlistment and qualifications conform to the National Guard Bureau requirements defining the duties of the Adjutant General providing for the elimination of officers or warrant officers by courts of inquiry changing the basic annual allowance for mounted troops and increasing the minimum allowance providing expenses of headquarters for more than one division and eliminating the allowance for headquarters of trains providing a term of office for staff and warrant officers and eliminating an absolete reference to five year terms providing that any sheriff constable may receive and confine military offenders providing that any division commander may appoint a general court-martial providing for the collection of court-martial fines and execution of sentence of court-martial and rescinding obsolete provisions referring to staff officers.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Haluska,	Lanius,	Ruth,
Cavalcante,	Henney,	Law,	Salus,
Chapman,	Heyburn,	Mallery,	Scarlett,
Dando,	Homsher,	McCreesh,	Shapiro,
Dent,	Huffman,	McGinnis,	Sipe,
Ealy,	Jacobs,	Owlett,	Sones,
Eroe,	Jaspan,	Pierson,	Stiefel,
Frey,	Kahle,	Reed,	Thompson,
Gelder,	Kilgallen,	Rice,	Wolfenden,
Gilson,	Kunkel,	Rupp,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1095 (House Bill No. 1343), entitled:

An Act to further amend the first paragraph of section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred seven) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by permitting the filing of claims in more than one county in certain cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Chapman,	Homsher,	McCreesh,	Scarlett,
Dando,	Huffman,	McGinnis,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
Ealy,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Thompson,
Gelder,	Kunkel,	Rice,	Wolfenden,
Gilson,	Lanius,	Rodgers,	Woodward,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1098 (House Bill No. 1475), entitled:

An Act to amend section eleven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws four hundred eighty-three) entitled "An act relating to practice in the courts of common pleas in actions of assumpsit and trespass except actions for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" providing that the defendant in a counter-claim may ask for an account in certain cases.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Haluska,	Law,	Ruth,
Cavalcante,	Henney,	Mallery,	Salus,

Chapman,	Heyburn,	McCreesh,	Scarlett,
Dando,	Homsher,	McGinnis,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
Ealy,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Thompson,
Gelder,	Kunkel,	Rice,	Wolfenden,
Gilson,	Lanius,	Rupp,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1113, entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Edinboro State Teachers College to acquire certain tracts of land for the use of said college and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Haluska,	Law,	Ruth,
Cavalcante,	Henney,	Mallery,	Salus,
Chapman,	Heyburn,	McCreesh,	Scarlett,
Dando,	Homsher,	McGinnis,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
Ealy,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Thompson,
Gelder,	Kunkel,	Rice,	Wolfenden,
Gilson,	Lanius,	Rupp,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. McCREESH. Mr. President, I ask unanimous consent that Senate Bill No. 1136, on third reading, entitled:

An Act to provide for the regulation of the building erection and maintenance of structures in along across over under projecting into or being in streams lakes and other bodies of water wholly or partly within or forming part of the boundary of this Commonwealth providing for permits fees and charges conferring powers and imposing duties upon the Water and Power Resources Board.

go over in its order.

The PRESIDENT. Is there objection?

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1117, entitled:

An Act to amend the act of the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred twenty-two) by restricting the sale and transportation of goods wares and merchandise prepared and manufactured within and without this Commonwealth by convicts and prisoners and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Barthold,	Haluska,	Lanius,	Rodgers,
Cavalcante,	Henney,	Law,	Rupp,
Dando,	Heyburn,	Mallery,	Ruth,
Dent,	Jacobs,	McCreesh,	Sipe,
DiSilvestro,	Jaspan,	McGinnis,	Stiefel,
Eroe,	Kahle,	Owlett,	Thompson,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gilson,	Kunkel,	Rice,	Woodward,

NAYS—5

Chapman,	Homsher,	Pierson,	Scarlett,
Gelder			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1139, entitled

An Act to authorize cities of the first class of this Commonwealth to provide for the payment of deficits arising from non-receipt of revenue during the year 1937 in three equal annual installments and to authorize the making of contracts the drawing of warrants and the approval thereof without appropriation for the payment of such defiits except as provided by this act and to levy and fix the tax rate and to make appropriations and prepare and formulate the financial programs of such cities upon the basis of the discharge of such deficits in the manner provided by this act and repealing any inconsistent legislation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Chapman,	Homsher,	McCreesh,	Scarlett,
Dando,	Huffman,	McGinnis,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
Ealy,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey	Kilgallen,	Reed,	Thompson,
Gelder,	Kunkel,	Rice,	Wolfenden,
Gilson,	Lanius,	Rodgers,	Woodward,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1143, entitled:

An Act making an appropriation to the Department of Forests and Waters for acquisition of lands in connection with George W. Childs State Forest Park.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Dando,	Homsher,	McCreesh,	Scarlett,
Dent,	Huffman,	McGinnis,	Shapiro,
Ealy,	Jacobs,	Owlett,	Sipe,
Eroe,	Jaspan,	Pierson,	Sones,
Frey,	Kahle,	Rankin,	Stiefel,
Gelder,	Kilgallen,	Reed,	Thompson,
Gilson,	Kunkel,	Rice,	Wolfenden,
Haluska,	Lanius,	Rodgers,	Woodward,

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question we determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1168, entitled:

An Act to amend section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 662) entitled "An act relating to retirement from the Pennsylvania National Guard" as amended by the act approved the twelfth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 681), by providing that service in excess of thirty-nine years and five months may be counted as more than forty years of service.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barthold,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Scarlett,
Dando,	Homsher,	McGinnis,	Shapiro,
Dent,	Huffman,	Owlett,	Sipe,
DiSilvestro,	Jacobs,	Pierson,	Sones,
Ealy,	Jaspan,	Pytko,	Stiefel,
Eroe,	Kahle,	Reed,	Thompson,
Frey,	Kilgallen,	Rice,	Wolfenden,
Gelder,	Kunkel,	Rodgers,	Woodward,
Gilson,	Lanius,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1172 (House Bill No. 141), entitled:

An Act making an appropriation to the Supreme Court for a portrait of the former Chief Justice of said court.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. KUNKEL. Mr. President, may I ask the Senator from Adams, who the Chief Justices are?

Mr. RICE. Mr. President, one of them is Chief Justice Kephart and the other is Former Chief Justice Fraser.

Mr. KUNKEL. Mr. President, in order not to delay the proceedings here, I ask that these bills go over in order.

Mr. RICE. Mr. President, I see no special reason for the bills going over in order, after the Senator from Dauphin has the name now, which are Chief Justice Kephart and former Chief Justice Fraser.

Mr. WOODWARD. Mr. President, I object to the bills going over in order.

The PRESIDENT. The Chair hears objection.

Mr. KUNKEL. Mr. President, may I ask which bill refers to which Justice?

Mr. RICE. Mr. President, Senate Bill No. 1172, is for Chief Justice Fraser, and Senate Bill No. 1173, for Chief Justice Kephart.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Henney,	Mallery,	Rupp,
Cavalcante,	Heyburn,	McCreesh,	Ruth,
Chapman,	Homsher,	McGinnis,	Scarlett,
Dando,	Huffman,	Owlett,	Shapiro,
Dent,	Jacobs,	Pierson,	Sipe,
Eroe,	Jaspan,	Pytko,	Sones,
Frey,	Kahle,	Rankin,	Stiefel,
Gelder,	Kilgallen,	Reed,	Thompson,
Gilson,	Lanius,	Rice,	Wolfenden,
Haluska,	Law,	Rodgers,	Woodward,

NAYS—1

Kunkel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1173 (House Bill No. 142), entitled:

An Act making an appropriation to the Supreme Court for a portrait of the Chief Justice of said court.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Heyburn,	Mallery,	Rupp,
Cavalcante,	Homsher,	McCreesh,	Ruth,

Chapman,	Huffman,	McGinnis,	Scarlett,
Dando,	Jacobs,	Owlett,	Shapiro,
Dent,	Jaspan,	Pierson,	Sipe,
Eroe,	Kahle,	Pytko,	Sones,
Frey,	Kilgallen,	Rankin,	Stiefel,
Gelder,	Kunkel,	Reed,	Thompson,
Gilson,	Lanius,	Rice,	Wolfenden,
Haluska,	Law,	Rodgers,	Woodward,
Henney,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1175 (House Bill No. 392), entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Heyburn,	Mallery,	Rupp,
Cavalcante,	Homsher,	McCreesh,	Ruth,
Chapman,	Huffman,	McGinnis,	Scarlett,
Dando,	Jacobs,	Owlett,	Shapiro,
Dent,	Jaspan,	Pierson,	Sipe,
Eroe,	Kahle,	Pytko,	Sones,
Frey,	Kilgallen,	Rankin,	Stiefel,
Gelder,	Kunkel,	Reed,	Thompson,
Gilson,	Lanius,	Rice,	Wolfenden,
Haluska,	Law,	Rodgers,	Woodward,
Henney,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1177 (House Bill No. 564), entitled:

An Act making an appropriation to the Department of Agriculture to advance the tobacco interest of this Commonwealth.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Heyburn,	Mallery,	Rupp,
Cavalcante,	Homsher,	McCreesh,	Ruth,
Chapman,	Huffman,	McGinnis,	Scarlett,
Dando,	Jacobs,	Owlett,	Shapiro,
Dent,	Jaspan,	Pierson,	Sipe,
Eroe,	Kahle,	Pytko,	Sones,
Frey,	Kilgallen,	Rankin,	Stiefel,
Gelder,	Kunkel,	Reed,	Thompson,
Gilson,	Lanius,	Rice,	Wolfenden,
Haluska,	Law,	Rodgers,	Woodward,
Henney,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1181 (House Bill No. 956), entitled:

An Act making an appropriation out of the Motor License Fund to the Auditor General State Treasurer and Secretary of Highways as the Commission of the Commonwealth of Pennsylvania for the acquisition of a bridge over the Delaware River between the Commonwealth of Pennsylvania and the State of New York at Lackawaxen

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Heyburn,	Mallery,	Rupp,
Cavalcante,	Homsher,	McCreesh,	Ruth,
Chapman,	Huffman,	McGinnis,	Scarlett,
Dando,	Jacobs,	Owlett,	Shapiro,
Dent,	Jaspan,	Pierson,	Sipe,
Eroe,	Kahle,	Pytko,	Sones,
Frey,	Kilgallen,	Rankin,	Stiefel,
Gelder,	Kunkel,	Reed,	Thompson,
Gilson,	Lanius,	Rice,	Wolfenden,
Haluska,	Law,	Rodgers,	Woodward,
Henney,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1182 (House Bill No. 957), entitled:

An Act making an appropriation out of the Motor License Fund to the Delaware River Joint Toll Bridge Commission for the purpose of acquiring the toll bridge at Dingman's Ferry over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Chapman,	Homsher,	McCreesh,	Scarlett,
Dando,	Huffman,	McGinnis,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,

Eroe,	Kahle,	Pytko,	Stiefel,
Frey,	Kilgallen,	Reed,	Thompson,
Gelder,	Kunkel,	Rice,	Wolfenden,
Gilson,	Lanius,	Rodgers,	Woodward,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1184 (House Bill No. 1021), entitled:

An Act for the protection of employes by prohibiting those in authority over such employes to threaten or intimidate employes failing or refusing to sign petitions

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Chapman,	Homsher,	McCreesh,	Scarlett,
Dent,	Huffman,	McGinnis,	Shapiro,
DiSilvestro,	Jacobs,	Owlett,	Sipe,
Eroe,	Jaspan,	Pierson,	Sones,
Frey,	Kahle,	Pytko,	Stiefel,
Gelder,	Kilgallen,	Reed,	Thompson,
Gilson,	Kunkel,	Rice,	Wolfenden,
Haluska,	Lanius,	Rodgers,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1185 (House Bill No. 1133), entitled:

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Chapman,	Homsher,	McCreesh,	Scarlett,
Dando,	Huffman,	McGinnis,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle,	Pytko,	Stiefel,
Frey,	Kilgallen,	Reed,	Thompson,
Gelder,	Kunkel,	Rice,	Wolfenden,
Gilson,	Lanius,	Rodgers,	Woodward,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1186 (House Bill No. 1144), entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that department in acting as purchasing agent for the Department of Highways.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, I would like to ask the chairman of the Committee on Appropriations a question.

The PRESIDENT. Will the Senator from Adams, Mr. Rice, permit himself to be interrogated?

Mr. RICE. Mr. President, I will.

Mr. WOODWARD. Mr. President, I would like to ask the Chairman of the Committee why the committee took the Motor License Fund to pay the purchasing agent of the Department of Property and Supplies; why it does not come out of a general fund?

Mr. RICE. Mr. President, the Department of Property and Supplies makes certain purchases for the Department of Highways, and this is to reimburse the Department of Property and Supplies for the expenses incurred in making the purchases.

Mr. WOODWARD. Mr. President, it is for salary for the purchasing agent, not for steam rollers or anything like that?

Mr. RICE. Mr. President, no, this is for salaries and so forth.

Mr. WOODWARD. Mr. President, the Game and Fish Department did the same thing with the purchasing agent of Property and Supplies why should he be reimbursed from those special funds? I cannot see why the money does not come out of the general fund?

Mr. RICE. Mr. President, it is an expense that is directly attributable to the Highway Fund, instead of them making their own purchases the Department of Property and Supplies purchase for them, and the Department of Property and Supplies is reimbursed for the expense incurred.

Mr. WOODWARD. Mr. President, so the Game and Fish Department would do the same thing as Highways?

Mr. RICE. Mr. President, I believe it would.

The question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Dando,	Homsher,	McCreesh,	Scarlett,
Dent,	Huffman,	McGinnis,	Shapiro,
DiSilvestro,	Jacobs,	Owlett,	Sipe,
Eroe,	Jaspan,	Pierson,	Sones,
Frey,	Kahle,	Pytko,	Stiefel,
Gelder,	Kilgallen,	Reed,	Thompson,
Gilson,	Kunkel,	Rice,	Wolfenden,
Haluska,	Lanius,	Rodgers,	Woodward,

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1187 (House Bill No. 1145), entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, I would like to ask a question of the Chairman of the Appropriations Committee.

The PRESIDENT. Will the Chairman of the Committee on Appropriations Mr. Rice, permit himself to be interrogated?

Mr. RICE. Mr. President, I Will.

Mr. WOODWARD. Mr. President, this is an appropriation from the Motor License Fund, Board of Financial Revenue, to meet interest on sinking fund requirements on the state debt; does that mean that the state debt is confined to the issue of highway bonds, is that the only state debt you have?

Mr. RICE. Mr. President, that is the only state debt that this refers to.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Henney	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Dando,	Homsher,	McCreesh,	Scarlett,
Dent,	Huffman,	McGinnis,	Shapiro,
DiSilvestro,	Jacobs,	Owlett,	Sipe,
Eroe,	Jaspan,	Pierson,	Sones,
Frey,	Kahle,	Pytko,	Stiefel,
Gelder,	Kilgallen,	Reed,	Thompson,
Gilson,	Kunkel,	Rice,	Wolfenden,
Haluska,	Lanius,	Rodgers,	Woodward,

NAYS—1

Chapman.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1188 (House Bill No. 1151), entitled:

An Act providing for the return to the State Insurance Fund of moneys transferred therefrom to the General Fund.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Chapman,	Homsher,	McCreesh,	Scarlett,
Dando,	Huffman,	McGinnis,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle,	Pytko,	Stiefel,
Frey,	Kilgallen,	Reed,	Thompson,
Gelder,	Kunkel,	Rice,	Wolfenden,
Gilson,	Lanius,	Rodgers,	Woodward,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amedments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1195 (House Bill No. 1508), entitled:

An Act making an appropriation to the Department of Agriculture for a suitable exhibit at the Seventh World's Poultry Congress.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, may I inquire the amount?

Mr. RICE. Mr. President, $10,000.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Chapman,	Homsher,	McCreesh,	Scarlett,
Dando,	Huffman,	McGinnis,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle,	Pytko,	Stiefel,
Frey,	Kilgallen,	Reed,	Thompson,
Gelder,	Kunkel,	Rice,	Wolfenden,
Gilson,	Lanius,	Rodgers,	Woodward,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1198 (House Bill No. 1644), entitled:

An Act to amend section one two four and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval provid-

ing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as amended extending the provisions of said act to additional buildings providing additional safety regulations and for the closing of certain buildings.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, may I ask a question of the Chairman of the Committee on Appropriations?

The PRESIDENT. Will the Chairman of the Committee on Appropriations, Mr. Rice, permit himself to be interrogated?

Mr. RICE. Mr. President, I will.

Mr. WOODWARD. Mr. President, I am quite well aware that this is a customary appropriation; I want to know whether the appropriation is greater than usual, or the same?

Mr. RICE. Mr. President, it is the same amount as the last one, $5,000.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Chapman,	Homsher,	McCreesh,	Scarlett,
Dando,	Huffman,	McGinnis,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Thompson,
Gelder,	Kunkel,	Rice,	Wolfenden,
Gilson,	Lanius,	Rodgers,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1202 (House Bill No. 1745), entitled:

An Act making an appropriation to the several fire companies of the city of Harrisburg Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Chapman,	Homsher,	McCreesh,	Scarlett,
Dando,	Huffman,	McGinnis,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Thompson,
Gelder,	Kunkel,	Rice,	Wolfenden,
Gilson,	Lanius,	Rodgers,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. REED. Mr. President, I ask unanimous consent that Senate Bill No. 1204, (House Bill No. 1798), on third reading, entitled:

An Act to repeal clause (c) as amended and to amend clause (d) of section fifty-eight of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointments bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised aat a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the Court of Common Pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents" eliminating certain provisions relating to foreign fiduciaries selling assigning transferring and receiving the income from certain assets of decedents minors and cestui que trusts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1215, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition of certain lands as state forest lands

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Chapman,	Homsher,	McCreesh,	Scarlett,
Dando,	Huffman,	McGinnis,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Thompson,
Gelder,	Kunkel,	Rice,	Wolfenden,
Gilson,	Lanius,	Rodgers,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1220, entitled:

An Act to validate conveyances purporting to be the act and deed of a corporation heretofore erroneously executed and acknowledged, or executed and acknowldged by persons purporting to be agents of or trustees for a corporation which has since been dissolved.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Heyburn,	Mallery,	Ruth,
Chapman,	Homsher,	McCreesh,	Scarlett,
Dando,	Huffman,	McGinnis,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle,	Pytko,	Stiefel,
Frey,	Kilgallen,	Reed,	Thompson,
Gelder,	Kunkel,	Rice,	Wolfenden,
Gilson,	Lanius,	Rodgers,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1223, entitled:

An Act to amend section one of the act approved the tenth day of May, one thousand nine hundred twenty-seven (P .L. 879), entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods, wares or merchandise of any kind, fixtures, machinery, equipment or real estate, by every corporation, joint-stock association, limited partnership or company; providing certain requirements therefor and imposing certain duties upon the seller and buyer; and fixing penalties," uroviding for the payment of unemployment contributions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Haluska,	Lanius,	Rupp,
Cavalcante,	Henney,	Law,	Ruth,
Chapman,	Heyburn,	Mallery,	Scarlett,
Dando,	Homsher,	McCreesh,	Shapiro,
Dent,	Huffman,	McGinnis,	Sipe,
DiSilvestro,	Jacobs,	Owlett,	Sones,
Eroe,	Jaspan,	Pierson,	Stiefel,
Frey,	Kahle,	Reed,	Thompson,
Gelder,	Kilgallen,	Rice,	Wolfenden,
Gilson,	Kunkel,	Rodgers,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The PRESDENT PRO TEMPORE (Mr. Harvey Hoffman) in the Chair.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1225, entitled:

An Act making an appropriation out of The State Stores Fund to the Department of Property and Supplies for the acquisition of land (With or without buildings thereon) and for the erection, construction and equipment of an office building thereon for the use of the Pennsylvania Liquor Control Board.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Haluska,	Law,	Ruth,
Cavalcante,	Henney,	Mallery,	Scarlett,
Chapman,	Heyburn,	McCreesh,	Shapiro,
Dando,	Homsher,	McGinnis,	Sipe,
Dent,	Jacobs,	Owlett,	Sones,
DiSilvestro,	Jaspan,	Pierson,	Stiefel,
Eroe,	Kahle,	Reed,	Thompson,
Frey,	Kilgallen,	Rice,	Wolfenden,
Gelder,	Kunkel,	Rodgers,	Woodward,
Gilson,	Lanius,	Rupp,	Huffman,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1234, entitled:

An Act prohibiting during a declared emergency, foreclosure, entry of judgment and issuance of execution on agreements, bonds and mortgages affecting real property, because of failure to fully discharge municipal liens against such property, where such liens, pursuant to ordinance or resolution are being paid in installments.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Henney,	Mallery,	Ruth,
Cavalcante,	Heyburn,	McCreesh,	Scarlett,
Chapman,	Homsher,	McGinnis,	Shapiro,
Dando,	Jacobs,	Owlett,	Sipe,
Dent,	Jaspan,	Pierson,	Sones,
DiSilvestro,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Reed,	Thompson,
Frey,	Kunkel,	Rice,	Wolfenden,
Gelder,	Lanius,	Rodgers,	Woodward,
Gilson,	Law,	Rupp,	Huffman,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1239 (House Bill No. 393), entitled:

An Act making an appropriation to the Department of Health for the purpose of draining flooded mines and quarries in this Commonwealth to recover human bodies lost therein.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, may I ask for information. If this money is spent for flooded mines and quarries to recover human bodies, lost therein, will it appear in the report of the Auditor General that the money is spent for that purpose only?

Mr. RICE. Mr. President, it is set up in a special fund, and I will say that if it were not used for those purposes, it will show up in the report.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Henney,	Mallery,	Ruth,
Cavalcante,	Heyburn,	McCreesh,	Scarlett,
Chapman,	Homsher,	McGinnis,	Shapiro,
Dando,	Jacobs,	Owlett,	Sipe,
Dent,	Jaspan,	Pierson,	Sones,
DiSilvestro,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Reed,	Thompson,
Frey,	Kunkel,	Rice,	Wolfenden,
Gelder,	Lanius,	Rodgers,	Woodward,
Gilson,	Law,	Rupp,	Huffman,
Haluska,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. HOMSHER. Mr. President, I call up at this time Senate Bill No. 879, on third reading, entitled:

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two years beginning June first, one thousand nine hundred thirty-seven, and for the payment of assistance and expenses accrued or incurred prior to, and remaining unpaid on, May thirty-first, one thousand nine hundred thirty-seven.

Mr. THOMPSON. Mr. President, I ask unanimous consent that Senate Bill No. 879, on third reading, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1241 (House Bill No. 1764), entitled:

An Act relating to certain existing beneficial societies conferring certain rights power and duties upon them their officers and members authorizing the payment of benefits by them in the event of sickness accident disability or death regulating such societies and corporations and limiting the amount for which they may issue membership certificates or policies providing for reserves imposing penalties and repealing certain existing laws and parts of law.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Haluska,	Law,	Ruth,
Cavalcante,	Henney,	Mallery,	Scarlett,
Chapman,	Heyburn,	McCreesh,	Shapiro,
Dando,	Homsner,	McGinnis,	Sipe,
Dent,	Jacobs,	Owlett,	Sones,
DiSilvestro,	Jaspan,	Pierson,	Stiefel,
Eroe,	Kahle,	Reed,	Thompson,
Frey,	Kilgallen,	Rice,	Wolfenden,
Gelder,	Kunkel,	Rodgers,	Woodward,
Gilson,	Lanius,	Rupp,	Huffman,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1244, entitled:

An Act making an appropriation to the American Legislators Association and the Interstate Legislative Reference Bureau.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. LAW. Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. WOODWARD, in reference to this bill.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Wooward, permit himself to be interrogated?

Mr. WOODWARD. Mr. President, with pleasure.

Mr. LAW. Mr. President, will the Senator from Philadelphia, Mr. Woodward, state the amount of this appropriation in this bill?

Mr. WOODWARD. Mr. President, $4,000.

Mr. LAW. Mr. President, will the Senator from Philadelphia Mr. Woodward, state the purpose of the appropriation?

Mr. WOODWARD. Mr. President, there are two purposes: one is the Interstate Legislative Reference Bureau, which maintains offices in Chicago, and of which Mr. Fertig is a member; the other is the usual appropriation to the American Legislators Association. Each State gives $4,000, and I am ashamed to say that the last appropriation was cut by the Governor to $750.00, so do not interfere with this, please.

Mr. LAW. Mr. President, will the Senator from Philadelphia, state whether this is a Democratic or Republican bill?

Mr. WOODWARD. Mr. President, I will say it is nonpartisan.

Mr. LAW. Mr. President, will the Senator from Philadelphia state whether this will be audited by the Auditor General.

Mr. WOODWARD. Mr. President, I think by the new Auditor General nothing will escape him.

Mr. DENT. Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. Woodward.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Woodward, permit himself to be interrogated?

Mr. WOODWARD. Mr. President, yes.

Mr. DENT. Mr. President, I would like to ask the Senator from Philadelphia, how many years this American Legislators Association has been in existence?

Mr. WOODWARD. Mr. President, 11 years.

Mr. DENT. Mr. President, what have they ever done?

Mr. WOODWARD. Mr. President, eleven years ago they were organized in Denver, Colorado — do you want to hear the story of my life? — in Denver Colorado, — we had only a corporal's guard there, and one of the resolutions authorized Senator Toll, of Colorado — was that, the president was to go to the Governors' conference in Cheyenne. He went, and they kept him waiting for two or three days, and finally gave him five minutes for the Executive Committee. That was eleven yeras ago, but today the Governors invite us to all their conferences, they put us on their programs, and we are becoming almost as important as the Governor. Now, moreover, we have been invited to Washington, by the Secretary of the Treasury and by the Chairman of the Ways and Means Committee of the House, and by Senator Patrick Harrison of the Finance Committee. Do you want me to go on?

Mr. DENT. Mr. President, yes. I see now that you have a new association tacked on to it, it is only a few years old, that is, the Inter-state Legislators Reference Bureau.

Mr. WOODWARD. Mr. President, that has been there for a long time.

Mr. DENT. Mr. President, how many years?

Mr. WOODWARD. Mr. President, I should think for about half that time.

Mr. DENT. Mr. President, what has it ever done?

Mr. WOODWARD. Mr. President, it maintains an office in Chicago, and whenever you are in doubt about anything like the full crew business, for instance, you can direct an inquiry to the Chicago office and you will get all the data from all the States in the Union on that subject, and you will need no dark glasses so you cannot see any orders.

Mr. DENT. Mr. President, I thank the Doctor. I suppose it is perfectly alright to keep an institution going and keep on appropriating money for it; however, I find that we already maintain one Reference Bureau within the State, a sort of exchange whereby we know the legislation that is passed in other states etc., and I do not think this appropriation is at all necessary. I think that an organization in existence 11 years that has not anything more tangible to offer than that they maintain offices in Chicago, I think, at this time, that this State should refuse to participate in such malicious squandering of the people's money.

Mr. WOODWARD. Mr. President, may I say a word more? I imagine that the Senator will vote for the bill anyway, but I would like to just say that it is very interesting to know that the Laura E. Stillman Fund which is part of the Rockafeller Foundation Fund, and which is directed by men like Boswick, John D. Rockafeller, Jr., have on their list this very association, and they give more money to this association than to any other agency of that description. I think that is a very good recommendation.

Mr. KUNKEL. Mr. President, may I interrogate the Senator from Philadelphia, Mr. Woodward.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Woodward, permit himself to be interrogated?

Mr. WOODWARD. Mr. President, I will.

Mr. KUNKEL. Mr. President, from the remarks that were made by Members of the Senate, this bill, it seems to me, will be taking money from the taxpayers of Pennsylvania sending it to Colorado and Chicago for an institution that is sponsored by one of the wealthiest families in the Country; is that correct?

Mr. WOODWARD. Mr. President, not altogether. This money is used in part for the traveling expenses of Senator Rupp and myself, and also the appointees of the Governor and the members of the House. All the States chip into the pool to pay these expenses, and also for this Reference Bureau, and I assure you that I was rather offended that these other states have given more than $4,000 annually, and last year our Association was only given $750.00.

Mr. RUPP. Mr. President, if we can afford to spend $40,000 to celebrate the landing of the ships Kalmar Nyckel and Fogel Grip on the Delaware River, we can afford to spend $4.000 for Dr. Woodward and myself and Senator Rodgers.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Haluska,	Law,	Ruth,
Cavalcante,	Henney,	Mallery,	Scarlett,
Chapman,	Heyburn,	McCreesh,	Shapiro,
Dando,	Homsher,	McGinnis,	Sipe,
Dent,	Jacobs,	Owlett,	Sones,
DiSilvestro,	Jaspan,	Pierson,	Stiefel,
Eroe,	Kahle,	Reed,	Thompson,
Frey,	Kilgallen,	Rice,	Wolfenden,
Gelder,	Kunkel,	Rodgers,	Woodward,
Gilson,	Lanius,	Rupp,	Huffman,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House

of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1252, entitled:

An Act regulating the hearing before boards of view and jury trials and the awards and verdicts in cases arising from the taking injury or destruction of private property under the right of eminent domain where both the owner of the fee and any lessee or lessees under such owner shall claim damages.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Haluska,	Mallery,	Scarlett,
Cavalcante,	Henney,	McCreesh,	Shapiro,
Chapman,	Heyburn,	McGinnis,	Sipe,
Dando,	Homsher,	Owlett,	Sones,
Dent,	Jacobs,	Pierson,	Stiefel,
DiSilvestro,	Jaspan,	Pytko,	Thompson,
Eroe,	Kahle,	Reed,	Wolfenden,
Frey,	Kilgallen,	Rice,	Woodward,
Gelder,	Lanius,	Rupp,	Huffman,
Gilson,	Law,	Ruth,	

NAYS—1

Kunkel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1259, entitled:

An Act to amend sections one and four of the act approved the ninth day of March one thousand nine hundred and thirty-seven (Act No. 11) entitled "A Joint Resolution authorizing the appointment of a commission to make a fair and impartial investigation of the general practice and procedure in the courts of oyer and terminer general jail delivery and quarter sessions of the peace in the various counties of the Commonwealth and the Municipal Court in the City and County of Philadelphia with special reference to the prosecution trial and disposition of all criminal cases and the probation and parole of persons guilty of crime conferring upon the commission full power to issue subpoenas requiring the commission if possible to make a report of its findings to the present session of the General Assembly together with its recommendations as to such legislation as may be necessary or desirable otherwise to make such report and recommendation to the Governor authorizing the commission to employ counsel and employes and making an appropriation" by empowering the commission to sit after the adjournment of the General Assembly and increasing the amount of the appropriation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. OWLETT. Mr. President, I would like to interrogate the sponsor of this bill.

The PRESIDENT. Will the Senator from Berks, Mr. Ruth, permit himself to be interrogated?

Mr. RUTH. Mr. President, I will.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Berks, Mr. Ruth how much additional money is appropriated by this bill?

Mr. RUTH. Mr. President, $25,000 additional.

Mr. OWLETT. Mr. President, is this the Committee that is investigating the Judges of the Common Pleas Courts and the Municipal Government down in Philadelphia, the Committee that made a preliminary report the other day?

Mr. RUTH. Mr. President, no, they are investigating the criminal courts.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Berks County, Mr. Ruth, how much was originally appropriated towards this Committee?

Mr. RUTH. Mr. President, $25,000.

Mr. OWLETT. Mr. President, so that makes a total of $50,000 that you expect to spend on this Commission to investigate court procedure in Philadelphia?

Mr. RUTH. Mr. President, that is so, and that amount is needed.

Mr. OWLETT. Mr. President, I think the Senate ought to vote down this bill. The committee has made a preliminary report in which they found that nothing is wrong with the procedure in Philadelphia. We have several committees investigating various matters in Philadelphia, and there seems to be no reason to continue this investigation, and if we are going to start saving little money, it seems to me this is a good place to stop spending. They would spend $50,000 to get lot of data that everybody in this Senate knows will never be looked at.

Mr. STIEFEL. Mr. President, why does the Senator from Tioga, Mr. Owlett, dedicate his remarks simply to Philadelphia, and why does he not refer to the entire State of Pennsylvania?

Mr. OWLETT. Mr. President, I understand that this Committee has said that they have confined themselves thus far to Philadelphia, I believe the Chairman said, and I think everybody in this Senate knows what this is designed to do. The Municipal Court now is supposed to be abolished and we have all the courts we can pay for in Philadelphia now, and now you want to spend $25,000 more to maintain offices down there in Philadelphia and make up a long list that nobody will ever look at.

Mr. WOODWARD. Mr. President, may I ask the Senator from Berks, Mr. Ruth, a question?

The PRESIDENT. Will the Senator from Berks Mr. Ruth, permit himself to be interrogated?

Mr. RUTH. Mr. President, I will.

Mr. WOODWARD. Mr. President, may I ask the name of the attorney for the committee?

Mr. RUTH. Mr. President, Chester A. Keyes.

Mr. WOODWARD. Mr. President, where does he reside?

Mr. RUTH. Mr. President, he resides in Philadelphia at the present time but his home is in Kansas City.

Mr. WOODWARD. Mr. President, he is not a Pennsylvanian.

Mr. RUTH. Mr. President, he is not.

Mr. WOODWARD. Mr. President, is it a fair question to ask how much remuneration is paid to him?

Mr. RUTH. Mr. President, $12,500.

Mr. WOODWARD. Mr. President, does the Senator from Berks, Mr. Ruth think $12,500 enough?

Mr. RUTH. Mr. President, yes, to the first of June; after that whatever the Committee decides to pay.

Mr. WOODWARD. Mr. President, that is half the appropriations.

Mr. RUTH. Mr. President, half the original appropriation.

Mr. WOODWARD. Mr. President, about an hour and a half ago there was a bill reported out by the State Government Committee forbidding the employing of citizens outside of Pennsylvania in any such capacity as this. Now, I think it is a bad bill, and I think it was sidetracked, but it has been my experience that there are plenty of good lawyers in Pennsylvania who could be employed for $12,500, half of the appropriation, so why not employ a Pennsylvania lawyer?

Mr. OWLETT. Mr. President, I would like to interrogate the sponsor of this bill.

The PRESIDENT, Will the Senator from Berks, Mr. Ruth, permit himself to be interrogated?

Mr. Ruth. Mr. President, I will.

Mr. OWLETT. Mr. President, as I understand it that the Committee has paid $12,500 to Mr. Keyes up to June 1st?

Mr. RUTH. Mr. President, that is the contract made with him to do the work. After June 1st and as long as he is needed, it is whatever the committee decides to pay.

Mr. OWLETT. Mr. President, may I ask when he started his work?

Mr. RUTH. Mr. President, April 1st.

Mr. OWLETT. Mr. President, am I to understand that the Committee has paid Mr. Keyes, or has agreed to pay Mr. Keyes, $12,500, for his services from April 1st to June 1st?

Mr. RUTH. Mr President, no, as long as he is needed. This salary is paid approximately to June 1st and that is a flat contract.

Mr. DENT. Mr. President, do I understand the Chairman of the Committee, the Senator from Berks, to say that $12,500 contract was a matter of agreement, that you were to pay him that amount to June 1st?

Mr. RUTH. Mr. President, to June 1st.

Mr. DENT. Mr. President, and he started work on April 1st?

Mr. RUTH. Mr. President, he did.

Mr. OWLETT. Mr. President, I ask the Senate to vote down this bill.

And the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the ayes and nays were taken.

Mr. OWLETT. Mr. President, I ask for a verification of the roll.

The roll was verified and was as follows?

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—16

Barthold,	Eroe,	Jacobs,	McGinnis,
Cavalcante,	Frey,	Kilgallen,	Rice,
Dando,	Gilson,	Kunkel,	Ruth,
Dent,	Henney,	Lanius,	Huffman,

NAYS—18

Chapman,	Kahle,	Rodgers,	Stiefel,
Ealy,	Law,	Rupp,	Thompson,
Haluska,	Owlett,	Sipe,	Wolfenden,
Heyburn,	Pierson,	Sones,	Woodward,
Homsher,	Pytko,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

MOTION TO RECONSIDER SENATE BILL No. 1244.

Mr. THOMPSON. Mr. President, I move to reconsider the vote by which Senate Bill No. 1244, entitled:

An Act making an appropriation to the American Legislators Association and the Interstate Legislative Reference Bureau.

was defeated on final passage.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. THOMPSON and Mr. DENT and were as follows, viz:

YEAS— 9

Barthold,	Henney,	Lanius,	Stiefel,
Dando,	Kunkel,	Pytko,	Thompson,
Dent			

NAYS—28

Cavalcante,	Heyburn,	McCreesh,	Rupp,
Chapman,	Homsher,	McGinnis,	Ruth,
Ealy,	Jacobs,	Owlett,	Sipe,
Eroe,	Kahle,	Pierson,	Sones,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gilson,	Law,	Rice,	Woodward,
Haluska,	Mallery,	Rodgers,	Huffman,

So the question was determined in the negative.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and coneration of Senate Bill No. 1270, entitled:

An Act to amend sections one and three of the act approved the eighteenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws thirty-two) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" by further regulating the preparation and keeping of indexes of deeds and mortgages by recorders of deeds and prescribing the effect thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barthold,	Henney,	McCreesh,	Ruth,
Cavalcante,	Heyburn,	McGinnis,	Shapiro,
Chapman,	Homsher,	Owlett,	Sipe,
Dando,	Jacobs,	Pierson,	Sones,
Dent,	Kahle,	Pytko,	Stiefel,
Ealy,	Kilgallen,	Reed,	Thompson,
Eroe,	Kunkel,	Rice,	Wolfenden,
Frey,	Lanius,	Rodgers,	Woodward,
Gilson,	Law,	Rupp,	Huffman,
Haluska.	Mallery,		

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1284 (House Bill No. 1755), entitled:

An Act providing for the regulation by the Insurance Department of non-profit corporations organized to provide hospitalization for subscribers prescribing legal investments for the funds of such corporations and the hospitals with which such corporations may enter into contracts for hospitalization conferring powers on the Insurance Department and the Department of Welfare exempting such corporations from taxation and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barthold,	Henney,	McCreesh,	Ruth,
Cavalcante,	Heyburn,	McGinnis,	Shapiro,
Chapman,	Homsher,	Owlett,	Sipe,
Dando,	Jacobs,	Pierson,	Sones,
Dent,	Kahle,	Pytko,	Stiefel,
Ealy,	Kilgallen,	Reed,	Thompson,
Eroe,	Kunkel,	Rice,	Wolfenden,
Frey,	Lanius,	Rodgers,	Woodward,
Gilson,	Law,	Rupp,	Huffman,
Haluska,	Mallery,		

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. JACOBS. Mr. President, at the request of Mr. Jaspan, I ask unanimous consent that Senate Bill No. 1287, (House Bill No. 1780) on third reading, entitled:

An Act to amend section five and sections sixteen seventeen and twenty-one as amended of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred and ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by providing for promoters partnerships and co-promoters a bond to protect contestants managers and officials charging license fees for promoters boxers seconds managers and wrestlers and requiring payments to the Commonwealth for complimentary tickets.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1294, (House Bill No. 2102), entitled:

An Act to add section 491.1 to the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing counties of the sixth seventh and eighth classes to pay bounties for the destruction of rattlesnakes and porcupines.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barthold,	Haluska,	Law,	Rice,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Sipe,
Dando,	Homsher,	McGinnis,	Sones,
Dent,	Jacobs,	Owlett,	Stiefel,
Ealy,	Kahle,	Pierson,	Thompson,
Eroe,	Kilgallen,	Pytko,	Wolfenden,
Frey,	Kunkel,	Reed,	Woodward,
Gilson,	Lanius,		

NAYS— 3

Rodgers,	Ruth,	Huffman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON SECOND READING

Mr. RUTH. Mr. President, I call up at this time, out of order, Senate Bill No. 869, House Bill No. 1978, on page 26, of the second reading calendar, entitled:

A Supplement to the act approved the eighteenth day of May one thousand nine hundred eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for certain additions to minimum annual salaries for members of the teaching staffs of schools in fourth class school districts and authorizing the suspension of this supplement in certain cases.

BILL POSTPONED

Mr. RUTH. Mr. President, I move that Senate Bill No. 869 House Bill 1978 be placed on the second reading postponed calendar.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1304, entitled:

An Act for the conveyance to the United States of America of title in and to certain lands in the Townshin

of Fairview County of York and ceding to the United States jurisdiction over said lands

And said bill have been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Sipe,
Dando,	Homsher,	McGinnis,	Sones,
Dent,	Jacobs,	Owlett,	Stiefel,
Ealy,	Jaspan,	Pierson,	Thompson,
Eroe,	Kahle,	Pytko,	Wolfenden,
Frey,	Kilgallen,	Reed,	Woodward,
Gelder,	Kunkel,	Rice,	Huffman,
Gilson,	Lanius,	Rodgers,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1308, entitled:

An Act to amend section four hundred and one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by further regulating depositories of funds of counties of the second class

And said bill have been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Sipe,
Dent,	Jacobs,	Owlett,	Sones,
DiSilvestro,	Jaspan,	Pierson,	Stiefel,
Ealy,	Kahle,	Pytko,	Thompson,
Eroe,	Kilgallen,	Rankin,	Wolfenden,
Frey,	Kunkel,	Reed,	Woodward,
Gelder,	Lanius,	Rice,	Huffman,
Gilson,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1312, entitled:

An Act defining sales of real property in partition and dower proceedings to be judicial sales discharging the real property sold from the lien of certain encumbrances and providing for their payment out of the proceeds of the sale

And said bill have been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barthold,	Haluska,	Mallery,	Rupp,
Cavalcante,	Henney,	McCreesh,	Ruth,
Chapman,	Heyburn,	McGinnis,	Sipe,
Dando,	Homsher,	Owlett,	Sones,
Dent,	Jacobs,	Pierson,	Stiefel,
Ealy,	Kahle,	Pytko,	Thompson,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Woodward,
Gelder,	Lanius,	Rodgers,	Huffman,
Gilson,	Law,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Mr. KUNKEL. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 273, on third reading, postponed, entitled:

An Act providing for the reimbursement by the Commonwealth of counties, for costs and the maintenance of prisoners imposed as the result of prosecutions under laws providing that fines and penalties imposed under such laws or forfeited bail recovered as the result of such prosecutions, shall be payable into the State Treasury or any fund thereof; providing for the audit of the accounts of counties by the Auditor General, and for the collection of amounts due from counties, and for appeals by counties to the Board of Finance and Revenue; and imposing powers and duties on the Auditor General and the Department of Revenue and certain duties upon counties; and repealing inconsistent acts.

Mr. McGINNIS. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring.

Will the Senate agree to the bill?

BILL DROPPED FROM CALENDAR

Mr. THOMPSON. Mr. President, I move that Senate Bill No. 273, be dropped from the Calendar.

Mr. McGINNIS. Mr. President, I second the motion

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Mr. RODGERS. Mr. President, I move that the Senate do now resume the consideration of Senate Bill No. 494, (House Bill No. 557), on third reading postponed, entitled:

An Act making an appropriation to the Water and Power Resources Board for paying into the Flood Fund for Flood Control purposes.

Mr. FREY. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring.

Will the Senate agree to the bill.

It was agreed to.

On the question.

Shall the bill pass finally.

Mr. RODGERS. Mr. President this is the flood control appropriation bill of five million dollars which came from the House at eight million dollars and is now amended back to five million dollars. This is set up in the budget and approved by the Governor, and I imagine that ninety-nine per cent of the people of the State.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Gilson,	Law,	Rupp,
Buckman,	Haluska,	Mallery,	Ruth,
Cavalcante,	Henney,	McCreesh,	Sipe,
Chapman,	Heyburn,	McGinnis,	Sones,
Dando,	Homsher,	Owlett,	Stiefel,
Dent,	Jacobs,	Pierson,	Thompson,
DiSilvestro,	Kahle,	Pytko,	Wolfenden,
Ealy,	Kilgallen,	Reed,	Woodward,
Eroe,	Kunkel,	Rice,	Huffman,
Frey,	Lanius,	Rodgers,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

RECONSIDERATION OF SENATE BILL No. 1241

Mr. PYTKO. Mr. President, I move to reconsider the vote by which Senate Bill No. 1241, (House Bill No. 1764), entitled:

An Act relating to certain existing beneficial societies conferring certain rights powers and duties upon them their officers and members authorizing the payment of benefits by them in the event of sickness accident disability or death regulating such societies and corporations and limiting the amount for which they may issue membership certificates or policies providing for reserves imposing penalties and repealing certain existing laws and parts of law.

passed finally.

The PRESIDENT. How did the Senator vote?

Mr. PYTKO. Mr. President, I voted "aye".

Mr. KUNKEL. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. KUNKEL. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. PYTKO. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. PYTKO. Mr. President, I voted "aye".

Mr. KUNKEL. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. KUNKEL. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. PYTKO. Mr. President, I ask unanimous consent to amend sec. 5, page 10, line 26, by inserting after the word "shall" the word "hereafter"; amend sec. 5 (1), page 10, line 29 by inserting after the word "Contracts" the word "hereafter"; amend sec. 5 (2), page 11, line 7, by inserting after the word "Contracts" the word "hereafter";.

The PRESIDENT. Is there objection? The Chair hears none.

The amendments were agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

REPORTS FROM COMMITTEES

Mr. HUFFMAN. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HUFFMAN, from the Committee on Welfare reported as amended, Senate Bill No. 876, entitled:

An Act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government and institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto, abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them, providing for the temporary employment of certain of them, providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations, revising, amending, changing and consolidating the law relating to the care of the poor and repealing existing laws.

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CAVALCANTE, from the Committee on State Boards reported as committed, Senate Bill No. 341, entitled:

An Act to re-enact and further amend the title and the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (P. L. 15, 1933-34), entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; making disposition of the receipts from State stores and of fees; and imposing penalties:" further regulating the manufacture, sale, importation, use and traffic in liquors, alcohol and malt and brewed beverages; conferring additional powers and imposing additional duties on the Penn-

sylvania Liquor Control Board; further regulating those licensed under this act; imposing additional filing fees and increasing fees for certain permits, and providing for the disposition thereof; further regulating the establishment of State liquor stores and the employment and use of personnel by the board; regulating and providing the procedure for the granting, transfer, revocation and suspension of licenses and for compromises in certain cases and the disposition of moneys arising therefrom; providing for the forfeiture of certain property; regulating the jurisdiction of courts and local option procedure; prohibiting certain interlocking business; and providing penalties.

Also, from the Committee on State Boards reported as committed, Senate Bill No. 342, entitled:

An Act to re-enact and amend the act, approved the nineteenth day of February, one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled, as amended, "An act regulating, under permit, through the Pennsylvania Liquor Control Board, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, rectification, blending, recovery, reuse, holding in bond, holding in storage by bailees for hire, and transportation for hire, of any alcohol, alcoholic liquid or alcoholic beverage, by certain persons; requiring the registration of Federal permits; also providing for fees and the disposition thereof, and for appeals to the courts; also authorizing the inspection of the records of permittees and purchasers of said alcohol, alcoholic liquid, and alcoholic beverages; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act;" further regulating the manufacture, sale, use and traffic in alcohol and alcoholic liquids; conferring additional powers and imposing additional duties upon the Pennsylvania Liquor Control Board; further regulating those licensed under this act; imposing filing fees; changing the method of calculating certain license fees; providing for the use of the word "license" instead of "permit"; regulating and providing the procedure for the granting, suspension and revocation of licenses, and for compromises in certain cases; providing for the disposition of fees, compromise penalties and forfeitures; regulating the jurisdiction of courts; and providing penalties.

Also, from the Committee on State Boards reported as committed, Senate Bill No. 343, entitled:

An Act to re-enact and further amend the title and the act, approved the third day of May, one thousand nine hundred and thirty-three (Pamphlet Laws two hundred fifty-two) entitled as amended, "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Pennsylvania Liquor Control Board, quarter sessions courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers providing penalties; and repealing existing acts;" defining and further defining and regulating licensees, application for licenses and sales by licensees; and providing for the licensing of package retailers, and fixing fees for such licenses, and for amusement permits; regulating the granting, suspension, revocation and transfer of licenses and the procedure therefor; and conferring jurisdiction on certain courts; providing for the granting of licenses by the Pennsylvania Liquor Control Board instead of the county treasurer, and prescribing the powers and duties of said board; providing for compromises where licenses are suspended, and for the disposition of application, licensing, permit fees, forfeitures and penalties; and providing penalties

Mr. CAVALCANTE. Mr. President, I now ask unanimous consent that the bills just reported out be read the second time. These bills have been on the calendar and were on second reading, but before they were given second reading they were recommitted. Mr. Fertig is preparing amendments to these bills and we want to save a legislative day by reporting them out as committed. I ask unanimous consent that they be read the second time.

The PRESIDENT. These bills have been on the calendar, this is a re-report and they are reported as committed. By unanimous consent they could be read and agreed to on second reading. Is there objection?

Mr. THOMPSON. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Centre will state his question of parliamentary inquiry.

Mr. THOMPSON. Mr. President, have the amendments which were to be introduced into these bills been offered?

The PRESIDENT. The amendments have not been offered.

Mr. THOMPSON. Mr. President, these amendments, I understand, will be ready in a very short space of time and I would ask that action on these bills be deferred for a little while. We just checked up, and these amendments will be here shortly.

REPORTS FROM COMMITTEE WITHDRAWN

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to withdraw my report from the Committee on State Boards of Senate Bills Nos. 341, 342 and 343.

The PRESIDENT. Is there objection? The Chair hears none.

REPORT FROM COMMITTEES

Mr. JACOBS. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JACOBS from the Committee on Highways reported as amended, Senate Bill No. 683, entitled:

An Act to further amend sections six, ten and twenty-nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats, principal cities and towns and extending to the State line, describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly or in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of prop-

erty, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein, providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State, providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of townships, county, borough, or incorporated town petitions, providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same, providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by amending Route Fifty-two, by adding thereto borough bridges over mill races as the responsibility of the Department of Highways by providing that no assessment shall be made against the Commonwealth to assist in the reconstruction of any structure eliminating grade crossings; and by further authorizing the Attorney General, under certain conditions, to enter into agreements with townships for the payment, in installments, of certain claims of the Department of Highways against such townships for construction, reconstruction or maintenance of State highways.

Mr. PYTKO. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PYTKO, from the Committee on Insurance re-reported as committed, Senate Bill No. 790, entitled:

An Act creating and appropriating a fund for the purpose of rebuilding, restoring and replacing real and personal property of the Commonwealth damaged or destroyed by fire or other casualty, and for insuring the Commonwealth against losses of public moneys due to embezzlement or theft thereof by, or malfeasance of, State officers and employes; providing for the investment of the moneys in such fund, prohibiting (with certain exceptions) the purchase of insurance or surety bonds for the above purposes; and making a repeal.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 278, (Senate Bill No. 1373), entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie.

Which was committed to the Committee on Appropriations.

House Bill No. 307, (Senate Bill No. 1374), entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education.

Which was committed to the Committee on Appropriations.

House Bill No. 348, (Senate Bill No. 1375), entitled:

An Act making an appropriation to the Glen Mills Schools situate in Delaware County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 349, (Senate Bill No. 1376), entitled:

An Act making an appropriation to the Sleighton Farm School for Girls situate in Delaware County, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 473, (Senate Bill No. 1377), entitled:

An Act making an appropriation to the Department of Forests and Waters for the construction of a masonry weir across the Shenango River near the Chestnut Street Bridge, at Sharon, and the construction of a shelter house for recording devices near the weir.

Which was committed to the Committee on Appropriations.

House Bill No. 558, (Senate Bill No. 1378), entitled:

An Act authorizing the Water and Power Resources Board to make a survey and investigation to determine to what extent the beds of rivers, lakes, and streams, title to which is in the Commonwealth have been and are occupied or encroached upon; and making an appropriation.

Which was committed to the Committee on Forests and Waters.

House Bill No. 826, (Senate Bill No. 1379), entitled:

An Act making an appropriation for the preparation of the Eightieth Division History, and creating a commission for such purposes.

Which was committed to the Committee on Appropriations.

House Bill No. 906, (Senate Bill No. 1380), entitled:

An Act creating a State Worlds Fair Commission; defining the powers and duties of said commission; providing for participation in the New York Worlds Fair; and making an appropriation.

Which was committed to the Committee on State Boards.

House Bill No. 973, (Senate Bill No. 1381), entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in The Dixmont Hospital, at Dixmont, Allegheny County.

Which was committed to the Committee on Appropriations.

House Bill No. 1132, (Senate Bill No. 1382), entitled:

An Act making appropriations for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

Which was committed to the Committee on Appropriations.

House Bill No. 1136, (Senate Bill No. 1383), entitled:

An Act making an appropriation to the Department of

Military Affairs for the acquisition, by purchase or condemnation, of lands, the payment of labor, and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation, at Indiantown Gap; and imposing certain duties upon the State Military Reservation Commission and the Department of Property and Supplies.

Which was committed to the Committee on Appropriations.

House Bill No. 1138, (Senate Bill No. 1384), entitled:

An Act making an appropriation to aid certain school districts.

Which was committed to the Committee on Appropriations.

House Bill No. 1146, (Senate Bill No. 1385), entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yeomen (female), and nurses who were killed in action or died during the World War; and conferring certain duties upon the State Veterans' Commission.

Which was committed to the Committee on Appropriations.

House Bill No. 1152, (Senate Bill No. 1386), entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal, and maintenance of the indigent insane in county and poor district hospitals.

Which was committed to the Committee on Appropriations.

House Bill No. 1330, (Senate Bill No. 1387, entitled:

An Act relating to magistrates and magistrates' courts in the City of Philadelphia imposing certain duties upon the prohibiting certain practices by magistrates imposing certain duties on the City Controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the County of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the Courts of Common Pleas of the County of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts.

Which was committed to the Committee on City Government.

House Bill No. 1346, (Senate Bill No. 1388), entitled:

An Act making an appropriation to the Treasury Department for the payment of certain claims against the Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 1384, (Senate Bill No. 1389), entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry of Philadelphia, Pennsylvania for optometrical education.

Which was committed to the Committee on Appropriations.

House Bill No. 1818, (Senate Bill No. 1390), entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursing fourth class school districts upon certain increases of the salaries of members of the teaching staffs of elementary schools in such school districts.

Which was committed to the Committee on Appropriations.

House Bill No. 1896, (Senate Bill No. 1391), entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania, Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 2145, (Senate Bill No. 1392), entitled:

An Act making an appropriation to the Department of Agriculture to advance the potato interests of this Commonwealth.

Which was committed to the Committee on Appropriations.

House Bill No. 2263, (Senate Bill No. 1393), entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Which was committed to the Committee on Appropriations.

House Bill No. 2259, (Senate Bill No. 1394), entitled:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds.

Which was committed to the Committee on Appropriations.

House Bill No. 2264, (Senate Bill No. 1395), entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Which was committed to the Committee on Appropriations.

House Bill No. 2117, (Senate Bill No. 1396), entitled:

An Act making an appropriation to the Treasury Department for the refund of transfer inheritance and estate taxes erroneously collected or overpaid into the State Treasury.

Which was committed to the Committee on Appropriations.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 429

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate May 20, 1937.

Resolved (If the House of Representatives concur) That Senate Bill No. 429, Printer's No. 166, entitled:

An Act to amend sections two, three, four and six of the act, approved the fifth day of June, one thousand nine hundred thirteen (P. L. 443), entitled "An act for the prevention of blindness, by requiring the reporting of cases of ophthalmia neonatorium (inflammation of the eyes of

infants) by physicians, midwives and others, and requiring the reporting of results of treatment of each case of said disease, and fixing a penalty for violation thereof", by imposing duties on public health nurses, social workers, county medical directors, and physicians, and increasing penalties for violation of said act.

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN SENATE BILL NO. 23

He also returned to the Senate, Senate Bill No. 23, entitled:

An Act making appropriation out of the Motor License Fund to carry into effect the provisions of the act approved the nineteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws one thousand three hundred forty-eight) entitled "An act creating a commission to compile edit publish and distribute pamphlets descriptive of scenic and historic interest and making an appropriation" and its amendments and defining the purposes for which said appropriation may be expended.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 560

He also returned to the Senate, Senate, Bill No. 560 entitled:

An Act providing for the acquisition of the Daniel Boone Homestead by the Department of Property and Supplies, and for its management and development by the Pennsylvania Historical Commission; and making an appropriation.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 562

He also returned to the Senate, Senate Bill No. 562, entitled:

An Act making an appropriation to the Seventy-fifth Anniversary of Battle of Gettysburg Commission.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 377 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House had concurred in amendments made by the Senate to Senate Bill No. 377 entitled:

An Act to re-enact and further amend the title and the act, approved the first day of June, one thousand nine hundred and thirty-three (Pamphlet Laws 1409, entitled "An act authorizing the Secretary of Highways to enter into agreements relating to support for State highways right of ways underlaid by coal, and for the ascertainment and assessment of damanges sustained by reason of the obligation to furnish such support whether the damages are payable by the Commonwealth or a county;" by extending said act to all counties of this Commonwealth and further clarifying the provisions of the act.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL No. 425 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House had concurred in amendments made by the Senate to Senate Bill No. 425 entitled:

An Act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers; providing for wage boards, and defining the powers and duties of such boards and of the Department of Labor and Industry; imposing duties on employers; providing for directory and mandatory orders on employers and the publication of the names of employers who do not comply with such orders; exempting certain persons from the provisions of this act and providing penalties.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

BILLS SIGNED

The PRESIDENT (Lieutenant Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 23 entitled:

An Act making an appropriation out of the Motor License Fund to carry into effect the provisions of the act, approved the nineteenth day of July one thousand nine hundred and thirty-five (P. L. 1348), entitled "An act creating a commission to compile edit, publish, and distribute pamphlets descriptive of scenic and historic interest: and making an appropriation, and its amendments; and defining the purposes for which said appropriation may be expended.

Senate Bill No. 560 entitled:

An Act providing for the acquisition of the Daniel Boone Homestead by the Department of Property and Supplies, and for its management and development by the Pennsylvania Historical Commission; and making an appropriation.

Senate Bill No. 562 entitled:

An Act making an appropriation to the Seventy-fifth Anniversary of Battle of Gettysburg Commission.

Senate Bill No. 377 entitled:

An Act to re-enact and further amend the title and the act, approved the first day of June, one thousand nine hundred and thirty-three (P. L. 1409), entitled "An act authorizing the Secretary of Highways to enter into agreements relating to support for State highway rights of ways underlaid by coal, and for the ascertainment and assessment of damages sustained by reason of the obligation to furnish such support whether the damages are payable by the Commonwealth or a county"; by extending said act to all counties of this Commonwealth and further clarifying the provisions of the act.

Senate Bill No. 425 entitled:

An Act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers providing for wage boards, and defining the powers and duties of such boards and of the Department of Labor and Industry; imposing duties on employers; providing for directory and mandatory orders on employers

and the publication of the names orders on employers and the publication of the names of employer who do not comply with such orders; exempting certain persons from the provisions of this act and providing penalties.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

The PRESIDENT. The President Pro Tempore announces the appointment of the Senator from Mercer, Mr. Law, as a member of the Rules Committee.

Also, the appointment of the following Senators to serve on the Joint Legislative Committee on the Pittsburgh Flood Control situation pursuant to the adoption of Senate Resolution No. 17. The Senator from Allegheny, Mr. Frey and the Senator from Allegheny, Mr. McGinnis.

BILL INTRODUCED

Mr. KAHLE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KAHLE read in his place and presented to the Chair Senate Bill No. 1397, entitled:

An Act making an appropriation to the Elk County General Hospital, Ridgway, Pennsylvania.

Which was committed to the Committee on Appropriations.

BILL ON SECOND READING

Mr. REED. Mr. President, I call up at this time Senate Bill No. 1353, (House Bill No. 1214), page 42 of the calendar, entitled:

An Act to further amend the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred forty-two) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further defining beauty culture making certain changes regarding the examination and registration of those who desire to engage in the occupation of beauty culture modifying and increasing the regulations and requirements to be met and complied with by beauty culture schools shops students apprentices teachers managers operators and manicurists prescribing certain qualifications for examiners inspectors investigators and supervisors and making certain changes in the powers and duties of the Department of Public Instruction and in the procedure to be followed in the enforcement of the act.

BILL RECOMMITTED

Mr. REED. Mr. President, I move that Senate Bill No. 1353, (House Bill No. 1214), be recommitted to the Committee on State Boards.

Mr. KUNKEL. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Mr. KILGALLEN. Mr. President, for the purpose of offering amendments, I call up at this time Senate Bill No. 1069, on page 30 of the calendar, entitled:

An Act relating to and regulating the mining of anthracite coal; providing for the health, safety and welfare of persons employed in and about the anthracite coal mines, and for the protection and preservation of property connected therewith; amending, consolidating, revising and changing the law relating thereto; and imposing penalties.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1069, as follows:

An Act relating to and regulating the mining of anthracite coal providing for the health safety and welfare of persons employed in and about the anthracite coal mines and for the protection and preservation of property connected therewith amending consolidating revising and changing the law relating thereto and imposing penalties

The table of contents of the bill was read as follows:

TABLE OF CONTENTS

Article I Preliminary Provisions
Article II Inspection Districts
Article III Examination and Appointment of Mine Inspectors
Article IV Duties of Mine Inspectors
Article V Employment of Mine Foremen Assistant Mine Foremen
Article VI Examination and Qualification of Mine Foremen and Assistant Mine Foremen
Article VII Duties of Mine Foremen and Assistant Mine Foremen
Article VIII Examination and Qualifications of Miners
Article IX Duties of Miners and Other Workmen
Article X Maps and Plans
Article XI Shafts Slopes Openings and Outlets
Article XII Ventilation
Article XIII Underground Buildings
Article XIV Classification of Mines or Sections Thereof with Reference to Combustible Gas
Article XV Use of Electricity
Article XVI Inquests
Article XVII Medical Rooms and First Aid Treatment
Article XVIII Regulating Weights of Explosives
Article XIX Recovery of Bodies of Entombed Workmen
Article XX Records of Coal Loaded by Miners
Article XXI Wash Houses
Article XXII Ambulances and stretchers
Article XXIII Employment of Boys and Females
Article XXIV Soliciting Money or Other Valuables from Employes
Article XXV Duties of Outside Foremen
Article XXVI Breakers and Machinery
Article XXVII Hoisting Engineers
Article XXVIII Boilers and Connections
Article XXIX Props and Timbers
Article XXX Returns and Notices
Article XXXI General Rules
Article XXXII Definition of Terms
Article XXXIII Arbitration
Article XXXIV Injunctions
Article XXXV Penalties
Article XXXVI Effective Date
Article XXXVII Repealer

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

On the question,

Will the Senate agree to the table of contents?

Mr. KILGALLEN. Mr. President. I move to amend Table of Contents (Article V), page 1, line 7 of Table of Contents by striking out the word "Certified".

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the table of contents as amended?

It was agreed to.

Sections 101, 102 and 103 of Article I of the bill were read as follows and agreed to:

ARTICLE I

Preliminary Provisions

Section 101 This act shall be known and may be cited as "The Anthracite Mining Code"

Section 102 The provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded nor shall such repeal affect any act done liability incurred or any right accrued or vested or affect abate or prevent any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

Section 103 The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect the validity of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included therein

Section one hundred and four of the bill was read as follows:

Section 104 This act shall apply to every anthracite coal mine or colliery in the Commonwealth where five or more persons are employed or engaged in work Provided however That any mine inspector shall nevertheless have the right to enter and inspect all mines where from two to five persons are employed or engaged in work for the purpose of determining the conditions of safety in any such mine In case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner he shall order such unsafe conditions to be forthwith corrected and in default of the owner or operator doing so shall order such mine closed until the unsafe conditions are corrected

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend sec. 104, page 4, lines 13 to 17 by striking out the words "Mandatory enforcement of" in line 13, all of lines 14 to 17.

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The second and third Articles of the bill were read as follows and agreed to.

ARTICLE II

Inspection Districts

Section 201 The counties of Luzerne Lackawanna Sullivan Susquehanna Wayne Carbon Schuylkill Northumberland Columbia and Dauphin shall be devided into eight inspection districts as follows

First District—County of Luzerne
Second District—County of Lackawanna
Third District—County of Carbon
Fourth District—County of Schuylkill
Fifth District—County of Northumberland
Sixth District—County of Columbia
Seventh District—County of Dauphin
Eighth District—Counties of Susquehanna Wayne and Sullivan

Section 202 The Governor shall appoint the following number of qualified persons to act as mine inspectors of this Commonwealth namely

First Inspection District—Nine Inspectors
Second Inspection District—Six Inspectors
Third Inspection District—One Inspector
Fourth Inspection District—Four Inspectors
Fifth Inspection District—Two Inspectors
Sixth Inspection District—One Inspector
Seventh Inspection District—One Inspector
Eighth Inspection District—One Inspector

Said inspectors shall be under the direction of the Secretary of Mines who shall assign districts to the several inspectors but where an inspector has not enough work or duty to perform in his own inspection district then it shall be the right of the Secretary of Mines to assign said inspector to work or duty in another adjoining district or territory wherein the services of said inspector are necessary

Section 203 It shall be the duty of the Secretary of Mines to direct one or more of the inspectors who shall be appointed under this act and it shall be the duty of said inspectors to obey said orders of the said Secretary of Mines to inspect such collieries as come under this act in counties not mentioned in the act in such manner and at such times as is required by law and the inspectors inspecting said collieries shall make and include in their return a due report of said inspection

ARTICLE III

Examination and Appointment of Mine Inspectors

Section 301 The Anthracite Mine Inspectors' Examining Board shall meet upon the call of the chairman thereof at such times and places as the chairman shall designate and at such times and places as the board may by rule designate

Section 302 The said examining board shall prepare questions and formulate rules to be used in conducting and governing the examinations given to applicants for the office of Anthracite Mine Inspector The members of the board upon assuming office shall each take and subscribe to before any officer authorized to administer the same the following oath namely

"I do solemnly swear that I will perform the duties of examiner of applicants for the office of mine inspector to the best of my ability and that in recommending or rejecting said applicants I will be governed by the evidence of their qualifications to fill the position and not by any consideration of political or personal favor and I will certify all applicants who may be found qualified and all others according to the true intent and meaning of the "law"

The oaths of the members of the examining board shall be filed in the Department of Mines

Section 303 Public notice of an examination shall be given at least two weeks prior thereto in a newspaper published in each of the following counties Luzerne Lackawanna Schuylkill and Northumberland The board shall meet at the time and place set forth in said notice and examine the applicants for the office of Anthracite Mine Inspector and the qualifications of applicants shall be certified to the board and be as follows

(a) They shall be citizens of this Commonwealth and residents of the anthracite region of temperate habits good repute of personal integrity in good physical condition and not under thirty or over fifty years of age Every applicant shall furnish to the examining board a sworn statement Such statement shall show the length of time served at each class of work at which the applicant has been employed in and about the mines and be certified to by the superintendent or other responsible officer under whom such applicant was employed The owner operator or superintendent of every mine or colliery is hereby required to furnish such a statement to every applicant

(b) They shall give to the board satisfactory evidence or they shall give to the Board satisfactory evidence of having had at least ten (10) years of practical e

perience in the Anthracite coal mines of this Commonwealth five (5) years of which they shall have served as qualified mine foremen or qualified assistant mine foremen possessing mine foremen's or assistant mine foremen's certificates and one year of which they shall have served as qualified coal miners possessing miners' certificates engaged in the actual practice of cutting and blasting coal or rock at the face of a gangway airway breast pillar or other working place in a mine and in performing such other work in such working places as is necessary for the extraction of coal of having had at least ten (10) years of practical experience in the anthracite coal mines of this Commonwealth five (5) years of which they shall have served as qualified coal miners possessing miners' certificate engaged in the actual practice of cutting and blasting coal or rock at the face of a gangway airway breast pillar or other working place in a mine and in performing such other work in such working places as is necessary for the extraction of coal

(c) They shall give to the board satisfactory evidence of having had practical experience with explosive gases and other dangerous and noxious gases found in coal mines

(d) They shall give to the board satisfactory evidence of having a general practical knowledge of mines mining and machinery

(e) They shall give to the board satisfactory evidence of having a general practical and comprehensive knowledge of the chemistry of gases generally found in coal mines

(f) They shall give to the board satisfactory evidence of having knowledge of the methods of administering first aid to the injured and of the work and requirements of rescue corps

(g) They shall give to the board satisfactory evidence of knowledge of the science of electricity as applied to coal mining and they shall in addition give evidence of sufficient knowledge of the science of mining engineering to enable them to read and understand the mine workings of any mine as shown on mine maps presented at such examinations and they shall be able to make a cross section of a mine from said maps

(h) They shall give to the board satisfactory evidence of theoretical and practical knowledge of the different systems of mining and ventilating anthracite coal mines and of their fitness and capability to perform the duties of the office of a mine inspector

Section 304 The examination shall be in writing and the applicants who have made an average of at least ninety per cent including proper allowances for experience shall be deemed successful but in no case shall the allowances for experience be more than fifteen per cent

Section 305 The manuscripts and all other papers of the applicants in the examination together with the tally sheets and the correct solution of each question as prepared by the examining board shall be filed in the Department of Public Instruction The examining board or at least four members thereof shall certify to the Governor and also to the Secretary of Mines the names and percercentages of all successful applicants who are properly qualified under the provisions of this act to fill the office of Anthracite Mine Inspector A certificate of qualification shall be issued to each succesful applicant A certificate so issued shall remain in force for a period of four years only unless the holder thereof has received an appointment as Anthracite Mine Inspector and has served as such for a period of four years in which case the certificate shall become permanent

Section 306 The Anthracite Mine Inspectors holding office at the date this act becomes effective shall continue to serve until the expiration of their respective terms and such persons shall thereafter be eligible for reappointment as Anthracite Mine Inspectors without examination provided they have served as Anthracite Mine Inspectors for a period of four (4) years or longer Such reappointment shall not be governed by the provisions of section three hundred seven of this act

Section 307 When a vacancy occurs in the office of Anthracite Mine Inspector by death or otherwise the Governor shall appoint from the list of successful applicants certified to him by the Anthracite Mine Inspectors' Examining Board a person to fill such vacancy

Section 308 When there remain upon the list of successful applicants certified to the Governor less than three names as a result of appointments made therefrom or as a result of the expiration of the certificates of qualification of persons named therein or from any other cause the Governor shall call the Anthracite Mine Inspectors' Examining Board to meet and proceed to conduct an examination for the purpose of supplying a new list of eligible applicants

Section 309 The tenure of office of Anthracite Mine Inspectors appointed under this act shall be during good behavior subject to the provisions of section three hundred twelve of this act and the Constitution of this Commonwealth

Section 310 In case an inspector becomes incapacitated to perform the duties of his office or is granted a leave of absence by the Secretary of Mines for sixty (60) days or more it shall be the duty of the Governor at the request of the Secretary of Mines to appoint temporarily to the the office a person on the eligible list of applicants The temporary inspector shall act until the regular inspector is able to resume the duties of his office and shall be paid in the same manner as hereinbefore provided for the payment of regular inspectors

Section 311 No Anthracite Mine Inspector under this act shall act as manager of any anthracite coal mine or be interested in the operation of any anthracite coal mine in this Commonwealth

Section 312 Upon a petition signed by not fewer than fifteen reputable citizens who shall be miners or operators of mines and with the affidavit of one or more of said petitioners attached setting forth that any inspector of mines is holding office illegally or is neglectful or is incompetent or unable to perform the duties of his office or that he is guilty of malfeasance in office or upon petition of the Secretary of Mines setting forth any of the above charges the Court of Common Pleas of the county in which the inspector is acting and is a resident shall issue a citation in the name of the Commonwealth to the said inspector to appear at not less than ten (10) days' notice on a day fixed before said court and the court shall then proceed to inquire into and investigate the allegations of the petitioners If said charges are sustained the court shall declare the office of said inspector vacant and shall so certify to the Governor who shall proceed in compliance with the provisions of this act to fill the vacancy If said charges are not sustained and the court believes there was sufficient ground for said charges the costs shall be placed upon the county

Section 313 Any anthracite mine inspector violating the provisions of section three hundred eleven of this act shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) or undergo imprisonment in the county jail for a period of not less than ninety (90) days or both at the discretion of the court

Any person who shall give any false or forged evidence of any kind to the Anthracite Mine Inspectors' Examining Board or to any member thereof in obtaining a certificate of qualification shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than three hundred dollars ($300.00) or to undergo imprisonment in the county jail for a period of not less than three (3) months or both at the discretion of the court

Any person or persons found to be in collusion with any member or members of the examining board or who shall use any undue influence or attempt to bribe any member or members of the board for the purpose of procuring certificates for applicants or who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of three hundred dollars ($300.00) or undergo imprisonment in the county jail for a period of three (3) months or both at the discretion of the court

Section 401 of Article IV of the bill was read as follows:

ARTICLE IV

DUTIES OF MINE INSPECTORS

Section 401 Each of the said inspectors shall reside in the district for which he is appointed and shall give his whole time and attention to the duties of his office He shall examine all the collieries in his district at least once every three months and as often in addition thereto as the necessities of the case or condition of the mines require He shall see that every precaution is taken to secure the safety of the workmen and that the provisions of this act are observed and obeyed and he shall personally visit each working face and see that the air current is carried to the working faces and is of sufficient quantity or volume to thoroughly ventilate the places He shall make to the Secretary of Mines at the end of every month a detailed report of the number of days worked during the month marking in tabular form the number of hours spent inspecting mines investigating accidents in and about the collieries in his district marking in tabular form those accidents causing death or serious personal injury the condition of the workings of the said mines with regard to the safety of the workmen therein and the ventilation thereof and setting forth generally the results of such inspection and shall perform such other duties as now are or hereafter may be required by law

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend sec. 401, page 13, lines 22 and 23 by striking out the words "conditions found at each colliery in the district or territory allotted to him" and inserting in lieu thereof: "condition of each working place at each colliery"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Sections 402 to 406 of Article IV of the bill were read as follows and agreed to.

Section 402 The mine inspector shall have the right and its is hereby made his duty to enter inspect and examine any mine or colliery in the territory allotted to him and the workings and machinery belonging thereto at all reasonable times either by day or by night but not so as to obstruct or impede the working of the colliery and shall have the power to take one or more of his fellow inspectors into or around any mine or colliery in the territory allotted to him for the purpose of consultation or examination

Section 403 He shall also have the right and it is hereby made his duty to make inquiry into the condition of such mine or colliery working machinery ventilation drainage method of lighting or using lights and into all matters and things connected with or relating to such mine or colliery as well as to make suggestions providing for the health and safety of persons employed in or about the same and especially to make inquiry as to whether the provisions of this act have been complied with

Section 404 The owner operator or superintendent of such mine or colliery is hereby required to furnish the means necessary for such entry inspection examination inquiry and exit

The inspector shall make a record of the visit noting the time and material circumstances of the inspection

Section 405 The maps and plans of the mines and the records thereof together with all the papers relating thereto shall be kept by the inspector properly arranged and preserved in a convenient place in the territory to which the inspector has been allotted and shall be transferred by him with any other property of the Commonwealth that may be in his possession to his successor in office

Section 406 The inspector shall also do the following

(a) Apply to the court for an injunction where the speedy closing of a mine or section thereof is expedient for health or safety

(b) Approve self-acting doors

(c) Assist in determining width of barrier pillars

(d) Inspect emergency hospitals exery six months

(e) Reduce the number of persons to be hoisted when necessary

(f) Request the removal of coal dust in breaker where injurious to health

The title of article V of the bill was read as follows and agreed to.

ARTICLE V

EMPLOYMENT OF MINE FOREMEN AND ASSISTANT MINE FOREMEN

On the question,

Will the Senate agree to the title?

Mr. KILGALLEN. Mr. President, I move to amend Title of Article V, page 16, line 11 by striking out the word "Certified"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 501 of Article V of the bill was read as follows Section 501 It shall not be lawful neither shall it be permitted for any person or persons to act as mine foremen or assistant mine foremen of any coal mine or colliery unless they are registered as holders of certificates of qualification for service under this act or unless in the judgment of the employer he is a person possessed of qualifications which make him equally competent to act in such position

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 501, page 16, lines 17 to 20 by striking out the words "to act as such Provided that certificates" in line 17 all of lines 18 to 20 and inserting in lieu thereof: "for service under this act or unless in the judgment of the employer he is a person possessed of qualifications which make him equally competent to act in such position":

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It is agreed to.

On the question.

Will the Senate agree to the section as amended.

It was agreed to.

Section 502 of Article V of the bill was read as follows Section 502 Any person or persons violating the provisions of section five hundred one shall be deemed guilty of an offense against this act.

On the question.

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec 502, 16, lines 21 to 23 by striking out all of said lines.

Mr. LAW. Mr. President, I second the motion.

On the question.

Will the Senate agree to the amendment?

It is agreed to.

On the question.

Will the Senate agree to the section as amended?

It was agreed to.

Article VI of the bill was read as follows and agreed to.

ARTICLE VI

EXAMINATION AND QUALIFICATION OF MINE FOREMEN AND ASSISTANT MINE FOREMEN

Section 601 For the purpose of examining applicants for mine foremen's and assistant mine foremen's certificates a board of examiners shall be appointed in each of the inspection districts provided for by this act The said boards shall consist of the district inspector of mines two practical miners and one operator superintendent or mining engineer of a mine The said inspector shall act ex officio and the said operator superintendent mining engineer and miners of the several boards shall be appointed as follows

The Court of Common Pleas of Luzerne County shall appoint for the counties of Luzerne Carbon and Sullivan as many boards as there may be inspectors in the aforesaid counties.

The Court of Common Pleas of Lackawanna Susquehanna and Wayne as many boards as there may be inspectors in the aforesaid counties

The Court of Common Pleas of Schuylkill County shall appoint for the counties of Schuylkill Dauphin Columbia and Northumberland as many boards as there may be inspectors in the aforesaid counties.

The person serving as members of mine foremen and assistant mine foremen examining boards on the effective date of this act shall continue to serve under the provisions of this article until the terms for which they were appointed shall have expired.

Section 602 The said boards shall act as such for the period of one year from the date of their appointment Meetings of the boards may be held at any time and they may make such rules and conduct such examination as in their judgment may seem proper for the purpose of such examination The said boards shall report their action to the Secretary of Mines and at least three (3) of the members thereof shall certify to the qualifications of each candidate who has passed such examination.

Section 603 The boards for the examination of applicants for mine foremen and assistant mine foremen in the anthracite mines shall send to the Secretary of Mines all papers of the applicants together with the tally sheet a list of the questions and the solution of each question as given by the examining board which shall be filed in the department as public documents.

Section 604 The members of the several boards appointed under the provisions of this act to examine candidates for foremen's and assistant foremen's certificates shall be compensated at the rate of ten dollars ($10.00) per day for each day during which the said members shall be actually in attendance on the sessions of the board and mileage at the rate of five cents (5c) for each mile actually traveled going from the home of the member to the place of meeting of the board and returning from said place to said home.

Each of the said boards is hereby authorized to employ a clerk whose compensation and mileage shall be the same as that of a member of the board The mine inspector shall be chairman of the board.

Section 605 The members of the said boards shall on the final adjournment of their respective boards submit statements approved by the chairmen of their respective boards setting forth the number of days during which each member shall have been actually in attendence on the sessions of the board of which he is a member as well as the distance from the home of the member to the place of meeting of his board and the number of miles actually traveled by him and the clerks of said boards shall submit like statements and the Auditor General shall upon receipt of such statements and the Auditor General shall upon receipt of such statements draw his warrant upon the State Treasurer in favor of each of such members and clerks for such sums as shall appear to be properly due to each.

Section 606 Certificates of qualification to mine foremen and assistant mine foremen in the arthracite mines shall be issued by the Secretary of Mines to each applicant who has passed a successful examination and has given satisfactory evidence of having had at least five (5) years' practical experience in the anthracite mines of the Commo wealth of Pennsylvania and of good conduct and of good conduct capability and sobriety Applicants shall be citizens of the United States and residents of the Commonwealth and be at least twenty-five years of age The certificates shall be in such manner and form as shall be prescribed by the Secretary of Mines and a record of all certificates granted shall be kept in the Department of Mines Each certificate shall contain the full name age and place of birth of the applicant and also the length and nature of his previous service in the mines Before the examination for certificates of qualification to mine foremen and assistant mine foremen in the anthracite mines each successful applicant shall pay a fee of two dollars ($2.00) and each successful applicant shall pay an additional fee of three dollars ($3.00) before receiving a certificate The money thus received from applicants shall be transmitted to the Secretary of Mines to be deposited in the State Treasury In case of the loss or destruction of a certificate the Secretary of Mines shall upon the presentation of satisfactory evidence of the loss or destructinon issue a copy of the certificate to the original possessor on the payment of the sum of one dollar ($1.00).

Section 607 The said examining boards shall before entering upon the duties of their office take and subscribe to an oath or affirmation before a duly qualified officer that they will to the best of their ability conduct such examinations according to law and that the credits given to an applicant's papers shall be according to merit only Such oaths or affirmations shall be made upon blanks furnished by the Department of Mines and they shall be returned to the department and kept on file as other records are kept Every applicant for a mine foremen's or assistant mine foremen's certificate must furnish the board with a statement of his experience in anthracite mines Such statement must show the class of work the applicant was engaged in together with the length of time at each class of work and be signed by the superintendent of the colliery or other responsible official.

Section 608 If any person or persons shall forge or counterfeit a certificate or knowingly make or cause to be made any false statement in any certificate under the act or in any official copy of the same or shall urge others to do so or shall alter or use any such forged or false certificate or unofficial copy thereof or shall make give alter produce or make use of any false declaration representation or statement in any such certificate or copy thereof or any document containing the same he or they shall be guilty of a misdemeanor and upon conviction thereof shall be fined two hundred dollars ($200.00) or imprisoned for a term not exceeding one year or both at the discretion of the court trying the case.

Section 609 No mine shall be operated for a longer period than thirty (30) days without the supervision of a mine foremen In case any mine is worked a longer period than thirty (30) days without a mine foremen the owner operator or superintendent shall upon conviction thereof be subject to a penalty of twenty dollars ($20.00) per day for each day over the said thirty (30) days during which the said mine is operated

Sections 701 to 711 of Article VII of the bill were read as follows and agreed to.

ARTICLE VII

DUTIES OF MINE FOREMAN AND ASSISTANT MINE FOREMAN

Section 701 It shall be the duty of every mine foreman on arrival at his office every morning without delay to make inquiry from his assistants as to the condition of the mine or part thereof under their charge and if any dangerous thing is reported to him by any assistant that may affect the safety of the workmen he shall have

the same remedied without delay If any dangerous condition is discovered by any assistant he shall take immediate steps to correct the same and report the same to the Mine Foreman without delay

Section 702 He shall examine every day all reports made of mine inspections and mine equipment If he finds anything reported as unsafe or dangerous he shall have such unsafe or dangerous thing remedied without delay and no person shall be allowed to work at or near an unsafe or dangerous thing except for the purpose of making it safe He shall sign all said reports after reading them as evidence of having done so

Section 703 Whenever a mine foreman cannot personally carry out the provisions of this act so far as they pertain to him the owner operator or superintendent shall authorize him to employ a sufficient number of competent persons to act as his assistants who shall be subject to his orders

Section 704 The mine foreman shall have charge of all matters pertaining to ventilation and the speed of the ventilators shall be particularly under his charge and direction and any superintendent who shall cause the mine foreman to disregard the provisions of this act shall be amendable in the same manner as the mine foreman The mine foreman shall designate some competent person whose duty it shall be to start and stop all auxiliary and booster fans

Section 705 All accessible parts of an abandoned portion of a mine in which explosive gases have been found shall be carefully examined by the mine foreman or his assistants at least once a week and all danger found existing therein shall be immediately removed. A report of said examination shall be recorded in a book kept at the colliery for that purpose and signed by the person making the same

Section 706 In all gaseous (B and C Classes) mines which in the opinion of the of the local inspector require inspection the mine foreman or his assistant or a competent person to be selected by the mine foreman who in the opinion of the mine foreman is qualified to make the necessary examination of a working place or places shall make a careful examination every morning of all working places and traveling roads and all other places which might endanger the safety of the workmen before the workmen shall enter the mine and such examination shall be made with a safety lamp within three (3) hours at most before time for commencing work and a workman shall not enter the mine or his working place until the said mine or part thereof and working place are reported to be safe Every report shall be recorded without delay in a book which shall be kept at the colliery for the purpose and shall be sibned by the person making the examination Provided That in cases of emergency as from sickness or other causes the mine foreman may designate a competent person to make such examinations

Section 707 The person who makes said examination shall establish proof of the same by marking plainly the date thereof at the face of each working place and all other places examined

Section 708 It shall be the duty of the Mine Foreman to establish at the entrance to each Class B and C mines or at the entrance to such separate sections of such mines as may require it a station or stations clearly barricaded and no workman shall pass beyond such barricade until the mine or that portion beyond such a clearly barricaded station has been inspected and reported to be safe

Section 709 If at any time it is found by the person for the time being in charge of the mine or any part thereof that by reason of noxious gases prevailing in such mine or any part thereof or of any cause whatever the mine or the said part is dangerous every precaution shall be used to ensure the safety of the workmen and every workman except such persons as may be required to remove the danger shall be withdrawn from the mine or such part thereof as is so found dangerous until the said mine or said part thereof is examined by a competent person and reported by him to be safe

Section 710 The Mine Foreman or his assistant shall visit and examine every working place in the mine every working day and if safe and practicable this visit and examination shall be made while the men of such place are or should be at work and shall direct that each and every working place is properly secured by props or timber and that safety in all respects is assured by directing that all loose coal or rock shall be pulled down or secured and that no persons shall be permitted to work in an unsafe place unless it be for the purpose of making it secure Provided however That if the mine is idle forty-eight hours the mine foreman or his assistant shall examine every working place three (3) hours before operations are resumed

Section 711 The mineforeman or some other competent person or persons to be designated by him shall examine at least once every day all slopes shafts main roads traveling ways signal apparatus pulleys and timbering to see that they are in safe and efficient working condition

Section 712 of Article VII of the bill were read as follows:

Section 712 In every shaft or slope in which provision is made in this act for lowering and hoisting persons a headman or footman shall be designated by the superintendent or foreman to be at their proper places at all times while men are underground Such headman and footman shall personally attend to the signals and see that the provisions of this act in respect to lowering and hoisting persons in shafts and slopes shall be complied with

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 712, page 25, lines 11 to 16 by striking out all of lines 11 to 15 and the words "footman or both as the case may be" in line 16 and inserting in lieu thereof: "at all times while men are underground. Such headman and footman"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Sections 713, 714, 715, 716 of Artivle VII of the bill were read as follows and agreed to.

Section 713 Whenever loss of life to a miner or other employe occurs in or about a colliery notice thereof shall be given promptly to the inspector of mines for the district in which the accident occurred by the mine foreman or other person having immediate charge of the work at the time of the accident and when death results from personal injury such notice shall be given promptly after the knowledge of the death comes to the said foreman or person in charge

Section 714 It shall be the duty of the mine foreman or his assistants in case of injury to any employe by explosion of gas or powder or by any cause while said miners are at work in said mines to at once visit the scene of accident see that the injured is carefully wrapped in woolen blankets and removed to the "medical room" and so treated with oils or other remedies as will add to the comfort and care of the patient After being treated with all the skill known to the foreman or his assistants the injured person shall be carefully wrapped up and sent to the surface to be taken in an ambulance or to the mining hospital as may be desired without expense to the injured person

Section 715 Where an accident to any employe involves injury to limbs or causes loss of blood the foreman or his assistants shall see that the bandages splints and linen shall be applied where necessary to prevent loss of blood and relieve pain The foreman shall in all cases see that the injured person is sent to the surface without delay He shall also keep a record showing the name of the person injured the nature of the injury the

treatment and by whom treated at the time of the accident

Section 716 It shall be the duty of the mine foreman or his assistant to test by means of a flame safety lamp or with some other approved device the condition of the atmosphere in each section of his mine each day while the men are at work A report of such examination shall be recorded in a book kept at the colliery for that purpose The test shall show the extent to which gas was detected whether or an explosive mixture

Article VIII, section 801 to 815 inclusive of the bill were read as follows:

ARTICLE VIII

EXAMINATION AND QUALIFICATION OF MINERS

Section 801 Hereafter no person whosover shall be employed or engaged in the anthracite coal regions of this Commonwealth as a miner in any anthracite coal mine without having obtained a certificate of competency and qualification so to do from the Miners' Examining Board of the proper district and having been duly registered as provided by existing law

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 801, page 27, line 12 by striking out the words "herein provided" and inserting in lieu thereof: "provided by existing law"; amend Sec. 802, page 27, lines 13 to 28 by striking out all of said lines; amend Sec. 802, page 28, lines 1 to 28 by striking out all of said lines; amend Sec. 802, page 29, lines 1 and 2 by striking out all of said lines; amend Sec. 803, page 29, lines 3 to 10 by striking out all of said lines; amend Sec. 804, page 29 ,lines 11 to 20 by striking out all of said lines; amend Sec. 805, page 29, lines 21 to 28 by striking out all of said lines; amend Sec. 806, page 30, lines 1 to 8 by striking out all of said lines; amend Sec. 807, page 30, lines 9 to 29 by striking out all of said lines; amend Sec. 807, page 31, lines 1 to 5 by striking out all of said lines; amend Sec. 808, page 31, lines 6 to 15 by striking out all of said lines; amend Sec. 809, page 31, lines 16 to 29 by striking out all of said lines; amend Sec. 809, page 32, lines 1 to 10 by striking out all of said lines; amend Sec. 810, page 32, lines 11 to 26 by striking out all of said lines; amend Sec. 811, page 32, lines 27 to 29 by striking out all of said lines; amend Sec. 811, page 33, lines 1 and 2 by striking out all of said lines; amend Sec. 812, page 33, lines 3 to 7 by striking out all of said lines; amend Sec. 813, page 33, lines 8 to 28 by striking out all of said lines; amend Sec. 813, page 34, lines 1 to 5 by striking out all of said lines; amend Sec. 814, page 34, lines 6 to 8 by striking out all of said lines; amend Sec. 815, page 34, lines 9 to 12 by striking out all of said lines.

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Sections 901 to 907, inclusive, of Article IX of the bill were read as follows and agreed to.

ARTICLE IX

DUTIES OF MINERS AND OTHER WORKMEN

Section 901 Before commencing work and also after the firing of every blast the miner working a breast or any other place in a mine shall enter such breast or place to examine and ascertain its condition and his laborer or assistant must not go to the face of such breast or place until the miner has examined the same and found it to be safe

Section 902 A miner or other person who is about to explode a blast by the use of patent or other squibs or matches shall not shorten the match nor saturate it with mineral oil nor turn it down when placed in the hole nor ignite it except at its extreme end nor do anything to shorten the time the match will burn

If a miner or other person uses a fuse to explode a blast such fuse shall be of sufficient length to protrude at least six (6) inches from the mouth of the hole and in no case shall the total length of the fuse be less than eighteen (18) inches

A place shall be stopped for at least thirty (30) minutes after a squib misses fire Where fuses (straight and time fues) are used and a missed shot occurs the working place shall be stopped for at least twelve (12) hours If a misfire occurs where electric blasting caps are used an interval of at least thirty (30) minutes must elapse before workmen shall return to such working face

Section 903 A miner or other workman shall not withdraw a charge of powder or other explosive in coal slate or rock which has missed fire nor shall the hole be reopened

Section 904 When a miner or other workman is about to fire a blast he shall be careful to notify all persons who may be in danger therefrom and shall give sufficient alarm before firing any blast by any means whatsoever so that any person or persons who may be approaching shall be warned of the danger

Section 905 Any miner or other person having charge of a working place in any mine shall keep the roof and sides thereof properly secured by timber or otherwise so as to prevent such roof and sides from falling and he shall not do any work or permit any work to be done under loose or dangerous material except for the purpose of securing the same

Section 906 Any miner or other workman who shall discover anything wrong with the ventilating current or with the condition of the roof side timber or roadway or with any other part of the mine in general such as would lead him to suspect danger to himself or his fellow workmen or to the property of his employer shall immediately report the same to the mine foreman or other person for the time being in charge of that portion of the mine

Section 907 Any miner or other workman shall not be allowed to store gunpowder or any other explosive in a mine He shall not have at any one time in any one place more than one keg or box containing twenty-five (25) pounds unless more is necessary for a person to accomplish one day's work

Section 908 of Article IX of the bill was read as follows:

Section 908 Any miner or other workman who has gunpowder or other explosive in a mine shall keep it in a wooden box securely locked and such box shall be kept at least ten (10) feet from the tracks in all cases

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 908, page 36, line 18 by striking out the words "where room at such distance is available"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 909 of Article IX of the bill was read as follows:

Section 909 Whenever a miner or other workman shall open a box containing explosives or while in any manner handling the same he shall first place his open lamp not less than five (5) feet from such explosives and

in such position that the air current cannot convey sparks to it and a workman shall not approach nearer than five (5) feet to an open box containing powder with a lamp lighted pipe or anything containing fire

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 909, page 36, lines 27 and 28 by striking out all of said lines; amend Sec. 909, page 37, lines 1 to 7 by striking out all of said lines.

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 910 and 911 of Article IX of the bill was read as follows:

Section 910 In charging holes for blasting in coal slate or rock no miner or other workman in any mine shall use an iron or steel pointed needle The end of any metal tamping bar must be tipped with at least six (6) inches of copper or other soft metal The hole must be large enough to admit freely the cartridge containing the explosive and in no case shall a tight cartridge be rammed into a hole

Section 911 When gas is ignited by blast or otherwise the miner or other person igniting the same shall immediately extinguish it if possible and notify the mine foreman or his assistant of the fact and workmen must see that no gas blowers are left burning upon leaving their working places

Section 912 of Article IX of the bill was read as follows:

Section 912 Not more than five blasts shall be fired at the working face of a low coal seam within a period of one hour except by permission from the mine foreman or his assistant and each hole when charged and fired shall constitute a blast This section shall not pertain to cracked gangways

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 912, page 37, line 26 by inserting after the word "blast" the following: "This section shall not pertain to cracked gangways"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Sections 913 and 914 of the bill were read as follows and agreed to:

Section 913 No miner or laborer shall run cars out of any breast or chamber or on any gravity road unless he is a suitable person designated by the mine foreman for that particular work and no person under the age of eighteen (18) years shall be designated by any mine foreman to perform such work

Section 914 No workman or other person shall ride upon or against any loaded car cage or gun-boat in any shaft slope or plane in or about a mine or colliery

Section 915 of the bill was read as follows:

Section 915 When any person is about to descend or ascend a shaft or slope the headman or footman as the case may be shall inform the engineer by signal or otherwise of the fact and the engineer shall return a signal before moving or starting the engine In the absence of a headman or footman the person about to descend or ascend shall give and receive signals in the same manner

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 915, page 38, line 12 by striking out the words "or persons"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Sections 916, 917 and 918 of the bill was read as follows and agreed to:

Section 916 No person shall couple or uncouple loaded or empty cars while the same are in motion Provided however That this shall not apply to the top or bottom men of slopes planes or shafts

Section 917 No person except the man giving the signal shall jump on a car cage or gun-boat after the signal has been given and if any person shall enter a car cage or gun-boat in excess of the lawful number the headman or footman shall notify him of the fact and request him to get off which request must be immediately complied with Any violation of this rule must be promptly reported to the mine foreman

Section 918 No workman shall pass a fenced off place a fenced off traveling way or a designated danger station unless accompanied by a colliery official or unless he has been directed by a colliery official to pass such place fenced off traveling way or such designated danger station for the purpose of making such place or places safe

Article X of the bill was read as follows:

ARTICLE X

MAPS AND PLANS

Section 1001 The owner operator or superintendent of every coal mine or colliery shall make or cause to be made an accurate map or plan of the working or excavations of such coal mine or colliery on a scale of one hundred feet to the inch which map or plan shall exhibit the working or excavations in each and every seam of coal and the tunnels and passages connected with such workings or excavations It shall state in degress the general inclination of the strata with any material deflection therein in said workings or excavations and shall also state the tidal elevations of the bottom of each and every shaft slope tunnel and gangway and any other point in the mine or on the surface where such elevation shall be deemed necessary by the inspector

The map or plan shall show the number of the last survey station and date of each survey on the gangways

It shall also accurately show the boundary lines of the lands of the said coal mine or colliery and the proximity of the workings thereto and in case any mine contains any water dammed up in any part thereof it shall be the duty of the owner operator or superintendent to cause the true location of the said dam to be accurately marked on said map or plan together with the tidal elevation inclination of strata and area of said workings containing water and whenever any workings or excavations are approaching the workings where such dam or water is contained or situated the owner operator or superintendent shall notify the inspector of the same without delay

Whenever a mine fire is sealed an outline of the sealed area must be plainly shown on the mine map together with such data as the mine inspector may request pertaining to the same

Upon request of the mine inspector the location of all bore holes must be placed on the mine inspector's map and the operator or superintendent of the mine shall fur-

nish the inspector with any aditional information regarding bore holes upon his request

The said owner operator or superintendent shall deposit a true copy of such map or plan with the inspector of mines for the district in which the said coal mine or colliery is situated showing the workings of each seam if so desired by the inspector on a separate sheet of tracing muslin One copy of said map or plan shall be kept at the colliery

Section 1002 The said owner operator or superintendent shall as often as once in every six months place or cause to be placed on the said inspector's map or plan of said coal mine or colliery the plan of the extensions made in such coal mine or colliery during the proceding six months The said extensions shall be placed on the inspector's map and the map returned to the inspector within two months from the date of the last survey

Section 1003 When any coal mine or colliery is worked out preparatory to being abandoned or when any lift thereof is about to be abandoned the owner operator or superintendent of such coal mine or colliery shall have the maps or plans thereof extended to include all excavations as far as practicable and such portions thereof as have been worked to the boundary lines of adjoining properties Any part or parts of the workings which are intended to be allowed to fill with water must be surveyed in duplicate and such surveys must practically agree They shall be certified to by the owner operator or superintendent and shall be filed with the inspector of the district in which the mines are situated

Section 1004 Whenever the owner operator or superintendent of any coal mine or colliery shall neglect or refuse or from any cause not satisfactory to the inspector shall fail for a period of three months to furnish to the inspector the map or plan of said colliery or of the extensions thereto as provided for in this Article the inspector is hereby authorized to cause an accurate map or plan of such coal mine or colliery to be made at the expense of the owner thereof which cost shall be recoverable from said owner as other debts are by law recoverable

Section 1005 If the inspector finds or has reason to believe that any map or plan of any coal mine or colliery furnished under the provisions of this article is materially inaccurate it shall be his duty to make application to the Court of Common Pleas of the county in which such colliery is situated for an order to have an accurate map or plan of said colliery prepared and if such survey shall prove that the map furnished was materially inaccurate or imperfect such owner operator or superintendent shall be liable for the expense incurred in making the same

Section 1006 If it shall be found that the map or plan furnished by the owner operator or superintendent was not materially inaccurate or imperfect the Commonwealth shall be held liable for the expense incurred in making said test survey

Section 1007 If it shall be shown that the said owner operator or superintendent has knowingly or designedly caused or allowed such map or plan when finished to be incorrect or false such owner operator or superintendent thus offending shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars ($500.00) or imprisonment not exceeding three (3) months at the discretion of the court

Section 1008 The maps or plans of the several coal mines or collieries in each district and which are placed in the custody of the inspector shall be the property of the Commonwealth and shall remain in the care of inspector of the district in which the said collieries are situated to be transferred by him to his successor in office and in no case shall a copy of the same be made without the consent of the owner operator or superintendent

Section 1009 The inspector's map or plan of any particular colliery shall be open for inspection in the presence of the inspector to any miner or miners of that colliery whenever said miner or miners shall have cause to fear that his or their working place or places are becoming dangerous by reason of their proximity to other workings which may be supposed to contain water or dangerous gases Said map shall also be open to the inspection and examination of any citizen interested during business hours

Section 1010 It shall be obligatory on the owners of adjoining coal properties to leave or cause to be left a pillar of coal in each seam or vein of coal worked by them along the line of adjoining property of such width that taken in connection with the pillar to be left by the adjoining property owner will be a sufficient barrier for the safety of the employes of either mine in case the other should be abandoned and allowed to fill with water such width of pillar to be determined by the engineers of the adjoining property owners together with the inspector of the district in which the mine is situated Such width of pillar as shall have been agreed upon by the adjoining property owners and the mine inspector of the district shall be placed on the inspector's map without delay

The surveys of the face of the workings along such pillar shall be made in duplicate and must practically agree A copy of such duplicate surveys certified to must be filed with the owners of the adjoining properties and with the inspector of the district in which the mine or property is situated

Section 1011 At the request of the mine inspector the owner operator or superintendent of any coal mine shall furnish him with a geological cross section of such coal seams in such mine as he may require

Section 1116 Where the strata are not safe every shaft shall be securely cased lined or otherwise made secure.

Section 1101 of Article XI of the bill was read as follows

ARTICLE XI

SHAFTS SLOPES OPENINGS AND OUTLETS

Section 1101 of Article XI of the bill was read as follows: operator or superintendent of any mine to employ any person or persons in such mine or permit any person or persons to be in such mine for the purpose of working therein unless there are in connection with every seam of coal and from every lift thereof worked in such mine not less than two openings or outlets separated by a stratum of not less than sixty (60) feet in breadth underground and one hundred and fifty (150) feet in breadth at the surface at which openings or outlets safe and distinct means of ingress or egress are at all timese available for the person or persons employed in said mine This section shall not apply to opening a new mine or to opening any new lift of a mine while being worked for the purpose of making a connection between said two outlets so at one time in such mine or new lift of a mine At least half of this number must be employed at making the second outlet Neithter shall this section apply to any mine or part of a mine in which the second outlet has been rendered unavailable by reason of the final robbing of pillars previous to abandonment so long as not more than twenty (20) persons are employed therein at any one time The cage or cages and other means of egress shall at all times be available for the persons employed where there is no second outlet.

On the question.

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 1101, page 44, lines 19 to 22 by striking out all of lines 19 to 21 and the words "and egress by not less than two openings" in line 22.

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amendment?.

It was agreed to.

Section 1102 to 1117 of Article XI of the bill was read as follows and agreed to.

Section 1102 The owner operator or superintendent of any mine to which there is only one shaft slope or outlet may petition the Court of Common Pleas in and for the county in which said mine is situated which said court is hereby empowered to act in the premises settting forth that in consequence of intervening lands between the working of his mine and the only practicable point at which to make or bring to the surface from the working of his mine he is unable to make an additional shaft slope or outlet in accordance with the requirements of this act whereupon the court may make an order of reference and appoint three disinterested persons residents of a county viewers one or more of whom shall be a practical mining engineer all of whom after being sworn to a faithful discharge of their duties shall view and examine the premises and determine as to whether the owner should have the privilege of making an additional outlet through or upon any intervening lands as the case may require and report in writing to the court which report shall be entered and filed of record.

Section 1103 If the finding of the viewers or any two of them is in favor of the owner of such coal mine or colliery he may make an additional shaft slope or outlet under through or upon intervening lands as may be determined upon and provided for by the award If the finding of the viewers is against the owner or if no award be made by reason of any default or neglect on the part of the owner he shall be bound to comply with the provisions of this act in the same manner as if this section had not been enacted In case the claims that he ought to make an additional opening under through or upon any adjoining or intervening lands to meet the requirements of this act for the ingress and egress of the men employed in his or their mine he or they shall make a statement of the facts in the petition with a survey setting forth the point of commencement and the point of termination of the proposed outlet which he or they their engineers agents or employes may enter upon said intervening lands and survey and mark as he or they shall find it proper to adopt for such additional outlet doing as little damage as possible to the property explored and the viewers shall state in their report what damage will be sustained by the owner or owners of the intervening lands by the opening construction and use of the outlet and if the report is not appealed from it shall be confirmed or rejected by said court as to right and justice shall appertain and any further and all proceedings in relation thereto shall be in conformity with like proceedings as in the case of a lateral railroad across or under intervening lands under the act in relation to lateral railroads approved the fifth day of May Anno Domini one thousand eight hundred thrity-two (Pamphlet Laws five hundred one) and the supplements thereto so far as the provisions of the same are applicable hereto and the notices to the owner of intervening lands of the intention to apply for the privilege of making an outlet and meeting of the viewers shall be given and the costs of the case shall be paid as provided in the said act of May fifth Anno Domini one thousand eight hundred thirty-two (Pamphlet Laws five hundred one) and the supplements thereto.

Section 1104 The main escapement shafts or slopes shall be fitted with safe and available appliances by which persons employed in the mine may readily escape in case an accident occurs deranging the hoisting machinery at the main outlets.

Section 1105 In all slopes where the angle of inclination is fifteen (15) degrees or less there must be provided a separate traveling way which shall be maintained in a safe condition for travel and kept free from steam and dangerous gases.

Section 1106 The top of each slope if dangerous or any intermediate lift thereof shall be securely fenced off by railing or by verticle or flat gates.

Section 1107 Every abandoned slope shaft airhole and drift shall be properly fenced around or across its entrance.

Section 1108 All underground entrances to any places not in actual course of working or extension shall be properly fenced across the whole width of such entrances so as to prevent persons from inadvertently entering the same.

Section 1109 The owner operator or superintendent of any coal mine or colliery which is worked by shaft or slope shall provide and maintain a telephone or suitable appliance by or through which conversation can be held by and between persons at the bottom and at the top of the shaft or slope and also an efficient means of signaling from the bottom of such shaft or slope to the engineer in charge of the hoisting engines The owner operator or superintendent of every coal mine or colliery shall provide and maintain a telephone by or through which conversations can be had between persons on the outside of the mines and the principal centers of operations in the mines.

Section 1110 The owner operator or superintendent of all mines shall see that the surface landing and all other landings of shafts are provided with gates so hung and adjusted that they will close automatically It shall be unlawful for any man employed as a footman at a shaft in which coal or other material is hoisted to work at this occupation unless he has provided himself with a safety headgear or helmet of a design approved by the Department of Mines which headgear or helmet must be worn by him at all times while on duty.

Section 1111 Every cage or gun-boat used for lowering or hoisting persons in any shaft or slope shall be provided with handrails safety catches and a proper protector so constructed that persons while on such cage or gun-boat shall not be struck by anything which may fall or roll down said shaft or slope

Section 1112 Over all shafts which are being sunk or shall hereafter be sunk a safe and substantial structure shall be erected to sustain the sheaves or pulleys at a height of not less than twenty (20) feet above the tipping place and the top of such shaft shall be arranged in such manner that no material can fall into the shaft while the bucket is being emptied

Section 1113 The said structure shall be erected as soon as a substantial foundation is obtained and in no case shall a shaft be sunk to a depth of more than fifty (50) feet without such structure

Section 1114 If provision is made to land the bucket upon a truck the said truck shall be constructed in such manner that the material cannot fall into the shaft All rock and coal from shafts as they are being sunk shall not be raised except in a bucket or on a cage and such bucket or cage must be connected to the rope or chain by a safety hook or clevis or other safe attachment

Section 1115 Such shafts shall be provided with guides and guide attachments applied in such manner as to prevent the bucket from swinging while descending or ascending therein and such guides and guide attachments shall be maintained at a distance of not more than seventy-five (75) feet from the bottom of such shaft until its sinking shall have been completed but this section shall not apply to shafts one hundred (100) feet or less in depth.

Section 1116. Where the strata are not safe every shaft shall be securely cased lined or otherwise made secure

Section 1117 The following rules shall be observed as far as practicable in every shaft to which this act applies

First After each and every blast the chargeman must see that all loose material is swept down from the timbers before the workmen descend to their work.

Second After a suspension of work and also after firing a blast in a shaft where explosive gases are evolved the person in charge must have the said shaft examined and tested with a safety lamp before the workmen are allowed to descend.

Third Not more than four persons shall be lowered or hoisted in any shaft on a bucket at the same time and no person shall ride on a loaded bucket

Fourth Whenever persons are employed on platforms in shafts the person in charge must see that the said platforms are properly and safely constructed.

Fifth While shafts are being sunk all blasts therein must be exploded by an electric battery.

Article XII of the bill was read as follows and agreed to:

ARTICLE XII

VENTILATION

Section 1201 The owner operator or superintendent of every mine shall provide and maintain a constant and adequate supply of pure air for the same as hereinafter provided.

Section 1202 It shall not be lawful to use a furnace for the purpose of ventilating any mine wherein explosive gases are generated.

Section 1203 The quantities of air in circulation shall be ascertained with an anemonmeter or other efficient instrument Such measurements shall be made by the inside foreman or his assistant once every week at the inlet and outlet airways also at or near the face of each gangway and at the nearest cross-heading to the face of the inside and outside chamber or breast where men are employed Such air measurements shall be entered in the colliery report book Cross-headings between chambers or breasts shall not be driven more than sixty (60) feet from the face of each chamber or breast A report of these air measurements shall be sent to the inspector before the twelfth day of each month for the preceding month together with a statement of the number of persons employed in each district.

Section 1204 The minimum quantity of air produced shall not be less than two hundred (200) cubic feet per minute for each and every person employed in any mine and as much more as the circumstances may require.

Section 1205 The ventilating currents shall be conducted and circulated to and along the face of each and every working place throughout the entire mine in sufficient quantities to dilute render harmless and sweep away smoke and noxious or dangerous gases to such en extent that all working places and traveling roads shall be in a safe and fit state to work and travel therein.

Section 1206 All worked-out or abandoned parts of a mine in operation so far as practicable shall be kept free of dangerous bodies of gases or water and if found impracticable to keep the entire mine free from an accumulation of gases or water the mine inspector must be immediately notified.

All accessible parts of an abandoned portion of a mine in which explosive gases have been found shall be carefully examined by the mine foreman or his assistants at least once a week and any dangerous condition found existing therein shall be recorded in a book kept at the colliery for that purpose and signed by the person making the same.

Section 1207 Every mine employing more than seventy-five (75) persons must be divided into two or more districts Each district shall be provided with a separate split of pure air and the ventilation shall be so arranged that not more than seventy-five (75) persons shall be employed at the same time in any one current or split of air

The inlet and return air passages for any particular district must be separated by a pillar of coal or stone if the thickness and dip of the vein will permit except where it is necessary to cut through said dividing pillar for the purpose of ventilation traffic or drainage.

Section 1208 All air passages shall be of sufficient area to allow the free passage of not less than two hundred (200) cubic feet of air per minute for every person working therein and in no case in mines generating explosive gases shall the velocity exceed four hundred and fifty (450) lineal feet per minute in any opening through which the air currents pass if gauze safety lamps are used except in the main inlet or outlet airways.

Section 1209 All cross-cuts connecting the main inlet and outlet air passages of every district when it becomes necessary to close them permanently shall be substantially closed with brick or other suitable building material laid in mortar or cement whenever practicable.

Section 1211 All main doors shall have an attendant whoe constant duty it shall be to open them for transportation and travel and prevent them from standing open longer than is necessary for persons or cars to pass through unless a self-acting door is used which is approved by the inspector of the district.

Section 1212 All main doors shall be so placed that when one door is open another which has the same effect upon the same current shall be and remain closed and thus prevent any temporary stoppage of the air current

Section 1213 An extra main door shall be so placed and kept standing open as to be out of reach of accident and so fixed that is can be at once closed in the event of an accident to the doors in use.

Section 1214 The frame work of such main doors shall be substantially secured in stone or brick laid in mortar or cement unless otherwise permitted in writing by the inspector.

Section 1215 All permanent air bridges shall be substantially built of fireproof material and of such strength as the circumstances may require Temporary air bridges or overcasts may be built of other suitable material upon permission from the mine inspector.

Section 1216 All ventilators used at mines shall be provided with recording instruments by which the speed of the ventilators or the ventilating pressure shall be registered for each hour and such data shall be preserved at the colliery for future references for a period of three months.

Section 1217 An accumulation of gas in mines shall not be removed by brushing When such accumulations occur they must be removed by sufficient air currents only

Section 1218 No auxiliary or booster fan shall be allowed in any Class C mine unless a request in writing be made by the superintendent of such mine to the mine inspector of the district and permission granted by him to install such fan.

Section 1219 Auxiliary fans driven by electric power shall not be used in gaseous mines (C class) unless the motors of such fans are enclosed in explosion proof casings approved by the United Stattes Bureau of Mines All such fans must be located so that there shall be maintained at all times a positive separation of inlet and outlet air currents.

Section 1220 All main fans used to ventilate gaseous mines shall be operated continuously when necessary for the safety of the men employed therein and when the Mine Inspector so orders During any period in which repairs are being made to any such fan or fans or for any reason any such fans are stopped no person or persons shall be allowed in any gaseous part of said mine except for the purpose of making examinations and observations of gaseous conditions All such examinations shall be made with an approved safety lamp.

Section 1221 Whenever a mine suspends operations temporarily and is being maintained in readiness for operation the mine shall be examined at least once a week in the same manner as if in operation and a report of such examination shall be made in the colliery report book and signed by the person making the examination.

Section 1222 When non-gaseous (Class A) mines in which mining has been suspended and fans stopped during such idle periods before such mine or mines resume mining all such fans shall be put in operation at least twelve (12) hours before work is resumed An examination of all working places haulage roads traveling roads etc shall be made before the men are allowed to enter the mine.

Section 1223 When any main ventilating fans have been stopped they shall prior to the resumption of work in the mine be operated a sufficient length of time to provide a supply of air adequate enough to dilute render harmless and sweep away all smoke and noxious gases and an examination shall be made of all haulage roads traveling roads working places and other places in which accumulations of gas or smoke might endanger the safety of the workmen before the men are allowed to enter the mine.

Section 1224 All inlet and outlet airways shall be kept free from all obstructions and in fit state to be traveled and inspected at all times.

Section 1225 Any person or persons who shall neglect or fail to comply with the provisions of this article or

who shall make any false report in regard to air measurements shall be guilty of an offense against this act.

Article XIII of the bill was read as follows and agreed to:

ARTICLE XIII

UNDERGROUND BUILDINGS

Section 1301 All buildings inside of any anthracite coal mine in Pennsylvania including engine-houses pumphouses stables et cetera shall be constructed of incombustible material and no temporary buildings of any character in any mine shall be constructed unless they are constructed of incombustible material.

Section 1302 Any owner operator or superintendent of a coal mine failing to comply with this article shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of one hundred dollars ($100.-00) or undergo imprisonment in the county jail for a period of ten (10) days or both at the discretion of the court

Article XIV of the bill was read as follows and agreed to:

ARTICLE XIV

CLASSIFICATION OF MINES OR SECTIONS THEREOF WITH REFERENCE TO COMBUSTIBLE GAS

Section 1401 All anthracite mines or sections thereof shall be classed as A B or C as hereinafter provided.

Section 1402 A Class A mine or section thereof shall be considered one in which seven one-hundredths (7/100) of one per cent of combustible gas or less is found Such mine or section thereof shall be considered nongaseous.

Section 1403 A Class B mine or section thereof shall be considered one in which more than seven one-hundredths (7/100) of one per cent and less than five-tenths (5/10) of one per cent of combustible gas is found.

Section 1404 A Class C mine or section thereof shall be considered one in which five-tenths (5/10) of one per cent or more of combustible gas is found.

Section 1405 Examinations to determine the classification of mines or sections thereof shall be made by the operator or his representative every six months at the faces of the first and last working place on a split and the average of the tests be the determining factor Tests shall be made by use of a methane detector approved by the United States Bureau of Mines or by chemical analyses.

Section 1406 The ventilation must have been stopped or short-circuited for at least fifteen minutes when the aforesaid examinations are made and the results recorded and a copy of the same shall be sent to the inspector of the district within ten days after such examination.

Section 1407 The classification of a section of a mine as "A" "B" or "C" does not of necessity place the whole mine in that class.

Section 1408 If one-fourth (1/4) of an inch gas cap can be seen on the flame of an approved safety lamp it shall be assumed that the air contains at least one and one-half (1 1/2) per cent of combustible gas.

Section 1409 No mine or section thereof shall be considered as belonging to a less hazardous class than the one to which it formerly belonged without permission from the inspector of the district.

The Sections 1501 to 1523 of Article XV of the bill was read as follows and agreed to.

ARTICLE XV

USE OF ELECTRICITY

Section 1501 All electrical apparatus and conductors shall be so installed and protected as to reduce danger from shock or fire to a minimum.

Section 1502 No higher voltage than medium (650) shall be taken underground except for transmission or for application to transformers or other apparatus in which the whole of the high voltage circuit is stationary,

Section 1503 When high cables are taken into the mine through bore holes shafts slopes and other travelingways to an underground station from which point low or medium voltage may be conveyed said cables shall be so constructed as to reduce the hazards of accidental shock to a minimum.

Section 1504 In gaseous mines (C class) high voltage transmission cables shall be installed in the intake airways or in bore holes provided such bore holes are in or connected to intake airways unless specific permission to install high voltage cablese has been given by the Inspector in writing and in response to a specific written request.

High voltage motors and transformers if used in a mine shall be installed only in underground stations ventilated by intake air which has not passed through a gaseous district.

Section 1505 Gloves and mats of rubber or other suitable insulating material be provided and used by persons when making repairs to live parts of any electrical apparatus or when live parts of electrical apparatus have to be handled for the purpose of adjustment Provided That this section shall not apply to electric signal circuits.

Section 1506 Instructions shall be posted in every generating transforming and motor room containing direction as to the restoration of persons suffering from electric shock

Section 1507 In underground stations where switchboards are installed there shall be a passageway in front of the switchboard not less than three (3) feet in the clear The rear of said switchboard must be fenced off so that there is no passageway in the rear or if this be impracticable any such passageway must be three (3) feet in the clear.

When medium voltage is used insulating floors for mats shall be provided where live metal work is on the front of the board When high voltage is used unless installed in a locked room to which only authorized persons ar admitted All live metal parts on the front of the main switchboard within seven (7) feet of the floor or platform shall be guarded so as to prevent persons from coming in contact with such live parts The floor back of the board shall be made of incombustible material Provided however that this section does not apply to switchboards now in service or extensions thereof.

Section 1508 Fire buckets filled with clear dry sand or other standard extinguishers for electrical fires shall be kept in underground stations ready for immediate use in extinguishing fires.

Section 1509 Medium or low pressure conductors may be bare except in gaseous portions (C class) of the mines This rule is not to include trolley wire except where hereinafter provided.

Section 1510 At all landings and partings where men are required to work regularly or pass under trolley or other bare power wires which are placed less than six and one-holf (6 1/2) feet above the top of the rail a suitable protection shall be provided This protection may be afforded by channeling the roof placing boards along the wires which shall extend below them or the use of other approval devices that afford protection.

Section 1511 All underground power wires and cables in hoisting shafts or manway compartments shall be highly insulated and substantially fixed in position On main haulage roads all cables and other wires except trolley wires and D C feeder wires when mounted on the same supports shall be kept at least twelve (12) inches away from any part of the mine care or locomotive.

Section 1512 Trailing cables in use shall be examined daily by the machine operator for abrasions and other defects and he shall report any defect to the mine foreman or his assistant and it shall be immediately remedied or the cable put out of service.

Section 1513 All points at which a circuit other than a signal circuit has to be made or broken shall be provided with proper switches The use of hooks or other gathering locomotives or locomotives and machines used in driving headings or chambers may be made to the trolley wire by means of suitable hooks.

Section 1514 In any gaseous portion of a mine (B and C class) a coal-cutting machine shall not be brought

beyond the last cross-cut next the working face until the machine man shall have made an inspection for gas or until such examination shall have been made by some other competent person If any explosive gas is found in the place the machine shall not be taken in.

Section 1515 No coal-cutting machine shall be continued in operation in a gaseous portion of a mine (C class) for a longer period than half an hour without an examination being made for gas and if gas is found the current shall at once be switched off and the machine and the trailing cable shall forthwith be disconnected from the power supply.

Section 1516 The person in charge of a coal-cutting machine loading machine or drilling machine shall not leave the machine while it is working and shall before leaving the working place see that the current is cut off from the trailing cables In any gaseous portion of a mine (C class) if an electric spark or arc be produced by the cable or rails the defect shall be immediately reported to the mine foreman or his assistant and the condition remedied without delay.

Section 1517 In any gaseous portion of a mine (C class) any gangway airway or other working which is served by cars being pushed to the face of it must not have any trolley wire therein closer than one hundred and fifty (150) feet from its face No modification of this rule shall be allowed unless the mine inspector of the district be first consulted and his permission obtained to make such modification A trailing cable is permitted in all such cases.

No electric haulage motor shall be taken to the face of any working place in any gaseous portion of a mine (B or C class) in the absence of the men working in such place until it is first examined by a competent person and found to be safe.

Section 1518 In no case shall the potential used in the trolley system be higher than low voltage Provided That this section shall not apply to trolley systems now in service or extensions thereof.

Section 1519 No electrical equipment shall be operated in that part of any mine in which more than one and one-half (1½) per cent of combustible gas can be detected and all work must be stopped except such as may be necessary to reduce the percentage content to one and one-half or less

Section 1520 In gaseous mines (B class) open lights and electric lamps are permissible provided a flame safety lamp approved by the Department of Mines is used for testing purposes Such safety lamps shall be as far as practicable kept near the roof of the working face

It shall not be assumed that a mine or portion thereof is gaseous because of the partial or exclusive use of electric car lamps

Section 1521 In each part of all gaseous mines (C class) no light other than a locked safety lamp or a locked safety lamp and electric cap lamp both of a type which shall be first approved by the Department of Mines shall be allowed or used in such part Whenever safety lamps or electric cap lamps are required in any mine or part thereof they shall be the property of the owner of said mine and a competent person who shall be appointed for the purpose shall examine every safety lamp and electric cap lamp before it is taken into the workings for use and he shall ascertain that all safety lamps are clean safe and securely locked and safety lamps and electric cap lamps shall not be used until they have been so examined and found safe and in the case of safety lamps clean and securely locked

Section 1522 No one except a duly authorized person shall have in his possession a key or any other contrivance for the purpose of unlocking any safety lamp in any gaseous mine where locked safety lamps or electric cap lamps are used It shall be unlawful for any person or persons working in gaseous mines (C class) or portion of a gaseous mine (C class) which is worked by locked safety lamps or locked safety lamps and electric cap lamps to carry into the mine matches smokers' articles or any other material or articles which may cause fire To prevent such articles being carried into a dangerous mine or section thereof the mine foreman when he sees fit shall cause a search of the men for such articles

Section 1523 In any gaseous portion of a mine (C class) except such parts as are ventilated by pure intake air incandescent lamps shall be protected by gas tight fittings of strong glass

The section 1524 of Article XV of the bill was read as follows:

Section 1524 All shot firing in gaseous mines or sections of mines (C class) shall be done by the use of an electric battery approved by the Secretary of Mines and furnished free of charge by the owner or operator of such mine No black powders shall be used in such mines

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 1524, page 64, line 19 by striking out the words "and no" and inserting in lieu thereof: "and furnished free of charge by the owner or operator of such mine. No"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sections 1525 to 1529 of Section XV of the bill were read as follows and agreed to:

Section 1525 No shot firing unit shall be connected to the shot firing leads until all other connections preparatory to the firing of shots have been completed and all persons have moved to a place of safety

Section 1526 In any gaseous portion of a mine (C class) the potential used for signaling purposes shall not exceed twenty-four (24) volts and bare wires shall not be used for signal circuits except in intake air currents

Section 1527 Where electric transformers are located on the outside mounted on steel structures there shall be provided proper walkways or platforms so that examinations or inspections of the same can be made All transformers within eight (8) feet of the ground shall be protected by fencing such fencing to be of a height that will prevent persons from inadvertently coming in contact with same

Section 1528 At all surface plants of collieries and in all mines where electric power is used adequate switches shall be provided at the points where it may be necessary to turn power on or off Such switches except high voltage air break and disconnecting switches and those on D C feeder or on trolley circuits shall be so arranged that they can be operated only from and without the box when the latter is completely closed

Section 1529 Any person or persons failing to comply with the provisions of this article shall be guilty of an offense against this act and upon conviction shall be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) or undergo imprisonment for thirty (30) days in the county jail or both at the discretion of the court

Article XVI of the bill was read as follows and agreed to.

ARTICLE XVI

Inquests

Section 1601 If whenever death occurs from an accident in or about an anthracite coal mine of this Commonwealth and after an examination of such accident the mine inspector finds an inquest should be held he shall notify the coroner to hold such inquest without delay and if no inquest be held by the coroner within forty-eight (48) hours after such notice the inspector shall

institute a further and fuller examination of such accident and for this purpose he shall have power to compel the attendance of witnesses at such examination and to administer oaths and affirmations to persons testifying thereat The inspector shall make a record of all such investigations and accidents which record shall be preserved in his office The cost of such investigations shall be paid by the Department of Mines in like manner as other costs are now paid

Section 1602 An inquest held by the coroner upon the body of a person killed by explosion or other accident shall be adjourned by the coroner if the inspector of mines be not present to watch the proceedings and the coroner in such case shall notify the inspector in writing of such adjournment inquest and the time and place of holding the same at least three (3) days previous thereto

Section 1603 Due notice of an intended inquest to be held by the coroner shall be given by the coroner to the inspector and at any such inquest the mine inspector and any representative of a party in interest shall have the right to examine witnesses and read the law governing the case of the coroner's jury

Section 1604 If at any inquest over the body or bodies of persons whose death was caused by an accident in or about a mine or colliery the inspector cannot be present to watch the proceedings the coroner may proceed with such inquest and if it is shown by the evindence given at the inquest that the accident was caused by neglect or by any defect in or about the mine or colliery which in the judgment of the jury requires a remedy the coroner shall send notice in writing to said inspector of such neglect or default

Section 1605 No person who is interested personally nor a person employed in the mine or at a colliery in or at which loss of life has occurred by accident shall be qualified to serve on a jury empaneled on the inquest and a constable or other officer shall not summon such a person so disqualified as a juror but the coroner shall empaneled a majority of the jury from miners who are qualified to judge the nature of the accident

Article XVII of the bill was read as follows and agreed to.

ARTICLE XVII

Medical Rooms and First Aid Treatment

Section 1701 It shall be unlawful to operate any anthracite mine in the State of Pennsylvania employing more than five persons unless said mine is provided with a sufficient quantity of medical supplies bandages linens splints woolen and waterproof blankets The mine foreman or his assistant shall keep a record showing the requried articles on hand Said articles shall be stored in rooms erected at a convenient place in the mine and on the surface which rooms shall not be less than eight by twelve feet and sufficiently furnished lighted clean and ventilated so that therein medical treatment may be given injured employes in case of emergency The furnishings shall be sufficient to accommodate two or more persons in reclining and sitting posture. In the mines where five (5) men or less are employed there shall be kept at such mines first aid kits so that first aid to the injured may be rendered in case of necessity

Section 1702 The neglect or refusal to perform the duties required to be performed by this article or the violation of any of the requirements hereof shall be deemed a misdemeanor and shall upon conviction thereof in the Court of Quarter Sessions of the county wherein the misdemeanor was committed be punishable by a fine not exceeding five hundred dollars ($500.00) or imprisonment in the county jail for a period not exceeding six months (6) or both at the discretion of the court

Section 1801 of Article XVIII of the bill was read as follows:

ARTICLE XVIII

Regulating Weights of Explosives

Section 1801 On and after the passage of this act each and every keg or box of explosives used manufactured or sold in or around the anthracite coal mines of this Commonwealth shall have clearly stamped upon it the name of the person firm or corporation manufacturing said explosives the percentage strength of such explosives and also the number of pounds of explosives contained in said keg or box Said explosives must at all times be contained in a metal keg or wooden box

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 1801, page 68, line 20 by inserting after the part-work "plosives" the following: "the percentage strength of such explosives"; amend Sec. 1801 ,page 68, line 21 by adding after the word "box" the following: "Said explosives must at all times be contained in a metal keg or wooden box"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Sections 1802, 1803, and 1804 of Article XVIII of the bill was read as follows and agreed to.

Section 1802 Any manufacturer or dealer in said explosives making or selling or causing to be made or sold any keg or box of said explosives containing less weight than shall be shown as stamped upon the keg or box shall be subject to a penalty of five dollars ($5.00) for each and every keg or box of said explosives manufactured or sold which does not contain the respective weights as set forth in the foregoing section

Section 1803 It shall not bet lawful for any other person firm or corporation except the person firm or corporation whose name shall be stamped on said keg or box to use any such stamped keg or box for the purpose of containing explosives

Section 1804 Any person firm or corporation violating the provisions of section one thousand eight hundred three of this article shall be subject to a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00)

Article XIX of the bill was read as follows and agreed to:

RECOVERY OF BODIES OF ENTOMBED WORKMEN

Section 1901 Whenever any workman or workmen shall heretofore have been or shall hereafter be enclosed entombed or buried in any anthracite coal mine in this Commonwealth it shall be the duty of the court sitting in equity in the county wherein such workman or workmen are enclosed entombed or buried upon the petition of any of the relatives of those enclosed entombed or buried to make an order of court for the petitioner to take testimony in order that the court may ascertain whether such workman or workmen or the body or bodies of such workman or workmen can be recovered or taken out of said mine

Section 1902 If after full hearing it shall appear to the court that such undertaking is feasible or practicable said court may forthwith issue a peremptory mandamus to the owner or owners lessee or lessees operator or operators of such coal company to forthwith proceed to work for and recover and take out the body or bodies of such workman or workmen and said court shall have full authority to enforce such peremptory mandamus in the manner already provided for the enforcement of such process

Section 2001 of Article XX of the bill was read as follows and agreed to:

RECORDS OF COAL LOADED BY MINERS

Section 2001 At every anthracite coal mine in this Commonwealth where coal is mined and paid for by the car

a record of all cars of coal mined shall be kept at the miners' chutes or at the most convenient and practical of said chutes where said coal is loaded in cars which record shall be the final basis of computing the miners' earnings per car without any deduction for any slate or other refuse that may be loaded on said car or cars in the usual and natural course of mining and loading coal and which record shall be open at all times for the inspection of all miners

Section 2002 of Article XX of the bill was read as follows:

Section 200 Any individual firm or corporation violating any of the provisions of section two thousand one shall be guilty of a misdemeanor and upon conviction shall for each offense be sentenced to pay a fine of not less than fifty ($50.00) nor more than one hundred dollars ($100.00) Provided That nothing contained in this article shall affect any existing contract

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to

Amend Sec. 2002, page 70, line 20 by striking out the word "ten" and inserting in lieu thereof: "two"

Amend Sec. 2002, page 70, lines 25 to 29 by striking out the words "nor shall" in line 25, and all of lines 26 to 29.

Amend Sec. 2002, page 71, lines 1 and 2 by striking out all of said lines

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

Will the Senate agree to the section as amended?

follows and agreed to:

Section 2003 of Article XX of the bill was read as follows and agreed to

Section 2003 Any person who wilfully shall from any loaded coal car in or about any mine breaker or yard in this Commonwealth take remove sever carry away obliterate or destroy any ticket card tin-slip or other device or sign used to indicate or identify the person or persons to whom credit or pay is or shall be due for the mining of the coal in said car or for the loading of said car for the purpose of depriving such person or persons from getting credit or pay for said car or for the purpose of defrauding such person in any manner shall be deemed guilty of a misdemeanor and upon conviction therefor shall be sentenced to pay a fine not exceeding one hundred dollars ($100.00) or to undergo imprisonment not exceeding one (1) year either or both at the discretion of the court and the jury trying the case may infer such intent from the fact of taking removing carrying away severing obliterating or destroying in any manner of such tickets card tin-slip or other device or sign as aforesaid

Section 2101 of XXI of the bill was read as follows:

WASH HOUSES

Section 2101 It shall be the duty of the owner operator or superintendent of each mine or colliery at the request in writing of twenty (20) or more men employed in any of the mines to provide a suitable building not an engine or boiler house which shall be convenient to the principal entrance of such mine for the use of the persons employed therein for the purpose of washing themselves and changing their clothes when entering the mine and returning therefrom The said building shall be maintained in good order be properly lighted and heated and supplied with pure cold and warm water and shall be provided with facilities for persons to wash It shall be the duty of the owner operator or superintendent of each mine or colliery to maintain proper attendants continuously at each and every wash house in order to maintain the wash house in a clean and sanitary condition at all times If any person or persons shall neglect or fail to comply with the provisions of this article or maliciously injure or destroy or cause to be injured or destroyed the said building or any part thereof or any of the appliances or fittings used for suplying light heat and water therein or any act tending to the injury or destruction thereof he or they shall be deemed guilty of an offense against this act

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to

amend Sec. 2101, page 72, line 6 by inserting after the word "wash" the following: It shall be the duty of the owner, operator or superintendent of each mine or colliery to maintain proper attendants continuously at each and every wash house in order to maintain the wash house in a clean and sanitary condition at all times.

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Article XXII of the bill was read as follows and agreed to.

AMBULANCES AND STRETCHERS

Section 2201 The owner operator or superintendent of every mine or colliery except as hereinafter provided shall provide and keep at such mine or colliery a motor ambulance and also at least two (2) stretchers for the purpose of conveying to their places of abode any person or persons who may be injured while in the discharge of his or their work at such mine or colliery

Section 2202 The said motor ambulance shall be constructed upon good substantial and easy springs It shall be covered and closed and shall have windows on the sides or ends It shall be of sufficient size to convey at least two (2) injured persons with two (2) attendants at one time and shall be provided with spring mattresses or other comfortable bedding to be placed on roller frames together with sufficient covering and protection for the convenient movement of the injured It shall also be provided with seats for the attendants The stretchers shall be constructed in such manner as to afford the greatest ease and comfort in the carriage of injured persons The motor ambulance shall at all times be properly heated

Section 2203 Whenever any person or persons employed in or about a mine or colliery shall receive such injury by accident or otherwise while so employed as would render him or them unable to walk to his or their place of abode the owner operator or superintendent of such mine or colliery shall immediately cause such person or persons to be removed in said motor ambulance to his or their place of abode or to a hospital as the case may require Provided however That where two or more mines or collieries are located within four miles of each other or a motor ambulance is located within four miles of each colliery but one motor ambulance as aforesaid shall be required if said mines or collieries have ready and quick means of communication one with the other by telegraph or telephone

Section 2204 A motor ambulance as aforesaid shall not be required at any mine or colliery at which less than twenty (20) persons are employed

Section 2205 In case the distance from any mine or colliery to the place of abode of the person injured is such as to permit his conveyance to his home or to a hospital more quickly and conveniently by railway such mode of conveyance shall be permitted but in such case the conveyance must be under cover and the comfort of the injured person must be provided for

Section 2206 There shall be furnished free of charge by the State Highway Department a registration certificate and two number tags for each such motor ambulance

Article XXIII of the bill was read as follows and agreed to:

ARTICLE XXIII

EMPLOYMENT OF BOYS AND FEMALES

Section 2301 No woman or girl of any age shall be employed or permitted to be in any mine for the purpose of employment therein nor shall a woman or girl of any age be employed or permitted to be in or about the outside structures or workings of a mine or colliery for the purpose of employment Provided however That this prohibition shall not affect the employment of a female of not less than sixteen (16) years of age in an office or in the performance of clerical work at a colliery

Section 2302 No minor under sixteen (16) years of age shall be employed or permitted to work in about or in connection with any breaker or any outside part of any mine or colliery. No minor under eighteen (18) years of age shall be employed to be permitted to work inside any coal mine No minor under eighteen (18) years of age shall be empolyed or permitted to work about or in connection with the outside part of any mine or colliery in the operation of hoisting machines at oiling or cleaning machinery in motion at switch-tending and gate-tending at track repairing or in any other dangerous occupation

Section 2303 Before any person under twenty-one (21) years of age shall be permitted to work in or about any mine or colliery he shall first file with the employer a statement properly sworn to before a magistrate or other proper officer setting forth the date and place of birth and post office address Such statements shall be filed in the colliery office and they shall be available at all times for inspection by the mine inspector of the district or other authorized inspectors or officers charged with the enforcement of this act

Section 2304 Any person who shall violate any of the provisions of this article shall upon conviction thereof be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than two hundred dollars ($200.00) or to undergo an imprisonment of not more than ten (10) days or both at the discretion of the court

Article XXIV of the bill was read as follows and agreed to:

ARTICLE XXIV

SOLICITING MONEY OR OTHER VALUABLES FROM EMPLOYES

Section 2401 On and after the passage of this act any mine superintendent mine foreman or assistant foreman or any other person or persons who shall receive or solicit any sum of money or other valuable consideration from any of his or their employes for the purpose of continuing in his or their employ or for the purpose of procuring employment shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than fifty dollars ($50.00) nor more than three hundred dollars ($300.00) or undergo an imprisonment of not less than six (6) months or both at the discretion of the court

Section 2501 of Article XXV of the bill was read as follows:

ARTICLE XXV

DUTIES OF OUTSIDE FOREMEN

Section 2501 The owner operator or superintendent of a colliery shall place a competent person to be called an "outside foreman" in charge of the breaker and outside work of such colliery who shall direct and see that the provisions of this act are complied with in respect to the breaker outside machinery ropes cages and all other things pertaining to the outside work unless otherwise provided for in this act

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 2501, page 76, lines 10 and 11 by striking out the words "as far as practicable"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 2502 of Article XXV of the bill was read as follows and agreed to:

Section 2502 Whenever an outside foreman cannot personally carry out the provisions of this act so far as they pertain to him the owner operator or superintendent shall authorize him to employ a sufficient number of competent persons to act as his assistants who shall be subject to his orders

Section 2503 of Article XXV of the bill was read as follows and agreed to:

Section 2503 In all coal breakers where the coal dust is so dense as to be injurious to the health of persons employed therein the owner operator or superintendent of said breaker shall upon the request of the inspector immediately adopt measures for the removal of the dust

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 2503, page 76, line 26 by striking out the words "as far as practicable"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 2504 to 2512 inclusive of Article XXV of the bill was read as follows and agreed to:

Section 2504 It shall be the duty of the outside foreman of a colliery or his assistant to inspect and examine personally all machinery in breakers and in all other places where machinery is used for the preparation or storage of coal He shall see that all dangerous machinery rolls pulleys screens belts walks etc are properly protected by coverings railings or fencing so as to prevent persons from inadvertently walking against or falling upon the same

Section 2505 All hoisting ropes safety catches main links and chains shall be carefully examined each day they are used by a competent person delegated by the outside foreman to make such examination A record of any defects found therein by which life or limb may be endangered shall be made in a book and signed by the person making it and said book shall be kept in the colliery office where it shall be available for inspection by the inspector of the district

Section 2506 It shall be the duty of the outside foreman to have all iron hoisting chains main links sockets and slope couplings that are used to lower men into and hoist them from the mines annealed at least once every four (4) months and as much oftener as may be found necessary A record of such annealment shall be kept in a book and signed by the person in charge of the work Provided That this shall not apply to hoisting chains main links sockets and slope couplings that are made of modern heat treated steel

Section 2507 It shall be the duty of the outside foreman to have the motor ambulance kept in good working condition and to this end he shall have it inspected by a competent mechanic once every month and any defects found shall be immediately remedied A record of such motor ambulance inspection together with its condition shall be made in a book and signed by the person making the inspection

Section 2508 It shall be the duty of the outside foreman to keep in the colliery office all employment certificates of minors at which place they shall be open for inspection by the mine inspector of the district or by

any other person authorized by law to inspect such certificates

Section 2509 It shall be the duty of the outside foreman to have all cages by which persons are hoisted or lowered in shafts tested for safety as often as once every three (3) months Whenever such test shows that a cage drops nine (9) inches or more or that other dangerous defects exist such cage shall not be further used until all defects therein found have been remedied

Section 2510 If at any time it is found by an employe that any part of the machinery in any breaker or about any colliery has become dangerous he shall immediately notify the foreman whose duty it shall be to have such defect or dangerous condition remedied without delay

Section 2511 The outside foreman shall see that a suitable safety device is installed on the railroad tracks that lead to the breaker and maintained in good working order to protect the loaders who may be loading railroad cars from the coal pockets All railroad car runners shall be provided with safety belts to prevent their falling off such cars

Section 2512 The outside foreman shall before the tenth day of each month send to the mine inspector of the district for the preceding month a report of the condition of all hoisting cages safety catches ropes main links chains breaker machinery motor ambulances or other machinery designating the condition of each by using the words "good" "fair" or "bad" as the case may be This report shall be signed by the outside foreman Such reports shall be made on forms furnished by the Department of Mines

Article XXVI of the bill was read as follows and agreed to:

ARTICLE XXVI

BREAKERS AND MACHINERY

Section 2601 No inflammable structure shall be located over the entrance of any mine opening connecting the surface with the underground workings and no breaker or other inflammable structure for the preparation or storage of coal shall be located nearer than two hundred (200) feet to any mine opening provided that this section shall not apply to breakers and other structures that are now erected

Section 2602 The sides of stairs trestles and dangerous plank walls in and around the collieries shall be provided with hand and guard railings to prevent persons from falling over their sides This section shall not forbid the temporary removal of a fence guard rail or covering for the purpose of repairs or other operations if proper precautions are used and the fence guard rail or covering is replaced immediately thereafter

Section 2603 All person employed to operate machinery in and about the breaker other than that used to lower and hoist persons into and out of the mines shall be sober and competent persons not less than eighteen (18) years of age

Section 2604 A signal apparatus shall be established at important points in every breaker so that in case of an accident the engineer can be promptly notified to stop the machinery

Section 2605 No person under eighteen (18) years of age shall be appointed to oil the machinery and no person shall oil dangerous parts of such machinery while it is in motion

Section 2606 No person shall play with loiter around or interfere with any machinery in or about any mine or colliery

Section 2607 The main link of the chain connecting the rope to the cage gun-boat or car in any shaft or slope shall be made of the best quality of iron or of heat treated steel Bridle chains made of the same quality of iron or heat treated steel shall be attached to the main link rope or rope socket from the cross head of the cage gun-boat or car when persons are being lowered or hoisted thereon

Section 2608 An efficient brake shall be attached to every drum that is used for lowering or hoisting persons or material in any mine

Section 2609 Flanges or horns of sufficient dimensions to prevent the rope from slipping off the said drums shall be provided and properly attached to the drum and all machines used for lowering or hoisting persons in mines shall be provided with an indicator to show the position of the cage car or gun-boat in the shaft or slope

Section 2610 It shall be the duty of the owner operator or superintendent of any or all coal breakers to have them properly heated and lighted in order to prevent injury to the health of persons employed therein

Section 2611 Failure to comply with any of the provisions of this article shall be deemed an offense against this act

Section 2701, 2702 and 2703 of Article XXVII of the bill were read as follows and agreed to:

ARTICLE XXVII

HOISTING ENGINEERS

Section 2701 No person engaged as hoisting engineer at or about the anthracite coal mines of this Commonwealth part of whose duties it is to lower men and boys into and hoist them and coal from the said mines shall be engaged for a longer period than eight (8) hours out of each day of twenty-four (24) hours

Section 2702 An engineer placed in charge of an engine whereby persons are hoisted or lowered in any mine shall be a sober and competent person of not less than twenty-one (21) years of age

Section 2703 Every engineer shall work his engine slowly and with great care when any person is being lowered or hoisted in a shaft or slope and no one shall interfere with him while in the performance of this duty

Section 2704 of Article XXVII of the bill was read as follows

Section 2704 An engineer who has charge of the hoisting machinery by which persons are lowered or hoisted in a mine shall be in constant attendance for that purpose during the whole time any person or persons are below ground

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President I move to

amend Sec. 2704, page 82, lines 6 to 9 by striking out the words SC "and shall not allow any person or per-" in line 6, all of lines 7 to 9

Mr. LAW . Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 2705 of Article XXVII of the bill was read as follows and agreed to:

Section 2705 Any person persons firm partnership corporation or their agents managers or superintendents violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) and not more than one hundred dollars ($100.00)

Article XXVIII of the bill was read as follows and agreed to:

BOILERS AND CONNECTIONS

Section 2801 All boilers used for generating steam in and about mines and collieries shall be kept in good order and the owner operator or superintendent shall have them examined and inspected by a qualified person as often as once in six (6) months and oftener if necessary The result of such examination under oath shall be certified in writing to the inspector for the district within thirty (30) days thereafter

Section 2802 It shall not be lawful to place any boiler

or boilers for the purpose of generating steam under or nearer than one hundred (100) feet to any coal breaker or other structure in which persons are employed in the preparation of coal Provided That this section shall not apply to boilers or breakers already erected or to boilers used for heating purposes only

Section 2803 Each nest of boilers shall be provided with a safety valve of sufficient area for the steam to escape and with weights or springs properly adjusted

Section 2804 Every boiler house shall be provided with a steam gauge properly connected with the boilers to indicate the steam pressure and another steam gauge shall be attached to the steam pipe in the engine house and they shall be placed in such position that the engineer or fireman can readily examine them and see what pressure is carried Such steam gauges shall be kept in good order tested and adjusted as often as once in every six (6) months and their condition reported to the inspector in the same manner as the report of boiler inspection

Section 2805 Every fireman in charge of a boiler or boilers for the generation of steam shall keep constant watch over the same He shall see that the steam pressure does not at any time exceed the limit allowed by the outside foreman or superintendent He shall frequently try the safety valve and shall not increase the weight on the same He shall maintain a proper depth of water in each boiler and if anything should happen to prevent this he shall report the same without delay to the foreman for the time being in charge and take such other action as may under the particular circumstances be necessary for the protection of life and preservation of property

Section 2901 of Article XXIV of the bill was read as follows

PROPS AND TIMBERS

Section 2901 It shall be the duty of the owner operator superintendent or mine foreman of every mine to furnish to the miners all props ties rails and timbers necessary for the safe mining of coal and for the protection of the lives of the workmen Such props ties rails and timbers shall be suitably prepared and shall be delivered to the workmen as near to their working places as they can be conveyed in ordinary mine cars free of charge

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to

Amend Sec. 2901, page 84, lines 7 and 8 by striking out the words SC "and timbers" and inserting in lieu thereof: timbers and other materials

Amend Sec. 2901, page 84, line 12 by striking out the word SC "timber" and inserting in lieu thereof material

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to,

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 2902, 2903 of Article XXIX of the bill was read as follows and agreed to:

Section 2902 Every workman in want of props ties rails or timbers shall notify the mine foreman or his assistant of the fact at least one day in advance giving the length of the props or timber required and in case of danger from loose roof or sides he shall not continue to cut or load coal until the said props and timber have been properly furnished and the place made secure

Section 2903 No person or persons working in any coal mine or colliery shall cut any props or timbers while the same are in position to support the roof or sides When it becomes necessary to remove any of the said props or timbers for any purpose it may be done by using prop or post pullers or by blasting

Article XXX of the bill was read as follows and agreed to:

RETURNS AND NOTICES

Section 3001 Notices of death or serious injuries resulting from accidents in or about mines or collieries shall be made to the inspector of mines in writing and shall specify the name age occupation of the person killed or injured and also the nature and character of the accident and of the injury caused thereby

Section 3002 The owner operator or superintendent of a mine or colliery shall without delay give notice in writing to the inspector of the district in which said mine or colliery is situated in any or all of the following cases

First Where any working is commenced for the purpose of opening a new slope or mine to which this act applies

Second Where any mine is abandoned or the working thereof discontinued

Third Where the working of any mine is recommenced after any abandonment or discontinuance for a period exceeding two (2) months

Fourth Before any new coal breaker is completed and work commenced therein for the purpose of preparing coal for market

Fifth Where the pillars of a mine are to be removed or robbed

Sixth Where a squeeze or crush or any other cause or change may seem to affect the safety of persons employed in any mine or where fire occurs or a dangerous body of gas is found in any mine

Section 3003 On or before the second day of each month the owner operator or superintendent of every mine or colliery shall send to the mine inspector of the district for the preceding month an estimate of the number of days worked tons produced and the number of men employed

Section 3004 On or before the first day of February in each year the owner operator or superintendent of every mine or colliery shall send to the inspector of the district a correct report specifying with respect to the year ending December thirty-first previously the name of the operator and officials of the mine with their postoffice addresses the quantity of coal mined the amount of powder or other explosives consumed and the number of persons employed above and below ground in or about such colliery classifying the persons so employed The report shall be in such form as may be from time to time prescribed by the Secretary of Mines Blank forms for such reports shall be furnished by the Commonwealth

Sections 3101 to 3105 inclusive of Article XXXI of the bill were read as follows and agreed to:

ARTICLE XXXI

GENERAL RULES

Section 3101 The owner operator and superintendent of a mine or colliery shall use every precaution to insure the safety of the workmen in all cases whether provided for in this act or not and shall have supervision direction and control of the mine foreman and all other mine employes

Section 3102 Whenever a place is likely to contain a dangerous accumulation of water the working approaching such place shall not exceed twelve (12) feet in width and there shall be constantly kept at a distance of not less than twenty (20) feet in advance at least one (1) bore hole near the center of the working and sufficient flank bore holes on each side

Section 3103 Not more than ten (10) persons shall be hoisted or lowered at any one time in any shaft or slope and whenever five (5) persons shall arrive at the bottom of any shaft or slope in which persons are regularly hoisted or lowered they shall be furnished with an empty car or cage and be hoisted except however in mines where there is provided a traveling way having an average pitch of fifteen (15) degrees or less and not more than one thousand (1000) feet in length This however shall not prohibit the hoisting or lowering of twenty (20) persons at one time on slopes where two (2) or more loaded cars are regularly hoisted Provided That not less than thirty (30) workman working therein make such a request in writing to the inspector of the district and if in his judgment the hoisting appliances in every respect are of suf

cient strength he may comply with the request of the workmen And provided further That in any coal mine or colliery where the hoisting appliances are not of sufficient strength to hoist or lower the number of persons named he shall have the power to reduce the number of persons to be hoisted or lowered

Section 3104 When high explosives other than gunpowder are used in any mine the manner of storing keeping moving charging and firing or in any manner using such explosives shall be in accordance with special rules as furnished by the manufacturers of the same The said rules shall be endorsed with his or their official signatures and shall be approved by the owner operator or superintendent of the mine in which such explosives are used

Section 3105 Every passageway used by persons in any mine and also used for transportation of coal or other material shall be made of sufficient width to permit persons to pass moving cars with safety but if found impracticable to make any passageway of sufficient width then holes of ample dimensions and not more than one hundred and fifty (150) feet apart shall be made on one side of said passageway The said passageway and safety holes shall be kept free from obstructions and shall be well drained the roof and sides of the same shall be made secure

Section 3106 of Article XXXI of the bill was read as follows and agreed to:

Section 3106 When locomotives are used in haulage ways in any mine their speed shall not exceed six (6) miles per hour and a red light shall be provided and attached to the front end of every train of cars pushed by the locomotive in any such haulage ways No locomotive shall be permitted to be used in any mine or colliery unless it is manned by two or more men There shall also be provided a red light to be attached to the rear of every train of cars that is pulled by a locomotive in the main haulage ways of any mine

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 3106, page 88, line 20 by striking out the word "main"; amend Sec. 3106, page 88, line 24, by striking out the word "main"; amend Sec. 3106, page 88, line 24 by adding aftre the word "ways" the following: "No locomotive shall be permitted to be used in any mine or colliery unless it is manned by two or more men."

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 3107 and 3108 of Article XXXI of the bill was read as follows and agreed to:

Section 3107 Any person or persons who shall knowingly or wilfully damage or without proper authority remove or render useless any fencing means of signaling apparatus instrument or machine or shall throw open or obstruct any airway or open a ventilating door and not have the same closed or enter a place in or about a mine gainst caution or handle without proper authority or disturb any machinery or cars or do any other act or thing whereby the lives or health of persons or the security of the property in or about a mine or colliery is endangered shall be guilty of an offense against this act

Section 3108 When cars are run on gravity roads by brakes or sprags the runner shall ride only on the rear nd of the last car and when said cars are run by prags a space of not less than two (2) feet from the ody of the car shall be made on one or both sides of he track wherever it may be necessary for the runner o pass along the side of the moving car or cars and said space or passageway shall always be kept free from obstructions

Section 3109 of Article XXXI of the bill was read as follows and agreed to:

Section 3109 Safety holes shall be made at the bottom of all slopes and planes and be kept free from obstruction to enable the footman to escape readily in case of danger Such safety holes shall be properly heated in cold weather

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 3109, page 89, line 22 by striking out the words "Where it is practicable to do so such" and inserting in lieu thereof: "Such"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Section 3110 to 3114 inclusive of Article XXXI of the bill was read as follows and agreed to.

Section 3110 Safety blocks or some other device for the purpose of preventing cars from falling into a shaft or running away on a slope plane or all other inclined tracks on which it may be necessary to block cars shall be placed at or near the head of every shaft slope plane or inclined track and said safety blocks or other device must be maintained in good working order

Section 3111 No person shall travel on any gravity plane while cars are being hoisted or lowered thereon Whenever ten (10) persons arrive at the bottom or top of any plane on which it is necessary for men to travel traffic thereon shall be suspended for a period of time long enough to permit them to reach the top or bottom of said plane

Section 3112 No mine cars shall be used in any mine unless the bumpers are of sufficient length and width to keep the bodies of said cars separated by not less than twelve (12) inches when the cars stand on a straight level road and the bumpers touch each other

Section 3113 For the purpose of making known the rules and the provisions of this act to all persons employed in or about such mine or colliery to which this act applies an abstract of the act and rules shall be posted up in legible characters in some conspicuous place or places at or near the mine of colliery where they may be conveniently read by the persons employed and so often as the same become obliterated or destroyed the owner operator or superintendent shall cause them to be renewed with all reasonable dispatch Any person who pulls down injures or defaces such abstract of the act or rules when posted up in pursuance of the provisions of this act shall be guilty of an offense against this act

Section 3114 Holes drilled for blasting purposes shall be stemmed to the mouth of the hole and in case of a misfire no stemming or charge shall be removed from such hole but another hole shall be drilled at least eighteen (18) inches from and parallel to the original hole Provided however That where an efficient sealing device is used stemming to the mouth of the hole shall not be necessary and in case of misfire in such sealed holes a second charge may be inserted to explode or destroy the original charge

Section 3115 of Article XXXI of the bill was read as follows:

S [Section 3115 S [No] Explosives shall be transported to the foot of a working place and no one other than the person or persons necessary for the transportation of such explosives shall be in or on the conveyance transporting them Such conveyance shall be properly insulated in all mines using electricity]

On the question,
Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend sec. 3115, page 91, line 9 by striking out the word "No" and inserting in lieu thereof: "Explosives shall be transported to the foot of a working place, and no"; amend sec. 3115, page 91, line 10 by inserting after the word "of" the following: SC "such"

Mr. LAW. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Section 3116 of Article XXXI of the bill was read as follows.

S [section 3116 A period of at least thirty minutes shall be allowed for the midday meal]

On the question,
Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend sec. 3116, page 91, lines 13 and 14 by striking out all of said lines.

Mr. LAW. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Section 3117 of Article XXXI of the bill was read as follows:

Section S [3117] S [3116] 3115 A gangway or other working place from which chambers are driven or long wall mining is done in a low coal seam shall have a traveling way on one side of same at least three (3) feet wide and five (5) feet high Chambers or other places driven from such gangways shall not be more than [two hundred and fifty] [(250) three hundred (300) feet long unless provided with a traveling way at least three (3) feet wide and three and one-half (3½) feet high

On the question,
Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend sec. 2117, page 91, line 15 by striking out the figures "3117" and inserting in lieu thereof: "3116"

Mr. LAW. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Section 3118 of Article XXXI of the bill was read as follows:

[Section. 3118 There shall be established at each mine or part thereof a station or stations at which all workmen shall check in when going to work and check out when returning from work]

On the question,
Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend sec. 3118, page 91, lines 24 to 27 by striking out all of said lines.

Mr. LAW. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Section 3119 of Article XXXI of the bill was read as follows:

Section [3119] [3117] 3116 It shall not be lawful for any mine foreman or superintendent of any mine or colliery to employ any person who is not competent to understand the regulations of any mine evolving combustible gas Provided That this rule shall not apply to a section of a mine free from combustible gas

On the question,
Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend sec. 3119, page 91, line 28 by striking out the figures "3119" and inserting in lieu thereof: "3117"

Mr. LAW. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Section 3120 of Article XXXI of the bill was read as follows:

Section 3117 Any superintendent or mine foreman who prevents the footman from giving an empty car or cage to the number of men designated in section three thousand one hundred three shall be guilty of an offense against the provisions of this article and upon conviction shall be sentenced to pay a fine of fifty dollars ($50.00) for each offense An empty trip shall be hoisted in any shaft or slope where the engine has been standing idle for one hour or more before men are hoisted or lowered in said shafts or slopes and no person or persons shall ascend any shaft or slope when working on the night turn until one trip shall first be hoisted therein

On the question,
Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend sec. 3120, page 92, line 5 by striking out the figures SC "3120" and inserting in lieu thereof: "3118"

Mr. LAW. Mr. President, I second the motion.
On the question,
Will the Senate agree to the amendment?
It was agreed to.
On the question,
Will the Senate agree to the section as amended?
It was agreed to.

Section 3118 When compressed air lines are located in close proximity to electric currents there shall be placed in such air lines at suitable places a safety section of rubber hose of not less than twelve (12) inches in length and of sufficient strength to withstand the air pressure contained in the pipe line Such safety device must be approved by the inspector of the district

On the question,
Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend sec. 3121, page 92, line 17 by striking out the figures SC "3121" and inserting in lieu thereof: "3119"

Mr. LAW. Mr. President, I second the motion.
On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question.

Will the Senate agree to the section as amended?

It was agreed to.

Section 3122 of Article XXXI of the bill was read as follows:

Section 3119 In all stripping work which may be in connection with other sections of a mine and in which large charges of high explosives are being used sufficient warning must be given to the mine officials so that all men in the mine may be removed from the danger zone before such blasts are fired in any such strippings

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend sec. 3122, page 92, line 24 by striking out the figures "3122" and inserting in lieu thereof: "3120"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

agreed to:

Article XXXII of the bill was read as follows and agreed to.

DEFINITION OF TERMS

Section 3201 In this act unless the context otherwise requires the term "anthracite coal mine or colliery" includes every operation and work both under ground and above ground used or to be used for the purpose of mining and preparing coal and not included in the bituminous boundaries

Section 3202 The term "workings" includes all the excavated parts of a mine those abandoned as well as the places actually at work

Section 3203 The term "mine" includes all underground workings and excavations and shafts tunnels and other ways and openings also all such shafts slopes tunnels and other openings in course of being sunk or driven together with all roads appliances machinery and material connected with the same below the surface

Section 3204 The term "shaft" means a vertical opening through the strata and which is or may be used for the purpose of ventilation or drainage or for hoisting men or material in connection with the mining of coal

Section 3205 The term "slope" means any inclined way or opening used for the same purpose as a shaft

Section 3206 The term "breaker" means the structure containing the machinery used for the preparation of coal

Section 3207 The term "coal stripping" means an open type of mine from which the soil and all other material overlying the coal seam has been removed Any seam of coal whose thickness is less than three and one-half (3½) feet shall be considered a low coal seam

Section 3208 The terms "owner" and "operator" mean any person or body corporate who is the immediate proprietor or lessee or occupier of any coal mine or colliery or any part thereof The term "owner" does not include a person or body corporate which merely receives a royalty rent or fine from a coal mine or colliery or part thereof or is merely the proprietor of the mine subject to any lease grant or license for the working or operating thereof or is merely the owner of the soil and not interested in the minerals of the mine or any part thereof But any "contractor" for the working of a mine or colliery or part or district thereof shall be subject to this act as an operator or owner in like manner as if he were the owner

Section 3209 The term "superintendent" means the person who shall have on behalf of the owner general supervision of one or more mines or collieries

Section 3210 The term "mine foreman" means the person who shall have on behalf of the owner operator or superintendent charge of a mine with regard to the ventilation mining timbering and transportation of coal and the safety of the persons employed in the mine

Section 3211 The term "coal miner" means a person qualified by law to act as such and who cuts or blasts coal or rock at the face of a gangway airway breast or pillar or other working place in a mine and performs such other work as may be necessary in such working place for the extraction of coal

Section 3212 The term "booster fan" means a fan used to deliver the entire volume of one or more splits of air into the workings of the high resistance circuits

Section 3213 The term "auxiliary fan" means a fan used to deliver only a portion of the volume of the air in a split to the working face through tubing of some type

Section 3214 The term "non-gaseous mine or section thereof" means one in which not more than seven one-hundredths (7/100) of one percent of combustible gas can be found in the manner described in article fourteen of this act

Section 3215 The term "section of a mine" means any portion of such a mine that is being ventilated by one split of air

Section 3216 The term "person" means and includes any individual partnership association or corporation and any employe agent director or officer thereof

Definition of Electrical Terms

Section 3217 (a) Potential The terms "potential" and "voltage" are synonymous and mean electrical pressure

(b) Difference of Potential Term "difference of potential" means the difference of electrical pressure existing between any two points of an electrical system or between any piece of electrical apparatus and the earth as determined by a voltmeter

(c) Where the conditions of supply of electricity are such that normally the difference in potential between any points of the circuit cannot exceed three hundred and twenty-five (325) volts the supply shall be deemed a low voltage

(d) Where the conditions of the supply of electricity are such that the difference of potential between any two points in the circuit may at any time exceed three hundred and twenty-five (325) volts but cannot exceed six hundred and fifty (650) volts the supply shall be deemed a medium voltage

(e) Where the conditions of supply of electricity are such that the difference of potential between any two points in the circuit at any time exceeds six hundred and fifty (650) volts the supply shall be deemed a high voltage

(f) Grounding Grounding any part of an electrical system shall consist of so connecting such part to the earth as will insure at all times a proper path for the immediate discharge of electrical energy

(g) Underground stations as herein considered are places where electrical machinery including transformers are permanently installed

Article XXXIII of the bill was read as follows and agreed to:

ARTICLE XXXIII

Arbitration

Section 3301 Whenever an inspector finds any mine or colliery or part thereof or any matter thing or practice connected with such mine which in any respect thereof is not covered or provided against by any provision of this act or by any rule to be dangerous or defective or which in his judgment tends to bodily injure a person he shall give notice thereof in writing to the owner operator or superintendent of such mine or colliery stating in such notice the particular matter or defect requiring remedy and may demand that the same be remedied but the owner operator or superintendent of said mine or colliery shall have the right to refer the demand of the inspector to a board of arbitration and the matter shall then be arbitrated within forty-eight (48) hours of the time such complaint or demand is made and the party against whom the award is given shall pay all costs attending the case The said board of arbitration shall be

composed of three (3) persons one of whom shall be chosen by the inspector one by the said owner operator or superintendent and a third by the two thus selected and the decision of a majority of such board shall be final and binding in the matter

Article XXXIV of the bill was read as follows and agreed to:

ARTICLE XXXIV

Injunctions

Section 3401 Upon application of the inspector of mines of the proper district acting in behalf of the Commonwealth any of the courts of law or equity having jurisdiction where the mine or colliery proceeded against is situated whether any proceedings have or have not been taken shall prohibit by injunction or otherwise the working of any mine or colliery in which any person is employed or is permitted to be for the purpose of working in contravention of the provisions of this act and may award such costs in the matter of the injunction or other proceedings as the court may think just but this section shall be without prejudice to any other remedy permitted by law for enforcing the provisions of this act Written notice of the intention to apply for such injunction in respect to any mine or colliery shall be made to the owner operator or superintendent of such mine or colliery not less than twenty-four (24) hours before the application is made

Article XXXV of the bill was read as follows and agreed to:

ARTICLE XXXV

Penalties

Section 3501 Any person or persons who shall neglect or fail to comply with any of the provisions of articles five (V) seven (VII) nine (IX) ten (X) eleven (XI) twelve (XII) fourteen (XIV) fifteen (XV) sixteen (XVI) twenty-one (XXI) twenty-two (XXII) twenty-five (XXV) twenty-six (XXVI) twenty-eight (XXVIII) twenty-nine (XXIX) thirty (XXX) or thirty-one (XXXI) of this act shall be guilty of an offense against this act

Such offenses against this act are declared to be misdemeanors

Section 3502 Any judge of the Court of Quarter Sessions of the peace of the county in which a mine or colliery at which an offense against this act as hereinafter stated has occurred is situated is hereby authorized and required upon the presentation to him of the affidavit of any citizen of the Commonwealth setting forth that the owner operator or superintendent or any other person employed in or about such mine or colliery has been negligently guilty of an offense against the provisions of this act whereby a dangerous accident has resulted or might have resulted to any person or persons employed in such mine or colliery to issue a warrant to the sheriff of said county directing him to cause such person or persons to be arrested and brought before said judge who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted he or they shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) in all cases not otherwise provided for in this act or to undergo an imprisonment in the county jail for a period not exceeding three (3) months or both at the discretion of the court Provided Tha any defendant may waive trial before a judge as herein provided and at any time at or before the time of such trial demand a trial by a jury in the Court of Quarter Sessions in which case he may enter into a recognizance before said judge with such surety or sureties and in such sum as said judge may approve conditioned for his appearance at the next Court of Quarter Sessions to answer the charge against him and abide the orders of the court in the premises meanwhile to be of good behavior and keep the peace or in default of such recognizance to be committed to the county jail to await such trial

Section 3503 If any person shall feel himself aggrieved by such conviction and sentenced before a judge as aforesaid he may appeal therefrom subject to the following conditions namely the appellant shall within seven (7) days after the decree has been made give notice to the prosecutor of his intention to appeal and within the same time enter into a recognizance with such surety or sureties and in such sum as shall be approved by said judge conditioned to appear and try such appeal before the next Court of Quarter Sessions of the peace and to abide the judgment of the court thereon and to pay all such costs and penalties as may be there awarded and upon compliance with such conditions the judge shall release the appellant from custody pending the appeal

Section 3504 Nothing in this act shall prevent any person from being indicted or liable under any other act to any higher penalty or punishment than is herein provided and if the court before which any such proceeding is had shall be of the opinion that proceedings ought to be taken against such persons under any other act or otherwise it may adjourn the case to enable such proceedings to be taken

Section 3505 All fines imposed under this act shall be paid into the county treasury for the use of the county

Section 3506 No conviction or acquittal under this act in any complaint shall be received in evidence upon the trial of any action for damages arising from the negligence of any owner operator or superintendent or employe of any mine or colliery

Section 3507 For any violation of duty by the mine inspector prescribed by this act he shall be deemed guilty of a misdemeanor and upon conviction be sentenced to pay a fine of not more than three hundred dollars ($300.00) or be imprisoned for a period not exceeding three (3) months either or both at the discretion of the court

Section 3508 The mine foreman and assistant mine foreman and any person placed in charge of the works or any part thereof shall be the agents of the owners and operators and such owners and operators shall employ them and discharge them at will

Article XXXVI of the bill was read as follows and agreed to:

ARTICLE XXXVI

Effective Date

Section 3601 This act shall become effective immediately upon its final enactment Provided however That a period of six (6) months shall be allowed for mine owners operators or superintendents to adapt their mines to comply with the changes made in the existing law by this act and that this time may be extended by the Secretary of Mines for a further period not exceeding six (6) months upon sufficient cause being shown by the owners operators or superintendents of their inability to comply with the provisions of this act within the time herein specified

Section 3701 of Article XXXVII of the bill was read as follows:

ARTICLE XXXVII

Repealer

Section 3701 Repeals The following acts and parts of acts of assembly are hereby repealed as respectively indicated

The act approved the ninth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred fifty-four) entitled "An act to provide for the recovery of the bodies of workmen enclosed buried or entombed in coal mines" insofar as it relates to anthracite mines

The act approved the second day of June one thousand eight hundred ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" and its amendments

The act approved the fifteenth day of June one thousand eight hundred ninety-seven (Pamphlet Laws one hundred fifty-seven) entitled "An act for the better protection of employes in and about the coal mines by preventing mine superintendents mine foremen and assistants from receiving or soliciting any sums of money or

other valuable consideration from men while in their employ and providing a penalty for violation of the same" insofar as it relates to anthracite mines

[The act approved the fifteenth day of July one thousand eight hundred ninety-seven (Pamphlet Laws two hundred eighty-seven) entitled "An act to protect the lives and limbs of miners from the dangers resulting from incompetent miners working in the anthracite coal mnes of this Commonwealth and to provide for the examination of persons seeking employment as miners in the anthracite region and to prevent the employment of incompetent persons as miners in anthracite coal mines and providing penalties for a violation of the same"]

The act approved the twenty-ninth day of May one thousand nine hundred one (Pamphlet Laws three hundred forty-two) entitled "An act relating to anthracite mines and providing for the care and life and attention of employes injured in and about said mines" and its amendments

The act approved the twenty-eighth day of May one thousand nine hundred seven (Pamphlet Laws two hundred seventy) entitled "An act making the removing obliterating or destroying tickets cards tin-slip or other device used to indicate or to identify persons loading coal in cars from mine-cars a misdemeanor and providing penalty therefor" insofar as it relates to anthracite mines

The act approved the twenty-ninth day of April one thousand nine hundred eleven (Pamphlet Laws one hundred two) entitled "An act to provide for the safety of persons employed in and about the anthracite coal-mines of this Commonwealth and to limit the hours of labor of hoisting-engineers employed at or about the same and fixing a penalty for the violation of this act"

The act approved the fifteenth day of June one thousand nine hundred eleven (Pamphlet Laws nine hundred seventy-nine) entitled "An act to safeguard life in the coal mines of the Commonwealth of Pennsylvania and to protect and preserve the property connected therewith by providing that all inside buildings shall be constructed of incombustible material and providing penalties for failure to comply with the terms of this act and making a violation thereof by mine superintendents a misdemeanor" insofar as it relates to anthracite mines

The act approved the twenty-fifth day of July one thousand nine hundred thirteen (Pamphlet Laws one thousand thirty-eight) entitled "An act requiring any invididual firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars providing that said record shall be the final basis in computing the miners' earnings per car without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal providing further that said record shall be open for the inspection of all miners and providing penalties for failure to comply with the provisions of this act"

The act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines"

All other acts or parts of acts inconsistent herewith are hereby repealed

On the question,

Will the Senate agree to the section?

Mr. KILGALLEN. Mr. President, I move to amend Sec. 3701, page 102, lines 19 to 28 by striking out all of said lines.

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time,

On the question,

Will the Senate agree to the bill?

Mr. DANDO. Mr. President, I object to the amendments, on the grounds that yesterday, in our committee meeting on Mines and Mining, the committee decided that this bill would be reported out for second reading and be recommitted for the purpose of amendment. The reason for that was that Mr. Fertig said that the amendments offered by the mine workers and the operators would be conflicting and, therefore, it would be better to get this bill out and have it passed. Therefore I object to the amendments.

The PRESIDENT. The Chair informs the Senator from Schuylkill, Mr. Dando, that the bill is on second reading and that objections do not stay actions on the amendments.

MOTION TO RECOMMIT BILL

Mr. KUNKEL. Mr. President, I move that Senate Bill No. 1069 be recommitted to the Committee on Mines and Mining.

Mr. DANDO. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. DENT. Mr. President, as much as I hate to take the opposite view in this, I do not think it would be entirely fair to put this bill back in committee, realizing the remaining days of this Session are few. The motion to recommit this bill at this time would almost amount to the killing of the bill. Now, I understand that there were two sets of amendments. This argument is based upon very different view-points, the view-point of the United Mine Workers, the Bureau of Mines and Mining, and the operators. The bill was originally designed and put in by the Department of Mines and Mining. The United Mine Workers were vitally interested and vitally affected by the provisions of this act; the operators also prepared certain amendments. In the Committee it was decided to put the bill out, and wait until today before we tried to put in the amendments of the United Mine Workers, simply because the operators had asked an opportunity to have their amendments prepared. I am perfectly satisfied to see the bill remain on the second reading calendar, so that we can read the amendments and see what they are. If we put this bill back in committee, the one objection when it comes out, if it does come out, we all realize that tomorrow is the last day of the legislative week. I really think that the bill ought to remain on the calendar, and after reading the amendments, then if we decide to recommit, we can do so. I do not believe in killing a bill just because the amendments are not satisfactory. There is a lot of merit in this bill. The Bureau of Mines and Mining spent many months in working up this bill, and I do not think it is proper to take the bill back to the committee, neither do I think the sponsor wants to kill it. I do not think he intended to

have it killed, but it will be killed if it is recommitted. I strenuously oppose having the bill sent back to the committee at this time, and ask my colleagues to put it on the calendar.

The PRESIDENT. The Chair advises that if the bill is recommitted, there will be no opportunity of printing it as amended.

Mr. HALUSKA. Mr. President, I had the pleasure of nursing this bill for quite a number of weeks. However, the Chairman of the Committee on Mines and Mining would be very unfair if he did not inform this body on the action taken in committee.

I, myself, have no objection to the amendments, but yesterday the Chairman of the Committee on Mines and Mining stated, in no uncertain ways, that this bill was to be reported out as committed, and I made that remark on the floor of the Senate last night, with the distinct understanding that the bill would not be amended on the floor, but sent back to the Committee and then we would consider the amendments offered by the United Mine Workers and the amendments offered by the operators. Incidentally, the vote was tie. I might say, I voted the vote that reported it out, but the thought in my mind was that it would go back to the Committee and give us all an opportunity to study the amendments. Now we find amendments offered on the floor of the Senate, and already passed upon. I know of no other action now but to send the bill back and kill it or pass it with the amendments.

Mr. DENT. Mr. President, I would like to interrogate the Senator from Cambria, Mr. Haluska.

Mr. PRESIDENT. Will the Senator from Cambria, Mr. Haluska, permit himself to be interrogated?

Mr. HALUSKA. Mr. President, I will.

Mr. DENT. Mr. President, I wish to ask the Senator from Cambria, if it is not true that in the Committee that we had a vote there, and was it not stated that in fairness to the operators, who asked time in order to have their amendments prepared, that we did not insert the United Mine Workers amendments in the bill now in fairness to the operators?

Mr. HALUSKA. Mr. President, that is true.

Mr. DENT. Mr. President, anybody that is interested can easily understand that by having the operators withhold their amendments for a time, this action should take place. We can send the bill back to committee and there kill it. It was only a matter of courtesy that the committee waited on the operators to bring in their amendments. They promised to have them here definitely for this morning. The amendments are not here and they will not be here; in other words, we are simply sending this bill back to have it killed, there is no other way out of it. As I stated before, I am willing to look up the operators' amendments and vote for them if they are proper amendments, but if they do not bring them in and show up with them. Why ask us to kill time simply because the operators object to them and do not have the amendments ready? We have been fair and have given them time, as much time as they asked for, in fact more time than they asked for, and again I state that I object to sending this bill back to committee. Leave it on the calendar where it can be properly scrutinized by everyone.

Mr. SIPE. Mr. President, I simply rise to remark that mindful of the many coal miners and operators in my district, I second, as strongly as I can, the remarks of my good friend, the Senator from Westmoreland.

Mr. KUNKEL. Mr. President, I have no purpose or intent of recommitting this bill for the purpose of killing it; the understanding among the members of the committee was stated by the Chairman of the Committee. It was not contemplated that any amendment would be offered. I think this difficulty can be settlted if it is agreed that the amendments offered are withdrawn and the bill remain on second reading until the other parties interested has time to prepare their amendments, and all amendments can be offered at the same time. I will agree to withdraw my motion to recommit.

Mr. DENT. Mr. President, I think I have stated my position very clearly. Now that we are going to wait until the other side has its amendments, and the other side will not get these amendments for two or three more days, and it was stated on the record that we are going to wait, that too, will kill the bill. I think if the amendments were accepted by the Senate and the bill should remain on second reading, and if tomorrow they decide to present their amendments, I will be one to stand up and agree to such action.

Mr. KILGALLEN. Mr. President, I offered these amendments for the very purpose of bringing this question to a point. This bill and this matter has been before this Assembly for months, and up till now there is only one set of amendments here.

Mr. CAVALCANTE. Mr. President, the thing that is most impressive here is whether this bill was reported out by the Committee and with the same understanding that we report out many bills, that it should be reported out, and after it had a certain number of readings that it would be reported back to the committee. Now, that has been done by many committees of this Senate, and we have been honorable, we members of the Senate, on the floor, to stand by those agreements made with each other. Now then, if this is one of those cases, I am very reluctant to vote to keep this bill out, if the members of that committee reported it out with that understanding. I think that we are in honor bound to stand by the report of that committee under that condition.

Mr. DENT. Mr. President, I think the mere fact that the Senator who made the motion to send the bill back to committee is satisfied to withdraw his motion to send the bill back to committee, if under certain conditions we agree to that, that should answer the question of the Senator from Fayette, that there was no specific agreement other than the fact that they would be fair, and that we would not put in any amendments offered by either group, in order that amendments could be prepared by the operators and presented today on the floor, and if necessary, introduce both sets of amendments, and I again state that any action brought other than the regular procedure, will tend towards killing the bill.

Br. CAVALCANTE. Mr. President, will the gentleman from Westmoreland, Mr. Dent, yield to interroga-

The PRESIDENT. Will the Senator from Westmoreland permit himself to be interrogated?

Mr. DENT. Mr. President, I will .

Mr. CAVALCANTE. Mr. President, is the Senator from Westmoreland a member of the Committee on Mines and Mining?

Mr. DENT. Mr. President, yes, sir.

Mr. CAVALCANTE. Mr. President, are the statements made by the Chairman of that Committee of that bill correct and true?

Mr. DENT. Mr. Speaker, the record speaks for itself. The statements made by the Chairman of this committee are in the record of the Senate.

Mr. CAVALCANTE. Mr. President, I am asking the Senator from Westmoreland whether they are true. He is a member of that committee and present here.

Mr. DENT. Mr. President, I am a member of that committee and the Senator from Fayette, Mr. Cavalcante, is a member of the Senate. When the Senator made the statement on the floor last night, in reporting the bills out, the Senator from Fayette, heard it, as well as I did. I would not be standing here and calling a man a liar, if that is what you want me to do.

Mr. CAVALCANTE. Mr. President, I am not asking the Senator from Westmoreland to do that, but I am asking the Senator from Westmoreland to stand upon his honor and to state whether or not the committee did report that bill out with that understanding, and whether that was the answer of the committee, of which he is a member and was present.

Mr. DENT. Mr. President, in answer to the Senator from Fayette, I might say that the action of that committee was only in order that the amendments might be prepared by the operators. In my understanding there was nothing said that the bill had to go back if one side or the other did not prepare their amendments.

POINT OF INFORMATION

Mr. HALUSKA. Mr. Presdent, I rise to a point of information.

The PRESIDENT. The Senator from Cambria, Mr. Haluska, will state his point of information.

Mr. HALUSKA. Mr. President, I desire to know whether the Senator from Lackawanna, Mr. Howell, obtained leave of absence before he left the Chamber today?

The PRESIDENT. The Chair is not aware of it if he did. There are a number of others who have left without leave. Only two Senators asked for leave of absence, Senator Ruth and Senator Shapiro.

Mr. HALUSKA. Mr. President, it was understood in committee yesterday that the Senator from Lackawanna, Mr. Howell, was to have proper amendments prepared, to call on the operators and report back here this morning and present them to the committee, and we anticipated having them read this afternoon. The two men that have had this bill and torn it apart are absent from this chamber and they have in their possession amendments that I gave them, that were offered me by the operators yesterday to put in form to return them to this committee. Of course, I have no objection to the bill in either form. Last night I remarked on this floor that I reported out this bill with the complete understanding that the bill would go back to committee for further amendments. I desire to tell the Senator from Fayette, Mr. Cavalcante, that the record shows that the report was made under that condition.

Mr. DENT. Mr. President, may I interrogate the Senator from Cambria, Mr. Haluska?

The PRESIDENT. Will the Senator from Cambria, Mr. Haluska, permit himself to be interrogated?

Mr. HALUSKA. Mr. President, I will.

Mr. DENT. Mr. President, the understanding in the committee is based upon the fact that we wanted to be fair and wait until today for the operators' amendments.

Mr. HALUSKA. Mr. President, there was no time mentioned, to the best of my knowledge; it was mentioned however, that these amendments were offered by both groups. I cannot recall of any date being stated.

Mr. DENT. Mr. President, was it not also agreed that the bills were to come out for two readings, awaiting the amendments by the Operators and the United Mine Workers and no specific thing was said about where they would be introduced?

Mr. HALUSKA. Mr. President, it was agreed in committee that the bill would have two readings and be recommitted after it passed second reading for the amendments offered by the United Mine Workers and Coal Operators.

Mr. DENT. Mr. President, the stand that I have taken is very clearly brought out here by the answer to these questions. I agree that we had an understanding that the operators would have amendments to these bills, but I did not agree to do anything that would allow the operators to withhold their amendments to kill the bill. If we had their amendments in time in order to act on them this morning, and the Chairman says the amendments were in his possession and had been given to somebody and because the Senator went away without further notice, demonstrates the fact that they want to kill these bills. This is a good piece of legislation, the Department of Mines and Mining has worked hard on this particular bill. The United Mine workers should have some say as to what sort of amendments ought to be considered. We stand here tonight and admit to ourselves that the operators have not lived up to their part of the agreement and have not drawn the amendments that we have waited to consider in order to make it a workable bill. We stand here now and say in order to do that, we have to send the bill back to committee, and I object to that.

Mr. GELDER. Mr. President, there seems to be a wide difference of opinion among the members of this committee who represent the bituminous region in the State, about a bill which has nothing to do with the bituminous region, but all to do with the anthracite part of the mining industry, and I am very sorry that the Senator from Luzerne, Mr. Mundy, and the Senator from Lackawanna, Mr. Howell, are not in this Chamber at this time, as they have been working on this bill. In the committee meeting yesterday afternoon a motion was made and carried that this bill come out with both amendments, the amendments offered by the United Mine Workers and the amendments offered by the Operators. The Chairman took it upon himself, with the sponsor of this bill, to go to the Reference Bureau, and they were there told by Mr. Fertig that the two amendments could not be put into this bill without destroying it or without making this bill so that you could not interpret it and understand what it meant, because it changed its substance, and for that reason the Chairman of the Committee then called a meeting of the committee, and to avoid delay asked that the bill be considered and sent out for two

readings, which was done. I understand from the Secretary of Mining that the representatives of the Operators have been in conference with him to go over their amendments and they practically had come to an agreement as to the amendments, but I want to say that the attitude taken by the chairman of the Committee is exactly what happened in the committee, that this bill was to come for two readings and then go back for the reason that at that time we could not put the amendments in, and it would give them an opportunity to put those amendments in without spoiling the bill. If we had put the amendments of the United Mine Workers in at that time we would have had to wait until the bill was printed before the other amendments could be put in and I am inclined to think that this Senate should do what it was agreed to do. The Chairman of the Committee made this statement that if the bill came out it was to go back after the second reading, and the sponsor of the bill has asked that it go back after second reading.

Mr. DENT. Mr. President, I do not like to prolong this, but I would like to have a little light put on it, as there might be something that I did not understand or not be exactly as I see it. I would like to interrogate the Senator who spoke first, Senator Dando.

The PRESIDENT. Will the Senator from Schuylkill, Mr. Dando, permit himself to be interrogated?

Mr. DANDO. Mr. President, I will.

Mr. DENT. Mr. President, was it not the statement of the Senator from Schuylkill, Mr. Dando, that the bill should come out as presented, that it should come out of committee—

Mr. DANDO. Mr. President, yes.

Mr. DENT. Mr. President, did not the Senator from Schuylkill state that whatever happened it should be put out on the floor of the Senate.

Mr. DANDO. Mr. President, I did not say that, but I later remarked that the bill should go back. There was such opposition to the bill at that time in committee by the gentleman who are not present that I was disgusted with the action of those gentlemen. Later I said I did want the bill to come back to that committee in such a form that the bill would not be destroyed, because with the committee acting tomorrow, I believe that we still have time to have it passed.

Mr. DENT. Mr. President, was it not also with the understanding that the bill was to come out in order that the operators would have an opportunity to present their amendments?

Mr. DANDO. Mr. President, not on the floor.

Mr. DENT. Mr. President, I thank the gentleman from Schuylkill. I have never in my 29 years been accused of having a short memory, and I honestly think that this question is more serious than any question of parliamentary honor or courtesy may go. This is a question whereby the fate of these bills would be decided; if the gentlemen who are opposed to the bill are not here tonight. What guarantee do we have that they will be here tomorrow? How do we know that they will have the amendments ready by tomorrow? How do we know we will have a motion to bring it out of the floor if the amendments are not prepared, and probably not in Harrisburg? Are we to guarantee that this bill will come out in time tomorrow to pass this over to the House to get the proper consideration by the members of the House? I honestly believe we cannot recede from our position. This is too serious a matter. There are two hundred and some thousand men who labor in the mines who are interested in this piece of legislation.

The PRESIDENT. The Chair suggests a way out of the amendments. If the bill is put on the postponed calendar, it would give the opportunity for the other amendments to be presented tomorrow, if they are available. That will solve your difficulty.

Mr. HALUSKA. Mr. President, I think the Chair made a very good suggestion, and I wish also to clear up that point. The Senator from Westmoreland, Mr. Dent, stated that the operators had an opportunity to present their amendments, and that up until the present time have failed to do so. I do not rise to their defense, but I rise in my own defense. They have probably failed to prepare their amendments, because we invited them and stated that they could offer those amendments when the bill came back to the committee, and as yet the bill has not gone back to the committee; therefore, they have not had any opportunity to offer any amendments.

BILL POSTPONED

Mr. PRESIDENT. I move that Senate Bill No. 1069, be placed on the postponed calendar.

Mr. DENT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion.

Mr. KUNKEL. Mr. President, as I stated here before, to avoid the false charge of intent to kill this bill, I would withdraw my motion to recommit.

Mr. DANDO. Mr. President, I withdraw my second.

The PRESIDENT. A motion to recommit the bill is withdrawn.

And the question recurring,

Will the Senate agree to the motion to postpone the bill?

It was agreed to.

PERMISSION GRANTED COMMITTEE ON STATE BOARDS TO MEET DURING SESSION

Mr. HALUSKA. Mr. President, the amendments adopted by the sub-committee on Senate Bills No. 341, 342, and 343, are now prepared and we have them here. I would ask permission for the Senate Committee on State Boards to sit during this Session of the Senate so that the sub-committee may report to the full committee.

The PRESIDENT. Is there objection? There is no objection, and permission is granted.

Mr. HALUSKA. Mr. President, in order that Senate Bill No. 1069, which is now on the postponed calendar, may have an opportunity to pass, I move that Senate Bill No. 1069 be now taken off the postponed calendar and placed on the regular calendar for third reading and final passage tomorrow morning.

Mr. DANDO. Mr. President, I second the motion.

The PRESIDENT. The bill will be on the third reading calendar tomorrow morning, you can take it off if you want to and pass it.

Mr. HALUSKA. Mr. President, we want it off the postponed calendar so that it will be passed tomorrow with the regular third reading bills and sent over to the House.

On the question,

Will the Senate agree to the motion?

The PRESIDENT. The bill may be called off the postponed calendar, and that can be done without changing the situation.

Mr. PYTKO. Mr. President, I call up at this time Senate Bill No. 1269, on page 38 of the calendar.

The PRESIDENT. The Chair is of the opinion, if there is no objection that we will never get through the second reading calendar if we take up the bills piecemeal.

Mr. PYTKO. Mr. President, I am a member of the Committee on State Boards that is going to meet, therefore, I asked for this privilege. I withdraw the request.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 178, as follows:

An Act to further amend section two of the act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws 498) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools" by requiring the recommendation of the county board of school directors before the approval of consolidated and joint consolidated schools in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws 498) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools" as last amended by section two of the act approved the thirteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws 634) is hereby further amended to read as follows

Section 2 The State Council of Education is hereby authorized and directed to investigate and to aid in the establishment of consolidated and joint consolidated schools and to inspect and approve such schools as hereafter provided No new school building in any school district under the supervision of a county superintendent shall be erected except upon the recommendation of the county board of school directors

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. RICE. Mr. President, I move that Senate Bill No. 191, on second reading entitled: An Act to further amend section four hundred and one of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing school districts to establish nursery schools and junior colleges be placed on the postponed Calendar.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 488, (House Bill No. 99), entitled:

An Act to re-enact and amend the title and the act approved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation hereunder" by changing addir to and increasing the schedules of compensation prescribing and changing certain presumptions and rules of evidence increasing the requirements to be met by employers desiring to be self-insurers conferring certain powers and duties upon the Department of Labor and Industry imposing additional duties and liabilities upon employers and insurance carriers including the cost of administering the workmen's compensation system including the habilitation of employes providing for the payment of compensation for certain second injuries and for the habilitation of injured employes and for the payment of re-opened cases after a certain lapse time by the Commonwealth out of moneys required to be paid into the State Treasury by certain employers and insurance carriers in death cases where there are no dependents imposing new and changing certain existing penalties and generally amending clarifying and changing the provisions of said act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 525 (House Bill No. 935) entitled:

An Act requiring counties of the third class to repay moneys heretofore recovered on forfeited recognizances in certain cases and providing for the recapture of such moneys from future fines and forfeited recognizances payable to law and library associations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. KAHLE. Mr. President, I ask unanimous consent that Senate Bill No. 534 (House Bill No. 935, entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof, defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," as amended naming medical agents which may be sold by storekeepers, and removing intestinal enzymes and all liver products from the exception to the provision which prohibits the sale of medi-

cines containing substances of glandular origin except by registered pharmacists and assistant pharmacists.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 536, on second reading, entitled:

An Act to prevent fraud and deception by defining and regulating cemetery memorial dealers and cemetery memorial salesmen oviding for the service of process in certain cases vesting certain powers and duties in the State Board of Examiners of Cemetery Memorial Dealers of the Department of Public Instruction in the Department of Public Instruction and in the Court of Common Pleas of Dauphin County and providing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 537, on second reading, entitled:

An Act to amend section two hundred two of and to add section four hundred twenty-five and one-tenth to the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating and providing for the appointment of the State Board of Examiners of Cemetery Memorial Dealers in the Department of Public Instruction and prescribing the powers and duties of such board

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 608, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further defining the duties of the secretary of the board of school directors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections three hundred eighteen and three hundred twenty-two of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" are hereby amended to read as follows

Section 318 Subject to the instructions and direction of the district superintendent he shall [have general supervision of all] perform such duties pertaining to the business affairs of the school district [subject to the instructions and directions of] as the board of school directors may require Provided however that in districts of the first class the secretary shall not be subject to the instructions and directions of the superintendent

Section 322 Subject to the instructions and direction of the district superintendent he shall perform such other duties pertaining to the business of the district as are required by this act or as the board of school directors may direct provided however that in districts of the first class the secretary shall not be subject to the instruction and directions of the superintendent

Section 2 The provisions of this act shall be effective the first day of July one thousand nine hundred and thirty-seven.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 620 (House Bill No. 1075) entitled:

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the district attorney in counties of the third class to purchase and maintain police radio equipment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 660 (House Bill No. 793) entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the requirements for free transportation of pupils removing certain exemptions from the compulsory

attendance act providing for standards for vehicles used requiring public liability insurance coverage and authorizing the withholding of reimbursement in certain cases.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 783, as follows:

An Act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and providing for the payment of certain medical expenses creating a board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing state employes defining the uses and purposes thereof and the manner of payments therefrom providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties

Section 1 Definitions Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and phrases as used in this act shall be construed to have the following meanings

"Accumulated Deductions" the total of the amounts deducted from the salary of a contributor and paid into the fund created by this act and standing to the credit of the member's annuity reserve account together with the regular interest thereon.

"Beneficiary" any person in receipt of a retirement allowance under this act.

"Board" the Board of Retirement Awards created by this act.

"Contributor" any person who has accumulated deductions in the fund created by this act standing to his credit in the Member's Annuity Reserve Account.

"Final Salary" the average annual compensation earnable by a contributor before any deductions have been made and exclusive of maintenance allowances and expenses for the five years of service immediately preceding retirement or in the event a member has not served five years the total retirement compensation earnable divided by the number of the years served.

"Fund" the Pennsylvania Motor Police Retirement Fund

"Member's Annuity" payments for life derived from contributions made by the contributor.

"Motor Police" the Pennsylvania Motor Police.

"Partial Disability" shall exist when a member shall be unable in the opinion of the Board because of his physical or mental condition to perform satisfactorily the duties imposed by the Superintendent.

"Regular Interest" interest at the rate of three and one-half per centum compounded annually

"Retirement Allowance" the State annuity plus the member's annuity.

"State Annuity" payments for life derived from contributions made by the Commonwealth.

"Total Disability" shall exist when a member shall be unable in the opinion of the Board because of his physical or mental condition to obtain any gainful employment.

"Year" for the purposes of determining a year for the payment of any moneys under this act nine months service in the last year of service shall be computed as a complete year.

Section 2 MOTOR POLICE RETIREMENT SYSTEM AND BOARD OF RETIREMENT AWARDS CREATED A retirement system is hereby established for the members of the Pennsylvania Motor Police which system shall be administered by a Board of Retirement Awards which shall consist of the Secretary of Revenue or his representative (not a member of the Motor Police) who shall be its chairman the Insurance Commissioner or his representative and the State Treasurer or his representative The board shall be a departmental administrative board in the Department of Revenue Each member of the board shall take an oath of office that he will diligently and honestly administer the affairs of the board and that he will not knowingly violate or permit to be violated any of the provisions of this act or regulations made thereunder Such oath shall be subscribed by the member taking it and shall be filed among the records of the board The members of the board shall not receive any compensation for their services but shall be reimbursed for all expenses necessarily incurred in the performance of their duty.

Two members of the board shall constitute a quorum

The retirement system herein provided for shall be established on the first day of January one thousand nine hundred and thirty-eight.

Section 3 PERSONNEL ADMINISTRATIVE EXPENSES The Secretary of Revenue shall with the approval of the Governor appoint and fix the compensation of a secretary an actuary and such medical and clerical help as may be deemed necessary to carry on the work of the board The secretary shall keep a record of all of the proceedings of the board which shall be open to inspection by the public The expense of the administration of this act exclusive of the payment of retirement allowances shall be paid by the Commonwealth by biennial appropriations out of the Motor License Fund made on the basis of estimates submitted by the board.

Section 4 MOTOR POLICE RETIREMENT FUND There is hereby created a Motor Police Retirement Fund which shall consist of all moneys arising from appropriations made by the Commonwealth out of the Motor License Fund contributions by members of the Motor Police in the amount hereinafter specified the moneys transferred from the State Employes' Retirement Fund as hereinafter provided and all dividends interest on and increase of the investments and monyes of the fund created by this act The moneys contributed by the Commonwealth shall be credited to a State Annuity Reserve Account and those contributed by the members shall be credited to a Members' Annuity Reserve Accounts and the interest earnings shall be apportioned to the Members' and State Annuity Reserve Accounts The Commonwealth shall on receiving the certification of the Board periodically contribute such sums of money as the actuary shall estimate shall be required to annually meet the obligations incurred or to be incurred and to establish the reserves provided for in this act.

Section 5 RULES AND REGULATIONS ACTUARIAL DATA APPROPRIATIONS TO FUND The board shall from time to time establish such rules and regulations for the administration of this act and the Motor Police Retirement Fund created by this act and the various accounts thereof as may be deemed necessary It shall keep such data as shall be necessary for actuarial valuation purposes The actuary of the board shall periodically make an actuarial investigation into the mortality and service experience of the contributors to and beneficiaries of the fund and shall adopt for the retirement system one or more mortality tables and certify to the board biennially the amount of appropriation required to be made by the Commonwealth to the fund to build up and maintain adequate reserves for the payment of the State's share of the retirement allowance and other disbursements provided by this act Such appropriations shall be made to the fund by the Commonwealth out of the Motor License Fund.

Section 6 TRANSFER OF MONEYS FROM STATE EMPLOYES' RETIREMENT FUND On the first day of January one thousand nine hundred and thirty-eight there shall be transferred to the fund created by this act from the State Employes' Retirement Fund all moneys standing to the credit of individual members of the Motor

Police in the Members' Annuity Savings Account and the moneys so transferred shall be credited to each individual member respectively in the Members' Annuity Reserve Account of said fund Thereupon all liability of the State Employes' Retirement System to such members of the Motor Police shall cease and terminate.

Section 7 CUSTODY OF AND PAYMENTS FROM FUND All moneys and securities in the fund created by this act shall be placed in the custody of the State Treasurer for safe keeping and all payments from said fund shall be made only on requisition signed by the chairman and the secretary of the board.

Section 8 MANAGEMENT AND INVESTMENT OF FUND The members of the board shall be trustees of the fund created by this act and shall have exclusive management of said fund with full power to invest the moneys therein subject to the terms conditions limitations and restrictions imposed by law upon investments by administrative departmental boards and commissions Subject to like terms conditions limitations and restrictions said trustees shall have power to hold purchase sell assign transfer or dispose of any of the securities and invesments in said fund as well as the proceeds of said investments and of the moneys beloning to said fund.

The board shall annually allow regular interest on the mean amount for the preceding year to the credit of each of the accounts credited in accordance with the provisions of this act The amounts so allowed shall be apportioned and credited to each contributor's account and to the State Annuity Reserve Account.

Section 9 COMPULSORY MEMBERSHIP Every member of the Motor Police shall be required to become a member of the reirement system establish by this act on January first one thousand nine hundred and thirty-eight and thereafter when first becoming a member of the Motor Police Contributions by members shall commence with the first payroll after January first one thousand nine hundred and thirty-eight If any person who becomes a members of the Motor Police subsequent to January first one thousand nine hundred and thirty-eight shall have been at any time theretofore in the Commonwealth's employ he shall receive credit for any such service prior to January first one thousand nine hundred and thirty-eight.

Section 10 COMMONWEALTH GUARANTEE BIENNIAL BUDGETS The regular interest charges payable and the creation and maintenance of the necessary reserves for the payment of the State and members' annuities in accordance with this act are hereby made obligations of the Commonwealth of Pennsylvania The board shall prepare and submit to the Budget secretary on or before the first days of November of each even-numbered year an itemized estimate of the amounts necessary to be appropriated from the Motor License Fund to complete the payments of the obligations of the Commonwealth during the fiscal biennium beginning June first of the following year.

Section 11 SERVICE ALLOWANCE In computing the length of service of a contributor for retirement purposes full credit shall be given to each contributor for each year of service rendered to the Commonwealth prior to January first one thousand nine hundred and thirty-eight As soon as practicable the retirement board shall issue to each original member a certificate certifying the aggregate length of his servcie prior to January first one thousand nine hundred and thirty-eight Such certificate shall be final and conclusive as to his prior service unless thereafter modified by the board upon application of the contributor The time during which a contributor is absent from service without pay shall not be counted in computing the service of a contributor unless approved by the board.

shall find that a contributor died as a direct and proximate

Section 12 PAYMENTS UPON DEATH (a) If the board result of illness contracted or injuries received in the course of his employment a retirement allowance shall be paid to such person having an insurable interest in his life as he shall have nominated by written designation duly acknowledged and filed with the board which shall be disbursed according to the contributor's election as provided in section 17 Such retirement allowances shall consist of (a) a members' annuity payable from the Members' Annuity Reserve Account which shall be the actuarial equivalent to the contributor's accumulated deduction standing to his credit in the Members' Annuity Reserve Account and (b) a state annuity payable from the State Annuity Reserve Account equal to 50% of the final salary of the contributor.

(b) If the board shall find that a contributor who has served five (5) years or more died from any cause other than as a result of illness contracted or injuries received in the course of his employment a retirement allowance shall be paid to such person having an insurable interest in his life as he shall have nominated by written designation duly acknowledged and filed with the board which shall be disbursed according to the contributor's election as provided in section 17 Such retirement allowance shall consist of a) a member's annuity payable from the Members' Annuity Reserve Account which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit in the Members' Annuity Reserve Account and b) a state annuity payable from the State Annuity Reserve Account equal to two and one-half (2½) percentum of the final salary of the contributor for each year of service But such payments from the State Annuity Reserve Account shall not exceed fifty (50%) percent of the contributor's final salary.

Section 13 Service Retirement Allowance Any contributor who has served the Commonwealth for twenty (20) years or more may retire by filing with the board a writen application for retirement duly signed by the contributor specifying at what time he desires to be retired And such application shall retire the contributor at the time so specified

When a contributor retires under the provisions of this section he shall be paid a retirement allowance disbursed according to his election as provided in Section 17 Such retirement allowance shall consist of (a) a member's annuity payable from the Members' Annuity Reserve Account which shall be the actuarial equivalent of his accumulated deductions standing to his credit in the Members' Annuity Reserve Account and (b) a State annuity payable from the State Annuity Reserve Account equal to two and one-half (2½%) percentum of the final salary of the contributor for each year of service But such payments from the State Annuity Reserve Account shall not exceed fifty (50%) percent of the contributor's final salary

Section 14 Total or Partial Disability Allowance for Injuries or Illness Received in the Course of Employment

(a) If the board shall find that a contributor is totally or partially disabled as a direct and proximate result of illness contracted or injuries received in the course of his employment such contributor shall be retired and shall be paid a retirement allowance so long as such disability continues which shall be disbursed according to the contributor's election as provided in section 17 except as otherwise herein provided

(b) Where a contributor has been retired because of total disability received in the course of his employment the retirement allowance shall consist of (a) a member's annuity payable from the Members' Annuity Reserve Account which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit in the Members' Annuity Reserve Account and b) a state annuity payable from the State Annuity Reserve Account equal to fifty (50%) percent of the final salary of the contributor

(c) When a contributor has been retired because of partial disability received in the course of his employment the retirement allowance shall consist of a) a member's annuity payable from the Members' Annuity Reserve Account which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit in the Members' Annuity Reserve Account and b) a state annuity payable from the State Annuity Reserve Account equal to twenty (20%) percentum of the final salary of the contributor in addition to a state annuity payable from the State Annuity Reserve Account equal

to one and one-half (1½%) percentum of the contributor's final salary for each year of service

Section 15 Total or Partial Disability Allowance for Injuries or Illness Received Outside of the Course of Employment

(a) If the board shall find that a contributor having completed five (5) years or more of service is totally or partially disabled as a result of illness contracted or injuries received outside of the course of his employment and while a member of the Motor Police such contributor shall be retired and shall be paid a retirement allowance so long as such disability continues which shall be disbursed according to the contributor's election as provided in section 17 except as otherwise herein provided

(b) Where a contributor has been retired because of total disability received outside of the course of his employment the retirement allowance shall consist of (a) a member's annuity payable from the Members' Annuity Reserve Account which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit in the Members' Annuity Reserve Account and (b) a state annuity payable from the State Annuity Reserve Account equal to two and one-half (2½%) percentum of the final salary of the contributor for each year of service

(c) Where a contributor has been retired because of partial disability received outside of the course of his employment the retirement allowance shall consist of a) a member's annuity payable from the Members' Annuity Reserve Account which shall be the actuarial equivalent of the contributor's accumulated deductions standing to his credit in the Members' Annuity Reserve Account and b) a state annuity payable from the State Annuity Reserve Account equal to one (1%) percentum of the final salary of the contributor for each year of service

Section 16 Involuntary Retirement Allowances Should a contributor be discontinued from service not voluntarily after having completed ten years of total service but before reaching superannuation retirement age he shall be paid as he may elect as follows (a) The full amount of the accumulated deductions standing to his credit in the members' Annuity Reserve Accounts or (b) a member's annuity payable from the members' Annuity Reserve Account of equivalent actuarial value to his accumulated deductions standing to his credit in the Members' Annuity Reserve Account and in addition a state annuity payable from the State Annuity Reserve Account having a value equal to the present value of a state annuity beginning at superannuation retirement age as provided in this act with respect to state annuities for superannuation retirement The same option shall be available to beneficiaries in case of involuntary retirement as provided herein in the case of superannuation retirement

Section 17 Options on Retirement a) At the time of retirement or before any contributor may elect that the retirement allowance be payable in conformance with any one of the following plans

1) There shall be paid to the beneficiary the actuarial equivalent of the members' and state annuity as a retirement allowance payable throughout his life and upon the beneficiary's death all retirement allowance payments shall cease

2) If the retirement allowance would be less than ten ($10) dollars per month there shall be paid to the beneficiary the full amount of the accumulated deductions standing to his individual credit in the Members' Annuity Reserve Account

3) There shall be paid to a beneficiary the actuarial equivalent of the Members' and State Annuity in a lesser or greater retirement allowance payable throughout life or for the duration of the disability with any one of the following provisions

(a) If the beneficiariy dies before receiving in payments the present value of his member's annuity and state annuity as it was in the time of his retirement the balance shall be paid to his legal representatives or to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board

(b) Upon his death his member's annuity and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with retirement board

(c) Upon his death one-half of his member's and State annuity shall be continued through the life of and paid to such person having an insurable interest in his life as he shall nominate by written designation duly acknowledged and filed with the board at the time of his retirement

4) If a contributor has been disabled in the performance of his duty he may elect in lieu of any other election or retirement allowance that the retirement allowance be paid to him for life and if he dies before receiving such allowance for ten (10) years that an allowance in the same amount be continued for the unexpired portion of the ten year period to a person having an insurable interest in the contributor's life as he shall nominate by written designation duly acknowledged and filed with the board

5) If a contributor has been retired not voluntarily after ten (10) years of service he may elect in lieu of any other election or retirement allowance that he be paid the full amount of the accumulated deductions standing to his credit in the Members' Annuity Reserve Account

6) Every contributor shall have the authority to nominate a beneficiary having an insurable interest in his life in the alternative by written designation duly acknowledged and filed with the board which beneficiary shall be entitled to receive a retirement allowance in the event that a widow receiving the retirement allowance remarries

Section 18 Monthly Payments of Retirement Allowances The retirement allowances granted under the provisions of this act shall be paid in equal monthly installments and shall not be increased decreased revoked or repealed unless by an act of Assembly

Section 19 Refunds in Case of Withdrawal or Death Where a contributor resigns from service before becoming entitled to a retirement allowance or where a contributor has died and no application for a retirement allowance shall have been made by a person entitled to claim under the provisions of this act within six months after resignation or death then the amount standing to the credit of the contributor in the Members' Annuity Reserve Account shall be paid to him or to the person nominated by him by written designation duly acknowledged and filed by the contributor with the board or in lieu of such designation such amount shall be paid to his estate

Section 20 Exemption from Taxation and Execution Etc Any money received or to be paid as a member's annuity state annuity or return of deductions or the right to any of these shall be exempt from any state or municipal tax and from levy sale garnishment attachment or any other process whatsoever and shall be unassignable except for a loan not in excess of three hundred ($300) dollars the interest on which shall not exceed six (6%) percentum per annum received by a contributor from a credit union now or hereafter organized or incorporated under the laws of this Commonwealth the membership of which credit union is limited solely to officers and employes of the Commonwealth

Section 21 Nomination of Beneficiary Every contributor shall have the authority to change the person nominated by him as the beneficiary by written designation duly acknowledged and filed with the board up until but not after the time of retirement

Section 22 Fraud Correction of Errors (a) No person shall knowingly make any false statement or shall falsify or permit to be falsified any record or records of the retirement system herein established in any attempt to defraud such system

(b) Should any such change in records fraudulently made or any mistake in records inadvertently made result in any contributor or beneficiary receiving more or less than he would have been entitled to had the records been correct then on the discovery of such error the board shall correct such error and shall adjust the payments which shall be made to the contributor or annuitant in

such manner that the actuarial equivalent of the benefit to which he was correctly entitled shall be paid

Penalty Any person violating any of the provisions of sub-section a of this section shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand ($1000) dollars or suffer imprisonment not exceeding one year or both in the discretion of the court

Section 23 Restrictions Upon Payments If any beneficiary is convicted of a misdemeanor or felony the board shall have the authority to revoke or suspend for as long a time as it sees fit disbursement of the state annuity Where the illness or injuries causing a contributor to be retired or where the death of a contributor is directly and proximately caused by such contributor's immoral or intemperate conduct or gross negligence the board shall have the authority to refuse revoke or suspend for as long a time as it sees fit disbursement of the State annuity

Section 24 Medical Expenses The Fund shall upon approval by the board be available for the payment of the necessary and proper medical surgical and hospital expenses incurred as a direct and proximate result of illness contracted or injuries received in the course of a contributor's employment except as otherwise expressly herein provided The Fund shall upon approval by the board also be available for the payment of that portion of the necessary and proper medical surgical and hospital expenses not exceeding Two hundred ($200) dollars but in excess of Twenty-five ($25) dollars incurred by a contributor for any one other illness in the calendar year except as otherwise expressly herein provided However in no event shall any charge for medical surgical or hospital expenses of a contributor whether incurred because of illness contracted or injuries received in the course of or outside of the course of employment be allowed until the contributor has resorted to all other funds that may be rightfully charged with such expenses and there is a balance remaining unpaid

Section 25 Medical Examination Status Return to Duty Every contributor shall be examined at any time in the discretion of the board by a doctor or doctors appointed by the board to determine whether his name should be placed upon or removed from the retirement list or to determine whether the status of such member should be changed from total to partial disability or from partial to total disability or for any other purpose Any member having received an order from the board to do so who fails to return to duties assigned by the superintendent or who fails to submit himself for examination shall forfeit all rights and claims to a state annuity except as otherwise herein provided

Section 26 Subrogation Where a third person is liable to the member or his dependents for injury or death the Commonwealth shall be subrogated to the right of the member or the dependents against such third person but only to the extent of the State Annuity payable under this act by the Commonwealth Any recovery against such third person in excess of the State Annuity theretofore paid or thereafter to be paid by the Commonwealth shall be paid forthwith to the contributor or the person designated by the contributor

Section 27 Payments Under Other Laws All payments provided for in this act are in addition to any other benefits now or hereafter provided for under any Workmen's Compensation Law or any other law except as otherwise herein provided

Section 28 Amendments to Law The legislature shall have the right and the authority to alter strike out add to or amend or supplement any of the provisions of this act or to repeal the entire act and the board shall have the same right and authority with reference to its regulations excepting that no law or regulation shall deprive a contributor of the money standing to his credit in the Members' Annuity Reserve Account

Section 29 Constitutional Provisions The provisions of this act are several and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 30 Effective Date This act shall become effective January first one thousand nine hundred and thirty-eight.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 850, as follows:

An Act to consolidate revise and amend the penal law of this Commonwealth.

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ARTICLE XI GENERAL PROVISIONS

Section 1101 Offenses not Provided Against to be Punished as Heretofore.
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Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows.

ARTICLE I

PRELIMINARY PROVISIONS

Section 101 Short Title This act shall be known and may be cited as "The Penal Code."

Section 102 Definitions In this act and in any indictment for any offense provided against in this act the following terms shall be contrued as defined in this section except where a different intent is plainly declared in the provision to be construed or is plainly apparent from the context thereof.

(1) The term "assignation" means the making of an appointment or engagement for prostitution or any act in the furtherance of such appointment or engagement

(2) The term "a bribe" means any money goods right in action property thing of value benefit or advantage testimonial privilege appointment office or position present or prospective or any promise or undertaking to give any such asked given or accepted with intent to influence unlawfully the person to whom it is given or by whom it is asked or accepted or another at his instance in his action vote or opinion.

(3) The term "building" includes a house railway car ship booth tent shop or other erection or part thereof.

(4) The term "credit" as used in section eight hundred twenty-eight means any arrangement or understanding wit hthe bank banking institution trust company or depository for the payment of the check draft or order mentioned in said section.

(5) The term "day-time" means the period of time between sunrise and sunset.

(6) The term "dwelling" or "dwelling house" means a building the whole or any part of which is usually occupied by a person lodging therein at night and any building within the curtilage of such house.

(7) The term "escape" means the act of a prisoner in gaining his liberty before he is delivered in due course of law.

(8) The terms "flag standard color ensign shield" as used in sections two hundred four and two hundred five of this act mean Any flag standard color ensign or shield on copy picture or representation thereof made of any substance or represented or produced on any substance and of any size evidently purporting to be such flag standard color ensign or shield of the United State of America or of this Commonwealth or a copy picture or representation thereof.

(9) The term "food" includes all articles used for food or drink by man whether simple mixed or compound It does not include medicine.

(10) The terms "guilty of a felony" or "guilty of a misdemeanor" shall be construed as also meaning and including conviction of such felony or misdemeanor.

(11) The term "imprisoned" means confined in a prison.

(12) The term "injure" includes destroy.

(13) The term "lottery" means any scheme for the disposal or distribution of property by chance among persons who have paid or have promised to pay a valuable consideration for the chance of obtaining such property or a portion of it or for any share or interest in such property upon any agreement understanding or expectation that it is to be distributed or disposed of by lot or chance.

(14) The term "maliciously" as used in sections of this act relating to injury to person or property means with ill will or malevolence or grudge or spite or enmity or anger either to the owner of the property or to the property itself It include "wilfully".

(15) The term "night" or "night-time" means the period of time between sunset and sunrise.

(16) The term "offense" means any act or omission punishable either on indictment or information whether such act be treason felony or misdemeanor.

(17) The term "obligation or other security of the United States" means all bonds certificates of indebtedness national bank currency coupons United States notes Treasury notes gold cerificates silver certificates fractional notes certificates or deposit bills checks or drafts for money drawn by or upon authorized officers of the United States stamps and other representatives of value of whatever denomination which have been or may be used under any act of Congress.

(18) The terms "person" "any person" "any one" the person" "every person" "such person" "other" another and the relative pronoun "he" referring to any of the above terms unless the contrary is expressed or clearly to be implied from the context includes a natural person a corporation partnership limited partnership company and joint stock company and extends to more persons than one and to females as well as males.

(19) The term "place of public accommodation resort or amusement" as used in section six hundred forty-seven of this act includes an inn tavern or hotel whether conducted for the entertainment housing or lodging of transient guests or for the benefit use or occupation of those seeking health recreation or rest any restaurant eating house public conveyance on land or water bath house barber shop theater or music hall. .

The term "place of public accommodation resort or amusement" as used in sections six hundred forty-eight and six hundred forty-nine of this act includes inns taverns road-houses hotels whether conducted for the entertainment of transient guests or for the accommodation of those seeking health recreation or rest restaurants eating houses any place where food is sold for consumption on the premises buffets saloons barrooms or stores parks or enclosures where spirituous or malt liquor is sold ice cream parlors confectioneries soda fountains and all stores where ice cream ice and fruit preparations or their derivatives or where beverages of any kind are retailed for consumption on the premises drug stores dispensaries clinics hospitals bath houses theaters motion picture houses airdromes roof gardens music halls race courses skating rinks amusement and recreation parks fairs bowling alleys gymnasiums shooting galleries billiard and pool parlors public libraries kindergartens primary and secondary schools high schools academies colleges and universities extension courses and all educational institutions under the supervision of this Commonwealth garages and all public conveyances operated on land or water as well as the stations and terminals thereof.

(20) The term "prison" means any building or place designated by law for the keeping or detention of persons in custody under process of law or under any lawful arrest.

(21) The term "prisoner" means any person held or detained in custody under process of law or under any lawful arrest.

(22) The term "property" as used in sections eight hundred one eight hundred two eight hundred four eight hundred six eight hundred seven eight hundred eight eight hundred nine eight hundred ten eight hundred eleven eight hundred fourteen eight hundred fifteen and eight hundred nineteen of this act includes every kind of property other than real property and includes real property and fixtures thereto when severed from the land whether the severance was by the hand of the thief or of another and whether the asportation followed immediately on the taking or not it includes all deeds and instruments relating to or evidencing the title or right to any property real or personal or giving a right to recover or receive any money or goods and all other choses in action it also includes any release acquittance voucher receipt or ticket policy of insurance or certificate of membership in any insurance company.

(23) The term "prositution" means the offering or using of the body for sexual intercourse for hire

(24) The term "public election" includes the taking of a vote to select a person for public office or to be a candidate for public office or to be a delegate to select such person and also includes the taking of a vote on a proposed amendment to the constitution a vote to select delegates to a constitutional convention and a vote upon any other question submitted by law to the electors of the Commonwealth.

(25) The term "public officer" means any person elected or appointed to discharge a public duty who has qualified for such duty.

(26) The term "sells" includes barters and exchanges.

(27) The term "ship" means any boat ship vessel or structure of any size adapted to be navigated from place to place for the transportation of persons or merchandise

(28) The term "sub-division of this Commonwealth" includes a county city borough township municipality poor district incorporated district and town.

(29) The term "trustee' means a trustee on some express trust created by deed will or instrument in writing and also includes the heir devisee and personal representative of any such trustee and all executors administrators and assignees and any guardian appointed by any court.

(30) The term "unlawfully" means contrary to law or illegal or not permitted by either civil or criminal law If an act subjects the doer either to a penalty or to damages it is unlawful.

(31) The term "wantonly" means without regard to propriety or the rights or safety of others or careless of consequences yet without settled malice It requires intent to do the act it characterizes and excludes a lawful justification or excuse it includes "wilfully"

(32) The term "wilfully" means intentionally as distinguished from accidentally or thoughtlessly or negligently

(33) The term "woodland" includes woods farmers' woods lots marshes brush barrens brush-lands moors and wild unseeded uncultivated lands.

(34) The term "writing" or "written" includes words printed carved painted engraved lithographed photographed or otherwise copied traced or made visible to the eye and also includes any picture.

The singular shall include the plural and the masculine shall include the feminine and neuter.

ARTICLE II

OFFENSES AGAINST THE GOVERNMENT OF THE COMMONWEALTH

Section 201 Treason Any person who levies war against the Commonwealth of Pennsylvania or adheres to its enemies giving them aid and comfort within the State or elsewhere is guilty of treason and if convicted thereof or confession in open court or on the testimony of two witnesses to the same overt act of the treason of which he is indicted shall be imprisoned for a term of years not exceeding the life of offender and fined not exceeding ten thousand dollars.

Section 202 Misprision of Treason Any person having knowledge of the commission of any treason against the Commonwealth of Pennsylvania who conceals and does

not as soon as may be disclose and make known the same to the Governor or Attorney General of the Commonwealth or to some one of the judges justices or district attorneys thereof is guilty of misprison of treason and shall be imprisoned not exceeding six years and fined not exceeding three thousand dollars.

Section 203 Sedition Any person who makes any writing publication printing cut cartoon or utterance with intent to make or cause to be made any outbreak or demonstration of violence against this Commonwealth or against the United States or to encourage any person to take any measure or engage in any conduct with a view of overthrowing or destroyin or attempting to overthrow or destroy by any force or show or threat of force the Government of this Commonwealth or of the United States or to incite or encourage any person to commit any overt act with a view to bringing the Government of this Commonwealth or of the United States into hatred or contempt and any person who makes any writing publication printing cut cartoon or utterance which advocates or teaches the duty necessity or propriety of engaging in crime violence or any form of terrorism as a means of accomplishing political reform or change in Government or who knowingly sells gives or distributes any print publication book paper document or written matter in any form which advocates or furthers any of the things above provided against or who organizes or knowingly is a member of an assembly society or group which advocates or furthers any of the things above provided against is guilty of sedition a felony and shall be imprisoned not exceeding twenty years or fined not exceeding ten thousand dollars or both.

Section 204 Mutilation Etc of Flag Any person who publicly mutilates defaces defiles tramples upon or by word or act casts contempt upon any flag standard color ensign or shield of the United States of America or of this Commonwealth or authorized by any law of the United States of America or of this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both.

Section 205 Advertising on Flag Any person who places any word figure mark picture design drawing or advertisement of any nature upon any flag standard color ensign or shield of the United States of America or of this Commonwealth or authorized by any law of the United States of America or of this Commonwealth or exposes to public view any such flag standard color ensign or shield upon which is printed painted or otherwise placed or to which is attached appended affixed or annexed any such word figure mark picture design drawing or advertisement or exposes to public view manufactures sells exposes for sale gives or has in possession for sale for gift or for use for any purpose any substance being an article of merchandise or receptacle or thing for holding or carrying merchandise upon or which is printed painted attached or otherwise placed any such flag standard color ensign or shield in order to call attention to decorate mark or distinguish such substance or receptacle is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both Provided That the provisions of sections two hundred four and two hundred five of this act shall not apply to any act permitted by the statutes of the United States of America or of this Commonwealth or by the United States Army and Navy Regulations nor shall they apply to any printed or written document or production stationery ornament picture badge or jewelry whereon shall be depicted said flag standard color ensign or shield disconnected from any advertisement for the purpose of sale barter or trade.

Section 206 Witness Refusing to Attend and Testify before General Assembly Any person who being duly summoned to attend as a witness before either branch of the General Assembly of this Commonwealth or any committee thereof authorized to summon witnesses refuses or neglects without lawful excuse to attend or to testify pursuant to such summons or to produce upon reasonable notice any material and proper book paper or document in his possession custody or control is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both.

ARTICLE III

OFFENSES AGAINST PUBLIC JUSTICE AND ADMINISTRATION

Section 301 Conspiracy to indict Any person who conspires to charge or indict any person of or for any offense or procures or attempts to procure the arrest or indictment of any person for any offense not believing such person to be guilty thereof is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both.

Section 302 Prison Breach Any prisoner who breaks prison or escapes from prison or from lawful custody is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both.

Section 303 Furnishing Weapon to Convict Any person who sells gives or furnishes to any prisoner any weapon or other implement which may be used to injure any person or to aid a prisoner to escape or who brings or sends any such weapon into any prison or building appurtenant thereto or on any land employed for the use or benefit of prisoners is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both.

Section 304 Voluntary Escape Any sheriff coroner warden jailer guard keeper constable or other person having in his lawful custody any person lawfully arrested for or convicted of any offense who voluntarily permits such person to escape and go at large or connives at or assists such escape or who suffers such person to be taken from his custody by a mob or riotous assemblage is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both and forfeits his office and is forever disqualified to hold any office or place of trust honor or profit under the constitution or laws of this Commonwealth.

Section 305 Negligent Escape Any sheriff coroner warden jailer guard keeper constable or other person who by failing to perform any legal duty permits a person in his lawful custody to escape therefrom is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 306 Refusal or Neglect of Officer to Execute Process Any sheriff coroner warden jailer keeper constable or other person who in violation of a duty imposed upon him by law wilfully refuses omits or delays to execute any lawful process directed to him requiring the apprehension or confinment of any person charged with or convicted of a criminal offense whereby such person shall escape is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both.

Section 307 Refusal of Officer to Perform Duty Any public officer of this Commonwealth upon whom any duty is or shall be enjoined by law who wantonly and unlawfully refuses to perform such duty or who wantonly and unlawfully disobeys any provision of law regulating his official conduct where no special provision shall have been made for refusal is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both.

Section 308 Refusal of Officer to Issue Certificate Upon arrest of any person charged with an offense it shall be the duty of the sheriff coroner constable police or other official making the arrest or having charge of the prisoner upon application made therefor either by counsel or a citizen to issue without cost to the applicant a certificate stating the name of the prisoner and the charge upon which he has been arrested and imprisoned and the amount of bail demanded if the same has been fixed so that the bail may be entered as authorized by law Any sheriff coroner constable police or other official who made such arrest or has such prisoner in charge or any mayor or director of public safety or subordinate of either of

them of any municipal corporation of this Commonwealth by whose order or direction said prisoner is held who fails omits neglects or refuses to issue such certificate immediately upon demand thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both.

Section 309 Forcibly Obstructing Officer in Execution of Legal Process Etc Any person who wilfully or forcibly resists obstructs opposes or delays any public officer in the discharge of or the attempt to discharge any duty of his office or who forcibly resists obstructs or opposes any person duly authorized in serving or executing or attempting to serve or execute any legal process knowing such person to be so authorized or in the doing of any act legal under such process or who being commanded to aid any public officer in executing any legal process or in the preservation of the peace or in lawfully arresting any person or in retaking any person who has escaped or is attempting to escape from legal custody refuses so to do or who harbors or conceals any person for whose arrest a lawful warrant has been issued knowing that such warrant has been issued is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both.

Section 310 Assaulting Officer in Discharge of Duty Any person who assaults or strikes any public officer while such officer is engaged in the lawful discharge of or the attempt to lawfully discharge any duty of his office or who assaults or strikes any person engaged in lawfully serving or executing or lawfully attempting to serve or execute any legal process or in making any lawful arrest or capture or who rescues another in legal custody is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both.

Section 311 Barratry Any person who vexes others with unjust and groundless judicial proceedings is guilty of barratry a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both.

Section 312 Compounding Offenses Any person who accepts any property or promise thereof upon any agreement or understanding to compound or conceal the commission of treason misprison of treason murder manslaughter rape sodomy breaking or entering robbery larceny receiving money or notes or other property by persns knowing them to be stolen kidnapping bribery perjury or subornation of perjury or to abstain from discontinue or delay a prosecution therefor or to withhold any evidence thereof except in case where such agreement is allowed by law shall be punished as follows If the offense he thus agrees to compound or conceal or to delay or discontinue r abstain frfom the prosecution of or to withhold evidence of is punishable by death or imprisonment for life he shall be imprisoned not exceeding ten years or fined not exceeding five hundred dollars or both of the offense is punishable by a lesser period of imprisonment than imprisonment for life he shall be imprisoned not exceeding one-third of the longest term or fined not exceeding one-third of the largest sum prescribed for the commission of the offense or by both such imprisonment and fine.

Section 313 Dissuading Witness Any person who wilfully prevents hinders or dissuades any person who has been lawfully summoned as a witness in any trial hearing or other proceeding before any court or officer authorized by law to hear evidence or take testimony from attending or testifying pursuant to the summons is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both.

Section 314 Persuading Witness to Abscond or Secrete Himself Any person who with intent to hinder delay or obstruct the ends of justice induces another who has knowledge of any fact tending to show the guilt or innocence of any person suspected of or charged with an offense to leave the Commonwealth or secrete himself so that he cannot be produced as a witness at any legal examination into such offense or at any legal examination or trial of the person suspected of or charged with such offense is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both.

Section 315 Witness Absconding or Secreting Himself Any person having been lawfully subpoenaed as a witness in any trial hearing or other proceeding before any court officer or other person authorized by law to hear evidence or take testimony who with intent to hinder delay or obstruct the ends of justice leaves this Commonwealth or absents himself therefrom or secrets himself and refuses to appear or testify in pursuance of such subpoena is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 316 Extortion in Taking Illegal Fees Any officer of this Commonwealth or of any sub-division thereof who fraudulenty solicits or receives or agrees to receive a fee or other compensation other than such as is allowed by law for his official service is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and forfeits his office and shall be forever disqualified from holding any office of trust honor or profit under the constitution or laws of this Commonwealth or any sub-division thereof

Section 317 Embracery and Influencing Officer Unlawfully Any person who wilfully and unlawfully influences a juror or one drawn or summoned as a juror or a judge justice magistrate master examiner referee arbitrator commissioner appraiser assessor or other person authorized by law to hear or determine any matter in respect to his verdict report judgment award or decision in any matter or cause pending or about to be brought before him is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 318 Bribery of Certain Officers Jurors Etc Any person who offers or gives a bribe to any witness whether under subpoena or not or to any juror or one drawn or summoned as a juror or to any judge justice magistrate master examiner referee arbitrator commissioner appraiser assessor or other person authorized by law to hear or determine any matter is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 319 Soliciting or Accepting Bribes by Certain Officers Jurors Etc Any juror or person drawn or summoned as a juror any witness judge justice magistrate master examiner referee arbitrator commissioner appraiser assessor or other person authorized by law to hear or determine any matter who solicits or receives or agrees to receive a bribe is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both and if he be a judge justice or magistrate forfeits his office and is forever disqualified to hold any office of trust honor or profit under the constitution or laws of this Commonwealth

Section 320 Bribery of Public Officers Any person who offers or gives a bribe to any public officer or employee of this Commonwealth or of any sub-division thereof the offer to bribe whom or the bribery of whom is not specifically provided against in this act or who threatens or intimidates any such officer or employee with intent to influence his action as such officer or employee is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both Provided That any open address upon or explanation of any measure or question before either house of the General Assembly or any committee or member thereof or before any munncipal council or board or committee thereof or before any public officer shall not be deemed an offense within the meaning of this section

Section 321 Solicitation of Bribes by Public Officer Any public officer or employe of this Commonwealth or of any sub-division thereof by whom the solicitation of consent to receive or acceptance of a bribe is not specifically provided against in this act who solicits consents to receive or accepts a bribe is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both and forfeits his office and is forever disqualified to hold any office of trust honor or

profit under the constitution or laws of this Commonwealth

Section 322 Bribery of and Threats to Elector Any person who offers or gives a bribe to any elector authorized to vote at any public election or who dismisses or threatens such elector with dismissal from any office place appointment or employment public or private with intent to influence the vote of such elector at such election is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 323 Solicitation of Bribes by Elector Any elector authorized to vote at any public election who solicits consents to receive or accepts a bribe to influence his vote at such election is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 324 Witness Testifying Exempt from Prosecution No witness shall be excused from testifying in any criminal proceeding or in any investigation or inquiry before either branch of the General Assembly or any Committee thereof touching his knowledge of the crimes provided for in sections three hundred seventeen three hundred eighteen three hundred nineteen three hundred twenty and three hundred twenty-one of this act under any pretense or allegation whatsoever but the evidence so given or the facts divulged by him shall not be used against him in any prosecution under any of the said sections of this act Provided That the accused shall not be convicted on the testimony of an accomplice unless the same be corroborated by other evidence or the circumstances of the case

Section 325 Perjury and Subordination Thereof Any person who shall wilfully and corruptly commit perjury or who shall by any means procure or suborn any person to commit perjury on his oath or affirmation legally administered either before any committee of the Legislature of this Commonwealth or in any judicial proceeding matter or cause which may be pending in the courts thereof or before any judge justice mayor recorder alderman or other magistrate or before any arbitrator prothonotary clerk notary public commissioner or auditor appointed by any court of this Commonwealth or i any deposition taken pursuant to the laws of this Commonwealth or the rules orders and directions of any court arbitrator or judge thereof or preparatory to and for the purpose of obtaining any rule or order of court or of a judge or arbitrator or any person wh in taking any other oath or affirmation required by any Act of Assembly of this Commonwealth shall wilfully and corruptly make a false oath or affirmation or any person who shall procure or suborn any other person to make such false oath or affirmation is guilty of perjury a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both and shall forever be disqualified from being a witness in any matter in controversy in which an oath or affirmation is authorized by law to be administered

Section 326 False Entries Abstraction and Destruction of Public Records Any person who wilfully makes a false entry in falsifies erases alters secretes withdraws avoids carries away destroys or defaces any record filed or deposited by authority of law in a public office or with any public officer of this Commonwealth or any sub-division thereof unless authorized thereto by law is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both and if such person be an officer of the Commonwealth or any sub-division thereof he shall in addition to the penalty above prescribed forfeit his office and be forever disqualified to hold any office of trust honor or profit under the constitution or laws of this Commonwealth

Section 327 Detaining Public Records Seals and Papers Any person who wilfully detains from any person duly commissioned to any office or appointment in this Commonwealth or any subdivision thereof any seal record book paper or other property appertaining or belonging to such office after the same has been duly demanded of him by the person entitled to possession thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 328 False Acknowledgment of Deed Any person who fraudulently acknowledges any deed recognizance or judgment in the name of any other person not privy thereto or consenting to the same is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both

Section 329 Offering False Instrument for Recording Any person who knowingly offers any false or forged instrument to be acknowledged filed registered or recorded in any public office which instrument if genuine might be acknowledged filed registered or recorded by virtue of any law of this Commonwealth or of the United States is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both

Section 330 False Personation of Officer Any person who falsely represents himself to be a public officer or who not being a public officer assumes to act as one is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 331 False Personation of Juror Any person who in any court of this Commonwealth knowingly impersonates another person whose name has been drawn for jury service shall be guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 332 Mistreatment of Arrested Person Any person who shall wilfully inflict or who being in a position of authority permits to be inflicted any bodily harm upon any person charged with or suspected of having committed any crime or with having knowledge thereof for the purpose of procuring a confession or information regarding the said crime is guilty of a felony and shall be imprisoned not exceeding ten years and fined not exceeding five thousand dollars Any person convicted of said offense shall as part of the punishment therefor forfeit his office and be forever disqualified from holding any office or position of honor trust or profit under the Constitution or laws of this Commonwealth or any subdivision thereof

ARTICLE IV

OFFENSES AGAINST THE PUBLIC PEACE

Section 401 Riots Routs Assemblies and Affrays Any person who participates in a riot rout unlawful assembly or affray is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 402 Riotous Resistance to Officer Any person who participates in any riot rout or unlawful assembly whose purpose or the purpose of which is to resist the enforcement of a law of this Commonwealth or of the United States or to obstruct any public officer of this Commonwealth or of the United States in the performance of his duty and any person who being disguised or being armed with a dangerous weapon participates in any riot rout or unlawful assembly is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 403 Riotous Destruction of Property Any person who while participating in any riot rout or unlawful assembly demolishes destroys or injures any property of another is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 404 Forcible Entry and Detainer Any person who through force threats or menaces enters upon or into any building land or tenements or who after entering peaceably on any building land or tenements detains possession from or turns out by force or threats or menacing conduct the party in possession is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 405 Disturbance of Assembly Any person who maliciously disturbs any lawful assembly meeting parade or procession is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding two hundred dollars or both

Section 406 Challenges to Duel Any person who challenges another to an encounter with deadly weapons and

any person who upon refusal of another person to accept such challenge shall post or publish in any newspaper or handbill or otherwise proclaim the other person a coward or use any other opprobrious and abusive language towards such other person for not accepting a challenge and any person who being so challenged accepts such challenge is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 407 Concealing Challenge Any person who knows of any challenge to an encounter with deadly weapons given or received or who is a witness to the fact of such challenge duel or fighting not being a second threat or a party criminal therein and conceals the same and does not inform an officer of the law thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 408 Libel Any person who maliciously publishes or exhibits any writing picture effigy sign or any other publication tending either to blacken the memory of one who is dead or the reputation of one who is alive thereby exposing him to hatred contempt or ridicule or which tends to injure any person in his business or occupation is guilty of libel a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 409 Furnishing Libellous Matter Any person who wilfully makes delivers or transmits for publication to any manager editor publisher reporter or other employee of a publisher of any newspaper magazine publication periodical or serial any statement concerning any person which if published therein would be a libel is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 410 Limitation on Prosecution for Libel No person shall be indicted in more than one county in the Commonwealth for the publication exhibition making delivery or transmission of the same libel upon the same person

Section 411 Anonymous Communications Any person who without appending his proper signature thereto sends to another any libelous defamatory scurrilous or opprobrious writing is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 412 Libel on Candidates Any person who publishes or exhibits any writing which is designed to or tends to injure or defeat any candidate for nomination or election to public office by reflecting upon his personal character or political actions unless the same be published in a publication avowedly responsible therefor or unless there appears upon such writing in a conspicuous place either the names of the chairman and secretary or the names of two officers of the organization issuing the same or the name of some duly registered elector with description of his election district as responsible therefor is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and if the statements in such writing be untrue the offender shall be guilty of libel

Section 413 Carrying Dangerous Weapons Any person who carries any slung-shot metal knuckles handy-billy sand bag sand club dagger dirk-knife or stilletto concealed about his person or who with intent to use the same unlawfully against another carries any firearms knife razor or other deadly weapon is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and the jury trying the case may infer such intent from the fact that the defendant carried such weapon upon conviction any weapon mentioned in this section found in the possession of the defendant shall be destroyed by the district attorney

Section 414 Carrying Bombs and Explosives Any person other than a peace officer a member of the army navy or marine corps the National Guard or organized Reserves who has about his person or in a vehicle a bomb or bombshell except for blasting or other commercial use and any person who with intent to use the same unlawfully against the person or property of another possesses or carries any explosive substance or any noxious liquid gas or like substance is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

ARTICLE V

OFFENSES AGAINST PUBLIC MORALS AND DECENCY

Section 501 Sodomy Any person who carnally knows in any manner any animal or bird or carnally knows any male or female person by the anus or by or with the mouth or tongue or voluntarily submits to such carnal knowledge is guilty of sodomy a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars dollars or both any sexual penetration as above described consummates the offense of sodomy as in this section defined

Section 502 Bigamy Any person who knowingly has a husband or wife living participates as a principal in a form of marriage with another person which form of marriage would constitute a valid marriage but for the fact that the offender or the offender and the other party has a husband or wife living whether the parties to the second form of marriage cohabit together or not is guilty of bigamy a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both Provided That if any husband of wife upon any rumor in appearance well founded and believed to be true by such husband or wife of the death of the other (when such other has been absent for two years) shall marry again he or she shall not be liable to the penalty imposed by this section Provided further That the prosecution be instituted within five years from the date of the second form of marriage Provided also That upon conviction under this section the second marriage shall be declared null and void and a certificate declaring said marriage null and void shall be given to the injured party by the trial judge

Section 503 Unmarried Person Marrying Wife or Husband of Another Any person who being unmarried knowingly participates as a principal in a form of marriage with another knowing such other to be a married person which form of marriage would constitute a valid marriage but for the fact that the said other person has a husband or wife living whether the parties to the second form of marriage cohabit together or not is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both Provided That the prosecution be instituted within five years from the date of the second marriage

Section 504 Bigamous Cohabitation Any person who having committed bigamy without this Commonwealth unlawfully cohabits within this Commonwealth with the person with whom such bigamy was committed is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both Provided That the prosecution be instituted within five years from the date of the beginning of such cohabitation within this Commonwealth

Section 505 Adultery Any man who has sexual intercourse with a woman whom he knows to be the wife of another and any married man who knowing himself to be the husband of one woman has sexual intercourse with any other woman and any woman who has sexual intercourse with a man whom she knows to be the husband of another and any married woman who knowing herself to be the wife of one man has sexual intercourse with any other man is guilty of adultery a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 506 Fornication and Bastardy Any person who commits fornication shall be sentenced to pay a fine not exceeding one hundred dollars to the guardians directors or overseers of the poor of the city county or township where the offense was committed for the use of the poor of such city county or township and any single or unmarried woman having a child born of her body the same shall be sufficient to convict such single or unmarried woman of fornication unless the birth of such child be the result of rape committed upon such woman and the man by such woman charged to be the father of

such bastard child shall be the reputed father and she persisting in the said charge in the time of her extremity of labor or afterwards in open court upon the trial of such person so charged the same shall be given in evidence in order to convict such person of fornication and such person being thereof convicted shall be sentenced in addition to the fine aforesaid to pay the expenses incurred at the birth of such child and if such is born dead or dies during the continuance of the order for the maintenance of said child to pay the reasonable funeral expenses thereof and to give security by one or more sureties and in such sum as the court shall direct to the guardians directors or overseers of the poor of the city county or township where such child was born to perform such order for the maintenance of the said child as the court before which such conviction is had shall direct and appoint

Section 507 Incest Any man who marries or carnally knows any of the following persons when the same is related to him by consanguinity viz his mother his aunt his sister his daughter the daughter of his son or daughter or any of the following persons when the same is related to him by affinity viz his father's wife his son's wife his wife's daughter or the daughter of his wife's son or daughter knowing at the time of such relationship and any woman who marries or carnally knows any of the following persons when the same is related to her by consanguinity viz her father her uncle her brother her son the son of her son or daughter or any of the following persons when the same is related to her by affinity viz her mother's husband her daughter's husband her husband's son or the son of her husband's son or daughter knowing at the time of such relationship is guilty of incest a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both and any such marriage is hereby declared void

Section 508 Possession etc of Obscene Matter Any person who sells lends gives away or shows or offers to sell lend give away or show or has in his possession with intent to sell lend give away or show or advertises in any manner any obscene lewd lascivious filthy indecent or disgusting book magazine pamphlet newspaper story-paper paper writing picture drawing post-card photograph figure image or written or printed matter or any article or instrument of indecent or immoral use or purporting to be for indecent or immoral use or who designs copies draws photographs prints utters publishes or in any manner manufactures or prepares any such book picture drawing post-card magazine pamphlet newspaper story-paper paper writing figure image matter article or thing or who writes prints publishes or utters or causes to be written printed published or uttered any advertisement or notice of any kind giving information or gives information orally directly or indirectly or stating or purporting to do so where how of whom or by what means any or what purports to be any obscene lewd lascivious filthy indecent or disgusting book or other matter article or thing named in this section can be seen purchased obtained or had or who prints utters publishes sells lends give away or shows or has in his possession with intent to lend sell give away or show any book pamphlet magazine post-card newspaper or other printed paper devoted to the publication of and principally made up of criminal news police reports or accounts of criminal deeds pictures or stories of deeds of bloodshed lust or crime is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 509 Possession etc of Articles etc to Prevent Conception or Cause Abortion Any person who sells lends gives away or in any manner exhibits or offers to sell lend or give away or has in his possession with intent to sell lend or give away or advertises for sale loan or distribution any instrument or article or any recipe drug or medicine for the prevention of conception or for causing unlawful abortion or purporting to be for the prevention of conception or for causing unlawful abortion or advertises or holds out representations that it can be so used or applied or any such description as will be calculated to lead another to so use or apply any such article recipe drug medicine or instrument or who writes or prints a card circular pamphlet advertisement or notice of any kind or gives information orally stating whom where how of whom or by what means such an instrument article recipe drug or medicine can be purchased or obtained or wh manufactures any such instrument article recipe drug or medicine is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Provided That nothing in this section shall apply to teaching in regularly chartered medical schools or to the publication of standard medical books or to sales made to licensed medical practitioners

Section 510 Issuance of Warrant A magistrate having jurisdiction to issue warrants in criminal cases upon complaint supported by oath or affirmation that any person within his jurisdiction is offending against the provisions of sections five hundred eight or five hundred nine of this act shall upon probable cause issue a warrant directed to the sheriff or to a constable marshall or police officer within the county directing him to search for seize and take possession of any of the articles specified in said sections of this act in the possession of the person against whom complaint is made The magistrate must immediately transmit every article seized by virtue of the warrant to the district attorney of the county who must upon the conviction of the person from whose possession the same was taken cause it to be destroyed and the fact of such destruction to be entered upon the record of the court in which the conviction is had

Section 511 Posting Indecent Matter Any person who advertises by circular poster or otherwise any indecent lewd or immoral show play or representation or who in a public place or on a fence or wall or other surface contiguous to the public street or highway or in or on any hotel inn or tavern court house church school station house depot for freight or pasengers or other building devoted or open to other or like public uses or on the wall of any outbuilding or other structure pertaining thereto makes or exposes places displays posts up or exhibits any obscene lewd indecent or immoral drawing picture writing or print liable to be seen by others passing or coming near the same or who knowingly permits the same to be made exposed placed displayed posted or exhibited on property owned or controlled by him is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 512 Participating in or Allowing Obscene Exhibitions Any owner lessee or occupier or person in control of any building tent or premises lot park or common who knowingly permits within said building or tent or on said premises lot park or common any dramatic theatrical operatic vaudeville fixed or moving pictures or other exhibition of a lascivious sacrilegious obscene indecent or immoral character or such as tend to corrupt morals and any person who gives or participates in any such exhibition is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 513 Advertising Cures for Secret Diseases Any person who prints publishes delivers distributes posts or displays or permits to be posted or displayed or to remain on or in any building premises windows or other surfaces owned or controlled by him any advertisement advertising himself or another as treating or being engaged in the business or profession of treating diseases of the generative organs or who prints publishes delivers or distributes any advertisement concerning a venereal disease lost manhood lost vitality impotency sexual weakness seminal emissions varicocele self-abuse excessive sexual indulgence or a disease peculiar to females or of any medicine drug nostrum or apparatus for the alleviation or cure of a venereal disease lost manhood lost vitality impotency sexual weakness seminal emissions varicocele self-abuse excessive indulgence or diseases peculiar to females is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Provided That this section shall not apply to advertisements or notices issued by an incorporated hospital of this Commonwealth or by a licensed dispensary or by a municipal board or department of health or by a recognized agency of government or by a reputable medical authority in a medical journal

Section 514 Seduction Any person who seduces and carnally knows any unmarried female under twenty-one years of age of good repute under promise of marriage or by means of a fraudulent representation that he is married to her is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both Provided That the promise of marriage shall not be deemed to be established unless the testimony of the female seduced is corroborated by other evidence Provided further That the subsequent intermarriage of the parties or the lapse of two years after the commission of the offense before the finding of an indictment shall be a bar to prosecution under this section

Section 515 Taking Indecent Liberties with a Minor Any person over sixteen years of age who takes indecent liberties with a child under the age of ten years with or without its consent is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 516 Taking Minors for Sexual Intercourse Any person who takes receives employs or harbors a female under the age of sixteen years for the purpose of prostitution or sexual intercourse or without the consent of her father mother guardian or other person having legal custody of the person takes or receives such female for the purpose of marriage or who inveigles or entices such minor female into a house of ill fame or of assignation or elsewhere for the purpose of sexual intercourse is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 517 Keeping Disorderly House Any person who keeps or maintains a common ill-governed and disorderly house to the encouragement of idleness gaming drinking or other misbehavior to the common nuisance and disturbance of the neighborhood or of orderly citizens or who being the landlord lessor tenant occupier or person in control of any house knowingly permits such house or any part thereof to be let or used as such disorderly house is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 518 Keeping Bawdy House Prostitution and Assignation Any person who engages in or who keeps maintains or uses any place building or conveyance for the purpose of fornication prostitution or assignation or who knowingly lets or demises any place conveyance or building to be so kept used or maintained or who permits any place or building owned by him or under his control to be used for the purpose of fornication prostitution or assignation knowing or having reasonable cause to know that the same is so used or who directs takes or transports or offers or agrees to direct take or transport any person to any place or building with knowledge that the purpose of such directing taking or transporting is fornication prostitution or assignation is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 519 Pandering Any person who procures a female inmate for a house of prostitution or who induces persuades encourages inveigles or entices a female person to become a prostitute or who by promises threats violence or by any device or scheme causes induces persuades encourages takes places harbors inveigles or entices a female person to become an inmate of a house of prostitution or assignation place or any place where prostitution is practiced encouraged or allowed or who by promises threats violence or by any device or scheme causes induces persuades encourages inveigles or entices an inmate of a house of prostitution or a place of assignation to remain therein as such inmate or who by threats violence or by any device or scheme by fraud or artifice or by duress of person or goods or by abuse of any position of confidence or authority or having legal charge takes places harbors inveigles entices or procures any female person to enter any place in which prostitution is practiced encouraged or allowed for the purpose of prostitution or who by force fraud intimidation or threats places or leaves his wife in a house of prostitution or who inveigles entices or procures any female person to come into this Commonwealth or to leave this Commonwealth for the purpose of prostitution or who takes or detains a female with the intent to compel her by force threats menace or duress to marry him or to marry any other person or who receives or gives or agrees to receive or give any money or thing of value for procuring or attempting to procure any female person to become a prostitute or to come into this Commonwealth or to leave this Commonwealth for the purpose of prostitution is guilty of pandering a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 520 Accepting Property from Prostitutes Any person who knowingly demands accepts receives levies or appropriates any money or property without legal consideration from the proceeds of the earning of any woman engaged in prostitution is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both Any such acceptance receipt levy or appropriation of such property shall upon any proceeding or trial for violation of this section be evidence of lack of consideration

Section 521 Detaining Females in Disorderly House Any person who attempts to detain any female person in a disorderly house or house of prostitution because of any debt she has contracted or is said to have contracted while living in said house is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 522 Transporting Females for Purpose of Prostitution Any person who knowingly transports or obtains transportation for by any means of conveyance into through or across this Commonwealth any female person for the purpose of prostitution or with the intent and purpose to induce entice or compel such female person to become a prostitute is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Any person who commits the offense in this section provided against may be prosecuted indicted tried and convicted in any county in or through which he shall so transport or attempt to transport any female person as aforesaid Provided That no person shall be convicted in more than one county for the same act of transportation

Section 523 Venue It shall not be a defense to a prosecution for any of the acts prohibited in sections five hundred nineteen and five hundred twenty-two of this act that any part of such act was committed outside of this Commonwealth and the offense shall in such case be deemed and alleged to have been committed and the offender may be tried and punished in any county in which the prostitution was intended to be practiced or in which the offense was consummated or in which any overt act in furtherance of the offense was committed Provided That no person shall be convicted in more than one county for the same act

Section 524 Sending Minor to Immoral Place Any person having authority over a minor who for any purpose other than those specified in sections five hundred sixteen and five hundred nineteen of this act knowingly takes or sends or causes or permits such minors to be taken or sent to or to be or remain in any house of prostitution or assignation or reputed house of prostitution or assignation or other immoral places of resort or amusement or in any place where opium or any preparation thereof is smoked is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 525 Testimony by Wife Any provisions of law prohibiting the disclosure of confidential communications between husband and wife shall not apply to prosecution for offenses provided against in sections five hundred sixteen five hundred nineteen five hundred twenty five hundred twenty-one five hundred twenty-two and five hundred twenty-four inclusive of this act and in the trial of all such offenses one spouse shall be a competent witness against the other

Section 526 Loitering about Bawdy House Any male person having no apparent trade occupation or business or being without any means of subsistence who stays frequents or loiters in or about any bawdy house is guilty

of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceednig one thousand dollars or both

Section 527 Public Indecency Any person who in a public place wilfully does any act of lewdness or indecency which has a tendency to debauch the morals or manners of the people is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 528 Exhibition of Idiot Any person who exhibits for a pecuniary consideration any insane idiotic imbecile or deformed person is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 529 Violation of Sepulture Any person who unlawfully opens any tomb vault grave mausoleum or other place of burial and removes therefrom the body or remains or part thereof of any human being or who unlawfully removes the dead body or remains or part thereof of any human being from any place where the same has been deposited awaiting burial or who unlawfully sells or buys or has in his possession with intent to sell the dead body or remains or part thereof of any human being is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

ARTICLE VI

Offenses Against Public Policy Economy and Health

Section 601 Lottery a Nuisance A lottery is hereby declared to be a common nuisance and any grant bargain sale conveyance or transfer of any property made in pursuance of any lottery is hereby declared to be void

Section 602 Conducting Lottery Any person who erects sets up opens makes or draws any lottery or is in any way concerned in managing conducting or carrying on the same or who being the owner landlord tenant occupier or person in control of any building or premises knowingly allows such building or premises to be used for the purpose of managing conducting or carrying on a lottery is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 603 Selling Ticket Policy etc in Lottery Any person who sells or offers or exposes for sale or barters or exchanges or gives away or advertises for sale barter exchange or gift any lottery ticket or share or part thereof or any lottery policy or any writing certificate bill token or other device purporting or intending to entitle or represented as entitling the holder or bearer or any other person to any prize to be drawn in any lottery or any part of such prize or any interest therein whether such lottery be promoted managed or drawn in this or any other State or country and whether such lottery be lawful in the State or country in which it is drawn or not or who in any newspaper magazine or periodical owned or controlled by him publishes any advertisement of any lottery ticket share policy writing certificate bill token or device aforesaid or of any lottery drawing or lottery scheme or any prospectus scheme or other advertisement of any person conducting managing or controlling any lottery or acting as agent therefor is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

The purchaser of such ticket policy or device shall not be liable to any prosecution or penalty by virtue of this or any other law of the Commonwealth and shall in all respects be a competent witness to prove the offense

Section 604 Giving Premium Tickets to Customers Any manufacturer merchant importer retailer or dealer doing business within this Commonwealth who offers gives or sells or authorizes or permits any agent salesman or employe to offer give or sell any purchaser or customer any ticket check or other token or memorandum entitling such purchaser or customer to demand or receive money is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 605 Common Gamblers Any person who engages in gambling for a livelihood or who being without any fixed residence is in the habit or practice of gambling is a common gambler and guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 606 Making Gambling Machines Any person who makes or assembles any punch board drawing card slot machine or other machine or device intended to be used for gambling is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 607 Keeping Gambling Device Any person who keeps or exhibits sets up establishes or maintains any game gaming table device or apparatus for gambling or who being the owner landlord lessee tenant occupant or person in control of any building or premises knowingly allows to be set up established or maintained any such game device or apparatus in such building or on such premises or who knowingly allows any person to gamble at such game or with such device or apparatus in such building or on such premises or who leases hires or rents such building or premises to be used for gambling at such game or with such device or appartus or who having knowledge that such game device or apparatus is being maintained in such building or on premises so leased hired or rented by him for gambling does not immediately report that fact to the proper authority is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 608 Enticing Person to Gamble Any person who through solicitation invitation or device induces another to visit any building or place kept for gambling is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and in addition shall be civilly responsible and liable to repay to any person induced by him to enter such gambling place any property the latter may have lost therein

No witness shall be excused under any allegation or pretense whatsoever in any prosecution or proceeding for gambling from giving his testimony touching the same but no evidence given or facts divulged by him shall be used or employed against him in any criminal prosecution

Section 609 Seizure of Gambling Instruments If an affidavit be made and filed before any magistrate before whom complaint has been made of the commission of any of the crimes provided against in sections six hundred seven and six hundred eight of this act setting forth that the affiant has reason to believe and does believe that the person charged in such complaint has upon his person or at any other place named in said affidavit any gaming table device or apparatus the discovery of which might lead to establish the truth of such charge the said magistrate shall by his warrant command the officer who is authorized to arrest the person so charged to make diligent search for such table device or apparatus and if found to bring the same before such magistrate and the officer so seizing shall deliver the same to the magistrate before whom he takes the prisoner who shall retain possession and be responsible therefor until the discharge commitment or letting to bail of the person so charged after which such officer shall retain such table device or apparatus subject to the order of the court before which such offender may be required to appear until his discharge or conviction and in case of the conviction of such person the gambling table device or apparatus shall by the direction of the court be destroyed and it shall and may be lawful for any constable sheriff or other officer of justice with or without warrant to seize upon secure and remove any device or machine of any kind character or description whatsoever used or employed for the purpose of unlawful gaming as aforesaid and to arrest with or without warrant any person setting up the same and it shall be the duty of such sheriff constable or other officer to make return in writing to the next court of quarter sessions of the proper county setting forth the nature and description of the device or machine so seized and the time place and circumstance under which such seizure was made and the said court upon hearing the parties if they should appear if satisfied that such device or machine was employed and used for the purpose of unlawful gaming as aforesaid shall adjudge the same forfeited

and order it to be publicly destroyed and at the same time order reasonable costs and charges to the seizing officer to be paid by the owner or possessor of such device or machine or in case of his default or in case be cannot be found to be paid as costs are now by law paid on indictment and such adjudication shall be conclusive evidence to establish the legality of such seizure in any court of this Commonwealth in any cause in which the question of its legality shall arise no writ of replevin shall issue for any device or machine seized as aforesaid nor shall any action be instituted for or on account of such seizure until the court shall have first adjudicated upon the premises but such writ or action shall forthwith on motion be quashed and abated by the court in which it shall be sued or brought

Section 610 Pool Selling Any person who engages in pool selling or book-making or who occupies any building or place with books apparatus or paraphernalia for the puprose of recording or registering bets or wagers or of selling pool or who shall record or register bets or wagers or sell pools upon the result of any political nomination appointment or election or who being the owner or lessee occupant or person in control of any building knowingly permits the same to be used or occupied for any of these purposes or therein keeps exhibits or employs any device or apparatus for the purpose of recording or registering such bets or wagers or the selling of such pools or becomes the custodian or depository for gain hire or reward of any property staked wagered or pledged or to be wagered or pledged upon any such result or who receives registers records forwards or purports or pretends to forward to or for any race course any property bet or wager of money thing or consideration offered for the purpose of being bet or wagered upon the speed or endurance of any man or beast or occupies any place or building with books papers apparatus or paraphernalia for the purpose of receiving or pretending to receive or for recording or registering or for forwarding or pretending or attempting to forward in any manner whatever any property bet or wagered or to be bet or wagered for any person or receives or offers to receive any property bet or to be bet at any race track or who assists or abets in any manner in any of the acts forbidden by this section is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 611 Conducting Opium Joint Any person who sets up establishes or maintains or has in his possession with intent to use any apparatus or device whereby opium or any preparation thereof may be smoked or otherwise used or who being the owner landlord lessee tenant occupant or person in control of any building or premises knowingly allows to be set up established or maintained any such apparatus or device in such building or on such premises or knowingly allows persons to collect in such building or on such premises for the purpose of smoking or otherwise using opium or any preparation thereof or leases hires or rents such building or premises to be used for the purpose of smoking or of otherwise using opium or any preparation thereof or who having knowledge that opium or a preparation thereof is being so smoked or otherwise used in such building or on such premises so leased hired or rented by him does not immediately report that fact to the proper authority is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 612 Smoking Opium in Opium Joint Any person who smokes or otherwise uses opium or any preparation thereof in any building or place set up or established for the purpose of smoking or otherwise using opium or any preparation thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 613 Enticing Person into Opium Joint Any person who invites or induces another to visit any building or place kept for the purpose of smoking or otherwise using opium or any preparation thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 614 Seizure of Instrument for Smoking Opium If an affidavit be made and filed before any magistrate before whom complaint has been made of the commission of any of the offenses provided against in sections six hundred eleven six hundred twelve and six hundred thirteen of this act setting forth that the affiant has reason to believe and does believe that the person charged in such complaint has upon his person or at any other place named in said affidavit any opium device apparatus or instrument the discovery of which might led to establish the truth of such charge the said magistrate shall by his warrant command the officer who is authorized to arrest the person so charged to make diligent search for such opium device apparatus or instrument and if found to bring the same before such magistrate and the officer so seizing shall deliver the same to the magistrate before whom he takes the prisoner who shall retain possession and be responsible therefor until the discharge commitment or letting to bail of the person so charged after which such officer shall retain such opium device apparatus or instrument subject to the order of the court before which such offender may be required to appear until his discharge or conviction and in case of the conviction of such person the opium device apparatus or instrument shall by the direction of the court be destroyed It shall and may be lawful for any sheriff constable or other officer of justice with or without warrant to seize upon secure and remove any opium device apparatus or instrument of any kind character or description whatsoever used and employed for the purpose of the unlawful smoking of opium or any preparation thereof or of the unlawful use of opium or any preparation thereof as aforesaid and to arrest with or without warrant any person using or employing the same and the said court upon hearing the parties if they should appear if satisfied that such opium device apparatus or instrument was employed and used for the purpose of the unlawful smoking of opium or any preparation thereof or of the unlawful use of opium or any preparation thereof as aforesaid shall adjudge the same forfeited and order it to be publicly destroyed and at the same time order reasonable costs and charges to the seizing officer to be paid by the owner or possessor of such opium device apparatus or instrument or in case of his default or in case he cannot be found to be paid as costs are now by law paid on indictment and such adjudication shall be conclusive evidence to establish the legality of such seizure in any court of this Commonwealth in any cause in which the question of its legality shall arise no writ of replevin shall issue for any opium device apparatus or instrument seized as aforesaid nor shall any action be instituted for or on account of such seizure until the court shall have first adjudicated upon the premises but such writ or action shall forthwith on motion be quashed and abated by the court in which it shall be sued or brought Provided That sections six hundred eleven six hundred twelve and six hundred thirteen of this act shall not apply to druggists or physician or others engaged in the legitimate use or sale of opium

Section 615 Public Nuisance Any person who erects sets up establishes maintains keeps up or continues any public or common nuisances is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and where the said nuisance shall be in existence at the time of the conviction and sentence it shall be lawful for the court in its discretion to direct either the defendant or the sheriff of the proper county at the expense of the defndant to abate the same Provided That all obstructions to private roads laid out according to law shall be nuisances which would be nuisances in cases of obstructions to public roads or highways

Section 616 Prize Fighting Any person who engages or participates in an unlawful prize fight or any unlawful fight or pugilistic contest on the result of which any property is wagered or who is present at such fight is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 617 Promoting etc Excessive Sport Any person who shall promote manage or participate in any athletic contest or exhibition in which a contestant shall take part for more than twelve hours in one calendar day is

guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 618 Bribing in Athletic Contest Any person who offers or gives a bribe to any participant in any athletic contest game or event and any person who influences any participant in any athletic contest game or event to so conduct himself as to bring about or assist in bringing about his defeat or the defeat of his team is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 619 Soliciting Bribe in Athletic Contest Any person who solicits or accepts any bribe to so conduct himself as to bring about or assist in bringing about his defeat or the defeat of his team in any athletic contest game or event is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 620 Dangerous Exhibitions Any proprietor of any place of amusement or resort who shoots another from a catapult or other machine or throws knives at another or shoots at a target held or placed on the head or near another or permits another so to do or permits another to perform on a trapeze without a strong netting below such performer or permits any other feat or performance that is extra hazardous and jeopardizes the life of any person is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 621 Vagrant Any person who makes a practice of going about from place to place begging asking or subsisting upon charity for the purpose of acquiring money or a living and who shall have no fixed place of residence or lawful occupation in the county or city in which he does such begging is a tramp and guilty of a misdemeanor and shall be imprisoned not exceeding one year

Section 622 Vagrant Entering Dwelling Apprehension of Vagrant Any tramp who shall enter any dwelling house against the will or without the permission of the owner or occupant thereof such entry not amounting to an offense under any other section of this act or shall kindle any fire in the highway or on the land of another or of the Commonwealth without the owner's consent or shall do or threaten to do any injury to any person or to the real or personal estate of another such threat or injury not being otherwise provided in this act is guilty of a misdemeanor and shall be imprisoned not exceeding three years Any act of begging or vagrancy by any person described by section six hundred twenty-one of this act shall be prima facie evidence that the person committing the same is a tramp within the meaning of this act Any person upon view of any offense described in sections six hundred twenty-one and six hundred twenty-two of this act may apprehend the offender and take him before a justice of the peace or alderman whose duty it shall be after hearing the evidence to discharge or to commit the prisoner for trial as in the case of other misdemeanors Sections six hundred twenty-one and six hundred twenty-two of this act shall not apply to any minor under the age of sixteen years nor to any blind deaf or dumb person nor shall it be applicable to any maimed or crippled person who is unable to perform manual labor

Section 623 Importing Criminals Any master or commander of any ship arriving from any foreign country place or port at any port harbor or place within this Commonwealth who knowingly brings in such ship any person either as a passenger working hand or otherwise who has been convicted in any foreign country or place of any offense which if committed within this Commonwealth would be a felony with intent to land such person or permit him to land is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 624 Conveying Drug Liquor etc into Prison Any person who sells or gives away any spirituous or fermented liquor drug medicine poison opium or other narcotic to any convict or in any prison or in any building appurtenant thereto or on any land employed for the use or benefit of prisoners or sends into any prison or building appurtenant thereto or on any land employed for the use or benefit of prisoners any spirituous or fermented liquor drug medicine poison opium or other narcotic except the ordinary hospital supply of the prison without a written permit signed by the physician of such prison specifying the name of the prisoner or employee for whom and the time when the same may be furnished and the quantity and quality of the liquor or narcotic to be furnished is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 625 Conveying Article in or out of Prison Any person who not being authorized thereto by law brings into or conveys out of a prison without the consent of the sheriff warden superintendent keeper or other person having charge thereof any money letter or other article or thing prohibited by law or by the rules of the authorities having charge of such prison is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 626 Sale of Weapon to Minor Any person who sells to any person under the age of twenty-one years any cannon gun pistol revolver or other such deadly weapon is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 627 Selling etc Fire Arms Any person who unlawfully sells gives lends or delivers a fire arm or makes any loan secured by mortgage deposit or pledge of any fire arm to any person or who displays any fire arm or imitation thereof on any placard advertising the sale thereof on any premises where it can be readily seen from the outside is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 628 Purchasing etc Fire Arms Any person who unlawfully purchases or receives or carries in any vehicle or concealed about his person any fire arm is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding three thousand dollars or both

Section 629 Commission of Crime while Armed with Fire Arm Any person who being unlawfully armed with a fire arm commits a crime of violence is in addition to the crime of violence committed by him guilty of a misdemeanor and shall in addition to any penalty which may be imposed on him for the crime of violence committed by him be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both The term "crime of violence" as used in this section means any of the following crimes or any attempt to commit any of the same namely murder rape mayhem aggravated assault and battery assault with intent to kill robbery burglary breaking and entering with intent to commit a felony and kidnapping

Section 630 Exceptions The provisions of sections six hundred twenty-seven six hundred twenty-eight and six hundred twenty-nine shall not apply to antique fire arms unsuitable for use and possessed as curiosities or ornaments

The term "fire arms" as used in sections six hundred twenty-seven six hundred twenty-eight and six hundred twenty-nine means any pistol or revolver with a barrel less than twelve inches any shot gun with a barrel less than twenty-four inches or any rifle with a barrel less than fifteen inches in length

Section 631 Disposing or Possession of Machine Gun Any person who sells gives or transfers any machine gun to another or who purchases owns or has in possession any machine gun is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both Provided That the provisions of this section shall not apply to a person who manufactures for and sells such machine gun to the military forces of the United States or of this Commonwealth or any political division thereof nor to any police department of this Commonwealth nor to the possession of such machine gun as a relic by any person or organization if such person or organization has a permit for the possession of such gun from the sheriff of the county in which such gun is located and such permit is attached to such gun

Section 632 Commission of Crime while Armed with

Machine Gun Any person who being unlawfully armed with a machine gun commits any offense is guilty of a felony and shall in addition to any penalty which may be imposed on him for the offense committed by him while armed with such machine gun be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 633 Sale etc of Fire Works Any person who manufactures sells or offers or exposes for sale or gives away or has in his possession with intent to sell any fire cracker or fire work containing picric acid or picrates dynamite or other high explosives or manufactures sells or offers or exposes for sale or gives away or has in his possession with intent to sell any toy cannon gun pistol revolver or any other such deadly toy weapon or who manufactures sells or offers or exposes for sale or gives away or has in his possession with intent to sell any explosive cane using blank cartridge any blank cartridge pistol any blank cartridge pellet or tablet composed of dynamite or other high explosive for use in pistols hollow canes or any toy for explosive purposes or who manufactures sells or offers or exposes for sale or gives away or has in his possession with intent to sell any fire cracker over six inches in length containing gunpowder or any other explosive material or any fire cracker over three and one-half inches in length which is more than three-quarters of an inch in diameter or any fire cracker over three and one-half inches in length which is more than one inch in diameter is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and any person who sets off fires or makes use of for the purpose of explosion any of the articles the manufacture of which is provided against in this section shall on summary conviction be fined not exceeding one hundred dollars and pay the costs of prosecution and in default in the payment of such fine and costs be imprisoned not exceeding two months

Section 634 Sale etc of Balloons Any person who manufactures sells or offers or exposes for sale or gives away or has in his possession with intent to sell any balloon made or intended to contain in or about it fire for the purpose of ascension is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and any person who causes to ascend any such balloon is guilty of a misdemeanor and shall be imprisoned not exceeding two months or fined not exceeding one hundred dollars or both Provided The provisions of this section shall not apply to a balloon in which a human being ascends

Section 635 Keeping Boarding House for Infant Any person other than an institution duly incorporated for the purpose who shall engage in the business of receiving boarding or keeping children under the age of three years for hire or reward or who shall take or receive for such purpose more than two such children unaccompanied by an adult care taker without legal commitment or without first having obtained such license to do so as is required by law shall on summary conviction be fined not exceeding one hundred dollars and the costs of prosecution and in default of the payment of such fine and costs be imprisoned not exceeding two months

Section 636 Maintaining Home for Insane Any person who keeps or maintains a building or place for the reception or custody of persons of unsound mind except as authorized by law or who confines or detains or is concerned in the confinement or detention of such person in any other manner or in any other place than as authorized by law or who is guilty of harsh cruel or unkind treatment of or neglect of duty toward any such person under confinement whether the confinement be lawful or unlawful is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 637 Dealing in Human Being Any person who deals in human beings by trading bartering buying or selling an infant child is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 638 Selling Convict made Goods Any person who sells or exchanges in the open market any goods wares or merchandise prepared wholly or in part or manufactured by a convict or prisoner of another state except a convict or prisoner on parole or probation is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 639 Importing Dressed Carcass Any person who imports or sells any dressed carcass of lamb or sheep without first removing from each and every carcass all hoofs is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 640 Disposing of Infected Cottle Any person owning any cattle or sheep affected by an contagious or infectious disease who sells or otherwise disposes of such cattle or sheep either alive or slaughtered from the premises where such disease is known to exist or for a period of two months after such disease shall have disappeared from said premises is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 641 Sale etc of Article Containing Methyl Alcohol Any person who sells or offers or exposes for sale or has in his possession with intent to distribute or sell any food drug preparation or mixture of any kind intended for internal use which contains methyl or wood alcohol or who sells or offers or exposes for sale or has in his possession with intent to distribute or sell or use upon or apply to the body of another any drug hair tonic bay rum or similar preparation intended for external use which contains methyl or wood alcohol is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Provided That the provisions of this section shall not apply to a person selling offering or exposing for sale or having in his possession with intent to sell or distribute any medicated liniments used for external use or any veterinary remedy containing methyl or wood alcohol when such remedy is plainly and distinctly labeled in such manner as to indicate that it is intended solely for external use on animals

Section 642 Exposure of Poison Any person who exposes in any public place or on the land of another or on his own land outside of a building any poison or admixture thereof with intent that the same shall be taken or swallowed by any animal or fowl is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 643 Polluting Drinking Water Any person who wilfully poisons or pollutes any spring well stream or reservoir of water is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Any person is hereby authorized to arrest on view any person engaged in any of the acts provided against in this section The use of any land within one mile of any city for the burial of the dead the drainage from which land passes into any stream furnishing drinking water to any city shall be deemed a pollution of such stream within the meaning of this section Provided That the provisions of this section shall not apply in the case of land now devoted to burial purposes in which there shall have heretofore been burials and sales of burial lots

Section 644 Certain Employment of Children Prohibited Any person having in his care custody or control lawful or unlawful any person under the age of eighteen years who apprentices gives away lets out trains exhibits hires or otherwise disposes of such persons to any person for the purpose of rope or wire walking or as an acrobat gymnast contortionist or rider or for the purpose of singing playing on musical instruments begging or for any mendicant business whatsoever in the streets roads or other highways of this Commonwealth or for any obscene indecent or illegal exhibition or for any vocation injurious to the health or dangerous to the life or limb of such person and any person who takes receives hires harbors employs uses or has in custody any such minor for any of the vocations occupations callings services

exhibitions or purposes mentioned above or who retains harbors or employs any person under the age of eighteen years in or about any house of assignation or brothel or in any place where any obscene indecent or illegal exhibition is taking place or for any mendicant business whatever is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 645 Certain other Employment Prohibited Any person who takes receives hires employs uses or has in his custody any child under the age of eighteen years or who shall endeavor to secure any such child for the purpose of taking part in any theatrical performance or athletic exhibition or of singing or of playing upon any musical instrument without the consent of the parents or legally appointed guardians of such child having been first obtained is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 646 Purchasing etc Military Supplies Any person who knowingly purchases or receives in pawn or pledge any arm accoutrement equipment article of military clothing tent or fly or any quartermaster medical engineer or signal property or ordnance or ordnance stores the property of this Commonwealth or of the United States in use by the Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 647 Discrimination on Account of Uniform Any person being the owner lessee manager employee or person in control of any theatre or other place of public accommodation or amusement or of any hotel or restaurant who refuses to admit to or accommodate in or ejects from such theatre or other place of amusement hotel or restaurant any person because he wears the uniform of the United States is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 648 Discrimination on Account of Religion Creed Nationality etc Any owner lessee proprietor manager or superintendent of any place of public accommodation resort or amusement or any agent or employe of any of them who publishes issues circulates sends distributes gives away or displays any communication paper poster folder manuscript book pamphlet writing print letter notice or advertisement intended or calculated to discriminate or actually discriminating against any religious sect creed class denomination or nationality or any member thereof in the matter or furnishing or neglecting or refusing to furnish to them or any of them any lodging housing schooling tuition or any accommodation right privilege advantage or convenience offered to or enjoyed by the general public or to the effect that any of the accommodations rights privileges advantages or conveniences of any such place of public accommodation resort or amusement shall or will be withheld from or denied to any person or class of persons on account of religion sect creed class denomination or natinality or that the patronage custom presence frequenting dwelling staying or lodging at such place of any person or class of persons belonging to or purporting to be of any particular religion sect creed class denomination or nationality is unwelcome objectionable or not acceptable desired or solicited is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars Providing That nothing in this section shall prohibit the mailing of a private communication sent in response to a specific inquiry.

Section 649 Discrimination on Account of Race or Color Any person being the owner lessee proprietor manager superintendent agent or employe of any place of public accommodation resort or amusement who subject only to the conditions and limitations established by law and applicable alike to all persons directly or indirectly refuses withholds from or denies to any person any accommodation advantage facility or privilege thereof or directly or indirectly publishes circulates issues displays posts or mails any written or printed communication notice or advertisement to the effect that any accommodation advantage facility or privilege of any such place will be refused withheld from or denied to any person on account of race or color or that the patronage or custom thereat of any person belonging to or purporting to be of any particular race or color is unwelcome objectionable or not acceptable desired or solicited shall be imprisoned not exceeding three months or fined not exceeding five hundred dollars or both Provided That the provisions of this section shall not apply to the owner lessee proprietor manager superintendent agent or employe of any institution club or place of public accommodation resort or amusement which is in its nature distinctly private or to the mailing of a private communication in writing sent in response to a specific written inquiry

Section 650 Obstructing Airport Any person who erects and maintains any smoke stack flag pole elevated tank radio station tower building or other structure or obstruction to the operation of air-craft of a height in excess of thirty-five feet within five hundred feet of the exterior boundaries of any airport landing field or intermediate landing field licensed by this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 651 Distribution of Candy Drugs etc Any person who distributes any free or trial sample or parcel of any candy medicine drugs chemical or chemical compound in or upon any building or in or upon any yard lawn land street sidewalk letter box or public highway or in any other manner that a child may get possession of the same from such place is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 652 Selling Drugs in Vending Machine Any person who sells or offers for sale or distributes any medicine drug poison or substance for external or internal use in the treatment or prevention of human or animal disease through or by means of any vending machine or other mechanical device is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 653 Carrying and Shipping Explosives on Train etc Any person who enters into or upon any railroad train street car or other conveyance used to carry freight or passengers having in his possession custody or about his person any nitroglycerin dynamite or other high explosive or carries or causes to be carried other than as freight regularly shipped as such such substance upon any railroad train street car or other conveyance used to carry freight or passengers is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 654 Conductor to Arrest The conductor or person having charge and control of any railroad train street car or other conveyance for the carriage of freight or passengers shall have power to arrest any person found violating the provisions of section six hundred fifty-three of this act and to detain such person until reaching some place where such person may be delivered to a constable or other police authority and it shall be lawful to prosecute such offender in any county through which said public conveyance passes without reference to the place where such offender was arrested

Section 655 Shipping Explosive under False Invoice Any person who knowingly delivers for transportation to any canal railroad steamboat express or other transportation company or to any person engaged in the business of transportation any nitroglycerin dualin dynamite gunpowder mining or blasting powder guncotton phosphorus or other explosive material dangerous to life or limb under any false or deceptive invoice or description or without informing such company or person in writing at or before the time when such delivery is made of the true nature of such explosive material and without having the keg barrel can or package containing the same plainly marked with the name of the explosive material therein contained together with the words "dangerous article" is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 656 Anchoring Vessel on Range of Range Lights The master of any vessel who anchors his vessel on the range line of any range lights established by the

authority of the United States in this Commonwealth is guilty of a misdemeanor and shall be fined not exceeding fifty dollars

Section 657 Railroad Employe Abandoning Train Any locomotive engineer or other railroad employee upon any railroad within this Commonwealth who being engaged in any strike or who with intent to incite others to a strike or who in furtherance of any combination or preconcerted arrangement with any other person to bring about or maintain a strike abandons the locomotive engine in his charge when such engine is attached to either a passenger or freight train at any place other than the schedule or otherwise appointed destination of such train or refuses or neglects to continue to discharge his duty or to proceed with said train to the place of destination as aforesaid is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 658 Railroad Employee Refusing to Move Car Any railroad employee within this Commonwealth who with intent to further the object of or to lend aid to any strike organized or attempted to be maintained on any other railroad either within or without this Commonwealth refuses or neglects in the course of his employment to aid in the movement over the tracks of the company employing him of the cars of such other railroad company received therefrom in the course of transit is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 659 Interference with Railroad Employee Any person who in aid or furtherance of the object of any strike upon any railroad interfers with molests or obstructs any railroad employee engaged in the discharge of his duty as such employee is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 660 Giving False Alarm of Fire Any person who gives any commonly recognized alarm of fire knowing the same to be false is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding five hundred dollars or both

Section 661 Hunting while Intoxicated Any person who being under the influence of intoxicating liquor or drugs engages in hunting with gun pistol rifle or other firearm any bird or animal is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 662 Political Assessment Any person who directly or indirectly demands or solicits from any public officer or employee of this Commonwealth or of any subdivision thereof any assessment upon the salary of such officer for any political or party purpose and any officer of this Commonwealth or of any sub-division thereof who knowingly permits any assessment to be made on the salary of any officer appointed by or holding office under him or knowingly permits any demand or solicitation by such officer for the payment or gift of money or property for any political or party purpose is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 663 Demanding Property from Employee Any officer agent or employee of any employer of labor who solicits demands or receives directly or indirectly from any person any money or property for the purpose actual or alleged of either obtaining for the latter employment in the service of said employer or of the continuing by the party so paying or solicited in said employment is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 664 Bribery of Servants Employees and Agents Any person who offers or gives to any agent employee or servant of another or to a member of his family or to any one for his use or benefit any commission or property without the knowledge and consent of the principal employer or master as an inducement bribe or reward for doing or omitting to do any act or for showing or forbearing to show any favor or disfavor by such agent employee or servant in relation to the affairs or business of his principal employer or master and any agent employee or servant who solicits or receives or agrees to receive any property as an inducement bribe or reward for doing or omitting to do any act or for showing any favor or disfavor in relation to the affairs or business of his principal employer or master is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Provided however That nothing contained in this section shall apply to transactions between a principal employer or master and his agent employee or servant This section shall not be construed to prohibit the practice commonly called "tipping"

Section 665 Using False Documents with Intent to Deceive Principal Master or Employer Any person who uses or gives to an agent employee or servant of another and any agent employee or servant who uses approves or certifies with intent to deceive the principal employer or master any receipt account invoice or other document in respect of which the principal employer or master is interested which contains any statement which is false erroneous or defective in any material particular or which omits to state fully the fact of any commission or property having been given or agreed to be given to such agent employee or servant is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both This section shall not be construed to prohibit the practice commonly called "tipping"

Section 666 Coercion of Employee Any officer agent or employee of any corporation chartered under the laws of this Commonwealth or of any corporation doing business in this Commonwealth who coerces any employee of such corporation by discharging him or threatening to discharge him from the employment of such corporation because of his connection with any lawful labor organization which such employee may have formed joined or belonged to and any such officer agent or employee who exacts from any applicant for employment in such corporation any promise or agreement not to form join or belong to such lawful labor organization or not to continue a member of such lawful organization and any such officer agent or employee who prevents any employee from forming joining or belonging to such labor organization or interferes either directly or indirectly with any employee's free and untrammelled connection with such labor organization is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 667 Discontinuance of Water Supply for Fire Any person who operating as a water company has undertaken to supply any city borough town or township with water for the purpose of fire protection who for any reason cuts off or refuses to supply water for such purpose unless and until water for such purpose is available from another source without having first secured the approval of the Public Service Commission of this Commonwealth evidenced by its certificate of public convenience authorizing discontinuance of such service is guilty of a misdemeanor and shall be fined not exceeding one hundred dollars for each day of such discontinuance

Section 668 Appointment of Special Policemen Any public officer of this Commonwealth or of any sub-division thereof or any other person association company or corporation who shall employ or appoint as a special deputy marshall or policeman to preserve the public peace or prevent or quell disturbances a person who is not at the time of such employment or appointment a citizen of this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Provided That if any company or association be convicted under this section it shall be sentenced to pay a fine not exceeding five thousand dollars Provided further That the provisions of this section shall not apply to the employment or appointment of policemen constables or specials employed or appointed by municipalities for municipal purposes

Section 669 Withholding Papers of Soldiers etc Any person having the possession custody or control of the commission or discharge paper of any person who is or was an officer soldier sailor or marine of the United States army or navy who withholds such paper from the party

named in such commission or discharge after demand thereof by such party or who wilfully destroys or mutilates such commission or discharge to the prejudice of the owner thereof or delivers the same to any person other than the party named therein without the written request of such party is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 670 Collecting Fee from Veterans Any person other than an attorney at law who charges or collects any fee or other compensation for assisting in any manner a veteran in obtaining any of the benefits to which he is entitled under the provisions of the World War Veterans' Compensation Act of this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Provided That this section shall not apply to the fees authorized by law that may be collected by a notary public or other officer having power to administer oaths for necessary affidavits required under said act

Section 671 Unlawful Sale of Railroad Ticket Any person not being authorized by law to sell tickets or other evidences of the holder's right to travel on a common carrier who sells or transfers for any consideration the whole or any part of any ticket pass or other evidence of the holder's title or right to travel on any common carrier whether the same be situated operated or owned within or without the limits of this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 672 Sale of Diploma Any person who signs a diploma or other written instrument purporting to confer or to be evidence of the conferring of an academic degree honorary or other by any university college or other institution incorporated under the laws of this Commonwealth knowing that the consideration for the conferring of such degree is the payment or promise of payment by any person of any money or other property is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 673 False Statement in Application for Permits Any person who wilfully makes any false statement in an application for a permit or license to do any act or engage in any business or occupation or in the practice of any profession where a permit or license is required by law to entitle such person to do the act or engage in the business or occupation or practice the profession is guilty of a misdemeanor and shall where no penalty is provided for such offense by other law be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 674 False Statement in Application for Relief Any person who wilfully gives any false information in any statement required by any agency of this Commonwealth or of any political sub-division thereof for the purpose of determining whether he is entitled to relief is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding five hundred dollars or both and shall make restitution of any moneys secured by reason of any such false statement

Section 675 False Statement regarding Age Any person who wilfully and falsely represents to another any minor to be of full age knowing such minor not to be of full age for the purpose of inducing that other to furnish any intoxicating liquor to such minor and any minor who wilfully and falsely represents to another that he is of full age for the purpose of obtaining from that other any intoxicating liquor knowing himself not to be of full age is guilty of a misdemeanor and shall be imprisoned not exceeding sixty days or fined not exceeding fifty dollars or both

Section 676 Defrauding Bailor of Motor Vehicle Any person who defrauds another from whom he has rented a motor vehicle by knowingly misrepresenting the distance such vehicle has traveled during such rental period is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 677 Offering Money for Proxies Any person who offers or gives any money or property to the owner or holder of capital stock of any insurance company or to a member of any mutual insurance company incorporated under the laws of this Commonwealth with intent to secure the voting proxy of any share of such capital stock or of any member is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and no proxy so obtained shall be voted at any stockholders' or members' meeting of any insurance company incorporated under the laws of this Commonwealth

Section 678 Illegal Sale of Tickets Any person who engages in the sale of steamship tickets or orders for transportation or advertises or holds himself out as authorized or entitled to sell such tickets or orders without having first complied with the provisions of the acts of assembly of this Commonwealth in force at the time regulating the selling fo such tickets or orders is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 679 Ticket Scalping Any person who sells barters or exchanges upon any public street or highway or in front of any theatre or place of amusement or entertainment tickets of admission to such theatre or place of amusement or entertainment is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding fifty dollars or both

Section 680 Illegal Transaction of Business of Detective Any person who engages in the business of a detective for hire or reward or who advertises his business to be that of a detective or of conducting a detective agency without having first complied with the provisions of the acts of assembly of this Commonwealth in force at the time is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 681 Compromising claim for Alienation of Affections or Breach of Contract Any person who causes induces or procures another to execute a contract or instrument or to give pay transfer or deliver any money or thing of value in payment satisfaction settlement or compromise of any claim or cause of action for alienation of affections of husband or wife except where such claims or cause of action is advanced against the parent brother sister or a person formerly in loco parentis to such husband or wife or for breach of contract to marry made within this Commonwealth except where such claim or cause of action occurred or such breach occurred prior to June twenty-second one thousand nine hundred thirty-five or who shall commence either as litigant or attorney in any court of this Commonwealth any proceeding or action seeking to enforce or recover upon any such contract or instrument knowing it to be such whether the same shall have been executed within or without this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 682 Loan of Public Money by Officer Any officer of this Commonwealth or of any sub-division thereof who shall loan out otherwise than is provided for by law with or without interest or return therefor any money or valuable security received by him or which may be in his possession or under his control by virtue of his office is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both and if still in office be adjudged thereafter incapable of exercising the same and the said office shall be forthwith declared vacant by the court passing sentence

Section 683 Deposit of Public Money by Officer Any officer of this Commonwealth or of any sub-division thereof who enters into any contract or agreement with any bank corporation or individual or association of individuals by which said officer is to derive any benefit gain or advantage from the deposit with such bank corporation or individual or association of any money or valuable security held by him or which may be in his possession or under his control by virtue of his said office is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both and if still in office be adjudged thereafter incapable of exercising the same and said office shall forthwith be declared vacant by the court pasing sentence

Section 684 Payment of Public Money without Author-

ity of Law Any officer of this Commonwealth who authorizes the payment of any money by warrant or otherwise out of the State Treasury except in accordance with the provisions of some Act of Assembly setting forth the purpose of the expenditure or any State Treasurer who pays any money out of the State Treasury except in accordance with the provisions of some Act of Assembly setting forth the purpose of the expenditure and any officer of this Commonwealth who authorizes the payment of any money by warrant or otherwise out of the State Treasury or any State Treasurer who pays any money out of the State Treasury in excess of the amount thus specifically appropriated is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both Provided however That the provisions of this section shall not be construed to prohibit the Auditor General and State Treasurer of this Commonwealth from returning to any county thereof any money authorized by law to be returned to said counties or the Auditor General and State Treasurer of this Commonwealth from returning to any city borough or township any money received from foreign fire insurance companies authorized by law to be returned to said municipalities

Section 685 Misapplication of Public Money Any public officer of this Commonwealth or of any subdivision thereof who has under his control as such officer any moneys collected by law for a special purpose who applies such moneys to any other purpose than that for which such moneys were collected is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 686 Buying Public Claim Any public officer of this Commonwealth or of any sub-division thereof who purchases or is interested in the purchase of for any sum less than the amount specified in such warrant order or claim any warrant order or claim on the Commonwealth or on any sub-division thereof other than for the use of the Commonwealth or any sub-division thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 687 Use or Disposal of Public Property Any public officer agent or employee of this Commonwealth or of any sub-division thereof who for private gain uses any property of the Commonwealth or of any sub-division thereof or who uses injures or disposes of any such property without lawful authority or who is interested either directly or indirectly either personally or as a member or officer of any firm company or corporation contracting with the Commonwealth or any sub-division thereof or any department of such sub-division for the use lease occupation or enjoyment of any of the works material or property of the Commonwealth or any sub-division thereof is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and forfeits his office or employment and is forever disqualified to hold any office or place of trust honor or profit under the constitution or laws of this Commonwealth or under any sub-division of this Commonwealth

Sectin 688 Public Officer and Officer of Institution Interested in Public Contract Any public officer of this Commonwealth or of any sub-division thereof or any agent or employees thereof or any officer trustee or member of the board of managers of any public institution receiving appropriations of money from the Commonwealth who shall be in any wise interested as principal or agent in or receive any gratuity in conection with any contract for the sale or furnishing of any property to or for the use of or the construction of or alterations or improvement to any property of the Commonwealth (if he be an officer of the Commonwealth) or any sub-division thereof (if he be an officer agent or employee of such sub-division) or of any public institution receiving appropriations of money from the Commonwealth (if he be an officer or member of the board of managers of such institution) is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and shall forfeit the office trusteeship agency employment or membership held by him

Section 689 Public Officer becoming Surety Any public officer of this Commonwealth who becomes the surety of any other public officer of this Commonwealth or of any agent of or contractor with the Commonwealth and any public officer of any sub-division of this Commonwealth who becomes the surety of any other public officer of the same sub-division thereof or of any agent or contractor with such sub-division is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 690 Malversation by Corporation Officer Any director officer agent or employee of any canal railroad or other public service company who shall be in any wise interested as principal or agent in or receive any gratuity in connection with any contract for the sale or furnishing of any property to or for the use of or the construction of or alteration or improvement to any property of such company of which he is a director officer agent or employee is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 691 Bank Cashier Engaging in other Business Any cashier of any bank who engages directly or indirectly in the purchase or sale of stock or in any profession occupation or calling other than that of his duty as cashier is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Provided That nothing in this section shall prevent such cashier from managing his own real estate or other private property if such private property be not invested in mercantile mechanical or manufacturing operations

Section 692 Corporation Officer Issuing Certificate as Currency Any officer of any municipal or other corporation who not being thereunto authorized by law is instrumental in consents to or connives at the making or issuing of any note bill check ticket or order intended to be used as currency is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 693 Foreign Corporation Transacting Business Any agent officer or employee of any foreign corporation or any other person who transacts any business within this Commonwealth for any foreign corporation unless the requirements of the arts of assembly in force at the time governing the transaction of business for foreign corporations in this Common wealth shall have first been complied with is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 694 Divulging Contents of Telegraph or Telephone Message Any officer operator messenger agent or other person connected with any telegraph or telephone company who uses or divulges the contents or the purport of the contents of any message or conversation which may be sent by filed for transmission with or received by such company for transmission without the consent either of the party sending or filing such message or conversation or of the party to whom such message or conversation was sent or who intentionally suppresses alters adds to or unreasonably delays the transmission or delivery of such message or conversation is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both Provided That the provisions of this section shall not apply to the publication at any point of any dispatch of a public nature sent with a view to general publicity

Section 695 Illegal Transaction of Business of Insurance Any person company or corporation negotiating or soliciting in this Commonwealth any contract of insurance or effecting an insurance or pretending to effect the same or receiving and transmitting any offer of insurance or receiving or delivering any policy of insurance or in any manner transacting or aiding in the transaction of the business of insurance without having first complied with the provisions of the acts of assembly of this Commonwealth in force at the time regulating the transaction of the business of the character of insurance so transacted is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 696 Discrimination between Policy Holders

Any life insurance company doing business in this Commonwealth or any agent of such company who makes or permits any distinction or dischimination in favor of individuals between insurants of the same class and equal expectations of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance or in the dividends or other benefits payable thereon or in any other of the terms and conditions of the contracts it makes and any such company or its agent who makes any contract of insurance or agreement as to such contract other than as plainly expressed in the policy issued thereon or pays or allows or offers to pay or allows as inducements to insurance any rebate of premium payable on the policy or any special favor or advantage in the dividends or other benefit to accrue thereon or any valuable consideration or inducement whatever not specified in the policy contract of insurance and any insurant who receives as an inducement to insurance any rebate of premium payable on the policy or any special favor or advantage in the dividend or other benefit to accrue thereon or any valuable consideration or inducement whatever not specified in the policy contract of insurance is guilty of a misdemeanor and shall be fined not exceeding five hundred dollars for each any every violation of this section where the amount of insurance is twenty-five thousand dollars or less and for every additional twenty-five thousand dollars insurance or less shall be fined an additional penalty not exceeding five hundred dollars and the offender if an agent shall be disqualified from acting as life insurance agent for the period of three years thereafter

Section 697 Advertising as Agent of Foreign or Fictitious Insurance Company Any person who represents or advertises himself as the agent of any fictitious or spurious insurance company or of any insurance company domiciled in any other State or country which company has not complied with the laws of this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 698 Advertising Foreign Insurance Company Any person who publishes or prints in any newspaper magazine periodical circular letter pamphlet or in any other manner or publishes by radio broadcasting any advertisement or other notice setting for the advantages of or soliciting business for any insurance company association society exchange or person who is not authorized to do business in this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 699 Conducting Business under Assumed Name Any person who conducts any business under an assumed or fictitious name style or designation without having first complied with the provisions of the acts of assembly of this Commonwealth in force at the time governing the conduct of business under an assumed or fictitious name style or designation is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 699.1 Marrying Intoxicated Person Any person who performs the marriage ceremony between parties when to the knowledge or belief of such person either of the said parties is intoxicated or is insane or is an idiot or a lunatic or is under the age of consent or under a legal impediment to marry is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

ARTICLE VII

OFFENSES AGAINST THE PERSON

Section 701 Murder Any person who commits murder by means of poison or by lying in wait or by any other kind of wilful deliberate and premeditated killing or who commits murder in the perpetration of or attempt to perpetrate any arson rape robbery burglary or kidnapping or who causes the death of another by any of the acts provided against in section nine hundred fifteen of this act when done with any of the intents mentioned in said section is guilty of murder of the first degree and any person who commits any other kind of murder is guilty of murder of the second degree and the jury before whom any person indicted for murder is tried shall if they find such person guilty thereof ascertain in their verdict whether it be murder of the first or second degree but if such person is convicted by confession the court shall proceed by examination of witnesses to determine the degree of the crime and to give sentence accordingly

Section 702 Punishment for Murder of the First Degree Any person convicted of the offense of murder of the first degree is guilty of a felony and shall be sentenced to suffer death by electrocution or to undergo imprisonment for life at the discretion of the jury trying the case which shall fix the penalty by its verdict The Court shall impose the sentence so fixed as in other cases and in case of a plea of guilty the Court if it determines the crime to be murder of the first degree shall at its discretion impose sentence of death or of imprisonment for life and it shall be the duty of the clerk of the court wherein such conviction takes place and he is hereby required within ten days after such sentence of death to transmit a full and complete transcript of the record of such trial and conviction to the Governor of the Commonwealth or in the event of an appeal within twenty days after the final disposal of the cause upon such appeal

Section 703 Punishment for Murder of the Second Degree Any person convicted of the offense of murder of the second degree is guilty of a felony and shall for the first offense be imprisoned not exceeding twenty years and fined not exceeding ten thousand dollars or both and for the second offense shall be imprisoned for life

Section 704 Petit Treason Abolished The offense formerly known as petit treason is hereby declared to be murder

Section 705 Death by Mob and after Rescue If any person participates in any mob or riotous assemblage of persons by which any person is killed or if any person participates in the taking of another from the legal custody of any officer or person lawfully assisting such officer and such person so taken is unlawfully killed before he shall have been returned or retaken into legal custody such person participating in such mob or riotous assemblage and such person participating in such unlawful taking is guilty of murder

Section 706 Voluntary Manslaughter Any person who commits voluntary manslaughter is guilty of a felony and shall be imprisoned not exceeding twelve years and fined not exceeding six thousand dollars

Section 707 Involuntary Manslaughter Any person who commits involuntary manslaughter is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding two thousand dollars or both

Section 708 Robbery Any person who commits robbery is guilty of a felony and shall be imprisoned not exceeding ten years and fined not exceeding five thousand dollars

Section 709 Robbery with Accomplice or being Armed Any person who being armed with an offensive weapon or being aided by an accomplice actually present commits robbery is guilty of a felony and shall be imprisoned not exceeding twenty years and fined not exceeding ten thousand dollars

Section 710 Robbery with Bodily Harm Any person who in the commission of robbery or immediately before or thereafter inflicts bodily harm on the person robbed is guilty of a felony and shall be imprisoned not exceeding twenty years and fined not exceeding ten thousand dollars

Section 711 Aggravated Battery and Mayhem Any person who wilfully and maliciously maims or does serious bodily injury or disfigurement to another is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 712 Assault and Battery Any person who assaults another or who wilfully and maliciously does bodily injury or disfigurement to another is guilty of a misdemeanor and shall be imprisoned not exceeding two

years or fined not exceeding one thousand dollars or both

Section 713 Assault with Intent to Kill Any person who unlawfully assaults another with intent to kill the said other is guilty of a felony and shall be imprisoned not exceeding seven years and fined not exceeding three thousand dollars

Section 714 Pointing or Discharging Firearms Any person who wantonly or playfully points or discharges a gun pistol or other firearm at any other person is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 715 Negligent Wounding Any person who mistakes a human being for a wild creature or animal shoots at and wounds such human being is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 716 Administering Drug Et Cetera with Intent Any person who administers to another any stupefying or overpowering drug narcotic or anaesthetic agent with intent to enable such offender or any other person to commit or with intent to assist such offender or other person in committing any felony is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 717 Abortion Any person who unlawfully and intentionally causes the miscarriage of a woman is guilty of abortion a felony and shall be imprisoned not exceeding five years or fined not exceeding three thousand dollars or both

Section 718 Abortion Causing Death Any person who unlawfully administers to or advises or prescribes for any woman pregnant or believed to be but not pregnant any drug poison or other substance or unlawfully uses or advises or prescribes the use of any instrument or other means with intent to procure the miscarriage of such woman and thereby causes the death of such woman or of a child of which she may be quick is guilty of a felony and shall be imprisoned not exceeding ten years and fined not exceeding six thousand dollars

Section 719 Concealing Death of Child Any person who endeavors to conceal the birth of a child by any disposition of the dead body of such child whether the child died before during or after its birth is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 720 Administering Drugs etc with Intent to Commit Abortion Any person who unlawfully administers to or advises or prescribes for any woman believed to be but not pregnant any drug poison or other substance or unlawfully uses or advises or prescribes the use of any instrument or other means to procure the miscarriage of such woman with intent to procure such miscarriage is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 721 Rape Any person who has unlawful carnal knowledge of a woman forcibly and against her will or who has unlawful carnal knowledge of an idiot or of a woman so imbecile insane drugged or intoxicated as not to be conscious of the nature of the act that is done to her or who has unlawful carnal knowledge of a woman by personating her husband or who being over the age of sixteen years has unlawful carnal knowledge of any woman child under the age of sixteen years with or without her consent is guilty of rape a felony and shall be imprisoned not exceeding fifteen years and fined not exceeding seven thousand dollars carnal knowledge shall be deemed complete upon proof of penetration Provided That upon the trial of any person charged with unlawful carnal knowledge of a woman child under the age of sixteen years if the jury shall find that such woman child was not of good repute and that the carnal knowledge was with her consent the defendant shall be acquitted of rape and convicted of fornication

Section 722 Kidnapping with Intent to Extort Any person who takes or carries away or decoys or entices away or secrets or harbors or detains any person with intent to extort any money or other property or to aid another in extorting any money or other property for the restoration of such person is guilty of kidnapping a felony and shall be imprisoned for life or for any term of years and fined not exceeding ten thousand dollars

Section 723 Other Kidnapping Any person who unlawfully takes or carries away or decoys or entices away or secrets or detains any other person against his will or if such other person be a child under the age of fourteen years with or without his voluntary consent with any intent other than that specified in Section seven hundred and twenty-two of this act is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 724 Neglect of Injured Person Any person who while driving or operating any vehicle injures another person and knowing such injury to have been inflicted does not forthwith stop said vehicle and render such aid to the person injured as may be necessary and possible under the circumstances is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 725 Abandonment of Child Any parent or other person having the care or custody of any child under the age of seven years who deserts such child in any place with intent wholly to abandon it is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 726 Neglect to Maintain Child Any parent or other person charged with the care or custody for nurture or education of any child under the age of sixteen years who abandons such child in destitute circumstances or while dependent wholly or in part on his own earnings for adequate support or wilfully omits to furnish necessary and proper food clothing shelter and care for such child is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both such fine to be applied in whole or in part to the support of the child as the Court may direct and any provision of law prohibiting the disclosure of confidential communications between husband and wife shall not apply in prosecution under this section

Section 727 Desertion and Neglect of Wife Any person who wilfully and without lawful excuse separates himself from his wife or wilfully and without lawful excuse refuses or neglects to maintain such wife such wife being destitute or being dependent wholly or in part on her earnings for adequate support is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both such fine to be applied in whole or in part to the support of the wife as the court may direct and any provision of law prohibiting the disclosure of confidential communications between husband and wife shall not apply in prosecutions under this section

Section 728 Neglect to Maintain Parent Any person of full age and of sufficient financial ability who wilfully and without lawful excuse neglects to maintain his parent said parent being unable to maintain himself is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both such fine to be applied in whole or in part to the support of the parent as the court may direct

Section 729 Refusal to Support Bastard Child Any parent of a bastard child whether such child was begotten or born within or without this Commonwealth who wilfully neglects or refuses to maintain such child is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

ARTICLE VIII

OFFENSES AGAINST PERSONAL PROPERTY AND FRAUDULENT DEALING THEREWITH

Section 801 Blackmail Any person who obtains any property from another or procures the doing of any act by another person against such other person's will be any oral threat or by any written communication knowing the contents thereof containing a threat that either the defendant or another will accuse the person to whom the threat or communication is made or any other person

of an offense or will impute to any such person any disease deformity or disgrace or will kidnap or imprison any such person unlawfully or will unlawfully injure the person property reputation or business of any such person is guilty of a felony and shall be imprisoned not exceeding fifteen years and fined not exceeding seven thousand dollars

Section 802 Larceny Any person who commits larceny of any property or who with intent to defraud obtains any property from another by any false pretense or who being a trustee of any property or having in his possession custody or control any property of another shall with intent to deprive the owner thereof fraudulently convert or secrete such property is guilty of larceny a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 803 Interest in Property no Defense in Larceny On the trial of an indictment for larceny it shall not be a defense that the defendant had an interest as partner joint tenant or tenant in common in the property converted

Section 804 Receiving Stolen Property Any person who buys or receives any property which shall have been so appropriated whether within or without this Commonwealth as to constitute larceny under this act knowing or having reasonable grounds to believe such property to have been so appropriated or who corruptly for any money or other property or promise or agreement for any money or property conceals or withholds any property so appropriated knowing or having reasonable grounds to believe such property to have been so appropriated is guilty of a felony and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 805 Trial of Receivers It shall be lawful to prosecute and punish all buyers and receivers of stolen property as well before as after the principal felon shall be taken and convicted and whether the principal felon be amenable to justice or not which prosecution conviction and sentence or acquittal of said receivers shall exemtp them from being prosecuted as accessories after the fact in case the principal felon shall be afterwards convicted

Section 806 Larceny from the Person Any person who steals any property from the person of another is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 807 Larceny by Public Officer Any public officer of this Commonwealth or of any subdivision thereof who steals any property of the Commonwealth or of any sub-division thereof in his possession or custody or under his control as such officer or who with intent to steal such property fails to deliver possession thereof when thereunto legally required by the proper officer of the Commonwealth or any sub-division thereof or by the person authorized to demand and receive the same is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding three thousand dollars or both

Section 808 Bringing Stolen Property into the Commonwealth Any person who has converted any property without this Commonwealth under such circumstances that if the conversion had been made by him within this Commonwealth such conversion would have constituted stealing who brings such property into this Commonwealth is guilty of stealing and shall be punished as provided in Section eight hundred two of this act

Section 809 Fraudulent Pledging of Property by Factors Any person who having the possession of property of another with authority to sell or otherwise dispose of the same or having possession of any bill of lading permit certificate receipt or order for the delivery of merchandise with the like authority deposits or pledges such property or document consigned or entrusted to him as aforesaid as a security for any money borrowed or negotiable instrument received by such person and applies or disposes of the same to his own use in violation of good faith with intent to defraud the owner of such property and such person who with like fraudulent intent applies or disposes of to his own use any money or negotiable instrument raised or acquired by the sale of other disposition of such property and any person who being entrusted with any power of attorney for the sale or transfer of any property fraudulently sells or transfers or otherwise converts such property is guilty of stealing and shall be punished as provided in Section eight hundred two of this act

Section 810 Fraudulent Pledging of Property by Bailee Any person who being a bailee of any property of another pledges such property without the consent of the owner is guilty of stealing the said property and shall be punished as provided in section eight hundred two of this act Provided That this section shall not apply to any person pledging property which he has purchased in whole or in part with his own money or credit for another and for which he has not been wholly reimbursed by the preson for whom it was purchased

Section 811 No Exemption from Testifying No person who steal any property entrusted to him is entitled to refuse to make a full and complete discovery by answer to any bill in equity or to answer any question or interrogatory in any civil proceeding in any court of law or equity but no answer to any such bill question or interrogatory shall be admissible in evidence against such person charged with such offense

Section 812 Fraudulent Pledging of Property Any person who repledges or rehypothecates any stock bond or other security received by him for any money lent and borrowed during the continuance of the contract of hypothecation or pledging of such security without the consent of the person pledging or hypothecating the same is guilty of a felony and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both Provided That this section shall not be construed to prevent persons from pledging or hypothecating stocks or other securities which they have purchased in whole or in part with their own money or credit for others and for which they have not been reimbursed by the parties for whom such stocks or other securities have been purchased

Section 813 Obtaining Signature by False Pretense Any person who by any false pretense made with intent to defraud obtains the signature of any person to any written instrument is guilty of a felony and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 814 False Statement respecting Financial Condition

(1) Any person who knowingly makes false statement in writing with intent that it shall be relied upon he is interested or for whom he is acting for the purpose of procuring to himself or to the person in whom he is interested or for whom he is acting either the delivery of property the payment of cash the making of a loan or credit the extension of credit the discount or sale of an account receivable the procurement of a contract of surety or the making acceptance discount sale or endorsement of a bill of exchange promissory note or of any negotiable instrument for the benefit of himself or of another is guilty of a felony and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

(2) Any person who knowingly makes any false statement other than as provided in subsection (1) hereof with intent that it shall be relied upon respecting the financial condition or means or present ability to pay of himself or of any other person in whom he is interested or for whom he is acting for the purpose of procuring to himself or to the person in whom he is interested or for whom he is acting either the delivery of property the payment of cash the making of a loan or credit the extension of credit the discount or sale of an account receivable the procurement of a contract of surety or the making acceptance discount sale or endorsement of a bill of exchange promissory note or of any negotiable instrument for the benefit of himself or of another is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 815 Receiving Property on False Statement Any person who knowing that a false statement in writ-

ing has been made respecting the financial condition or means or present ability to pay of himself or of any other person in whom he is interested or for whom he is acting procures or receives upon the faith of such false statement for the benefit either of himself or of any other person in whom he is interested or for whom he is acting any property the payment of cash the making of a loan or credit the extension of credit the discount or sale of an account receivable the making or execution of any contract of surety or the making acceptance discount sale or endorsement of a bill of exchange promissory note or of any negotiable instrument is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 816 Restatement of False Statement Any person who knowing that a statement in writing has been made respecting the financial condition or means or present ability to pay of himself or of any other person in whom he is interested or for whom he is acting represents subsequently in writing that such statement theretofore made if again made would still be true when in fact such statement if then made would be false and procures upon the strength thereof for the benefit of himself or of another in whom he is interested or for whom he is acting any property the payment of cash the making of a loan or credit the extension of credit the discount or sale of an account receivable the making or execution of any contract of surety or the making acceptance discount sale or endorsement of a bill of exchange promissory note or of any negotiable instrument is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 817 False Statement of Insolvency Any person who makes utters publishes writes circulates or transmits to another any statement or rumor untrue in fact in reference to the solvency of or derogatory to the financial condition of any National or State bank banking house banking company trust company surety company guarantee company title insurance company or any building and loan association or other financial institution in this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both The falsity of the statement or rumor shall be prima facie evidence of intent to violate the provisions of this section Neither the source of the information nor the belief of the person charged with violation of this section in the truth of the statement or rumor nor the lack of intent to injure the institution concerning which the statement or rumor is made shall be a defense

Section 818 False Entries etc by Officers of Associations Any officer director trustee manager employee or agent of any mutual savings bank savings bank bank of discount and deposit trust company title insurance company surety company or safe deposit company incorporated under the laws of this Commonwealth or of any private bank or unincorporated association receiving deposits of money or of any building and loan association incrporated under the laws of this Commonwealth or authorized to do business therein who wilfully abstracts or misapplies any of the moneys funds or credits of any such institution of which he is an officer director trustee manager employee or agent or who with intent to injure or defraud such institution or any other company body politic or corporate or any individual person or to deceive any officer of such institution or any bank examiner or other person legally authorized to examine the affairs of any such institution issues or puts forth any certificate of deposit draws any order check or bill of exchange makes any acceptance assigns any note bond draft bill of exchange mortgage judgment or other instrument in writing makes or subscribes to any false entry in any book report or statement of such institution exhibits or subscribes to any false papers fails to make any entry he should make in any book report or statement of such institution is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 819 Fraudulent Accounts etc by Officers of Associations Any person being a director trustee officer manager agent superintendent receiver attorney broker member or employee of any corporation partnership firm or association or of any municipal or quasi-municipal corporation who as such receives or possesses himself of any property of such corporation partnership firm or association or municipal or quasi-municipal corporation otherwise than in payment to him of a just debt or demand and with intent to defraud omits to make or to cause or direct to be made a full and true entry thereof in the books and accounts of such corporation partnership firm or association or municipal or quasi-municipal corporation or makes or concurs in the making of any material false entry in relation thereto in the books and accounts of such corporation partnership firm or association or municipal or quasi-municipal corporation is guilty of a felony and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 820 Altering Destroying etc Books of Associations Any person being a director trustee officer manager agent superintendent receiver attorney broker member or employee of any corporation partnership firm or association or of any municipal or quasi-municipal corporation who with intent to defraud destroys alters mutilates or falsifies any book paper writing or security belonging to or in the possession or custody of such corporation partnership firm association or municipal or quasi-municipal corporation or makes or concurs in the making of any false entry or any material omission in any book of account or other document of such corporations firm association municipal or quasi-municipal corporation is guilty of a felony and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 821 False Statements by Officers Associations Any person being a director trustee officer manager agent superintendent receiver attorney broker member or employee of any body corporate public company or municipal or quasi-municipal corporation who shall make circulate or publish or concur in making circulating or publishing any written statement or account of or concerning such corporation or company its personnel business finances or affairs or prospects which he shall know to be false in any particular with intent to deceive or defraud any person or with intent to induce any person to become a shareholder or partner therein or to entrust or advance any property thereto or to enter into any security for the benefit thereof is guilty of a felony and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 822 False Statement by Accountant Any person practicing as an accountant public accountant certified public accountant or auditor who wilfully issues or permits the issuance of any false statement of the financial transactions standing or condition of any corporation partnership or business undertaking is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 823 Receipts of Deposits by Officers of Insolvent Bank Any banker broker officer or employee of any trust or savings institution national State or private bank or of any association under the supervision of the Banking Department who receives any money for deposit knowing that such banker broker trust or savings institution or bank or association is insolvent is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 824 Destruction of Bank Records Any officer or employe of any bank or trust company and any director or trustee of any such bank or trust company who knowingly destroys any record of original entry including cards used under the card system and deposit slips or tickets prior to seven years from the date of the making the last entry on the same is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 825 Fraudulent Pledging of Name of Association Any person who being a member of a partnership corporation or association fraudulently uses or pledges the name of the partnership corporation or association for any purpose other than the bona-fide use of said

partnership corporation or association is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 826 Fraud on Insurance Company Any person who knowingly makes any misrepresentation for the purpose of securing from any life insurance company or association a policy of insurance or certificate of membership upon his own life or the life of any other person is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 827 Fraud on Railroad Company Any person in the employ of any railroad company who fraudulently and in neglect of his duty fails to cancel or return to the proper officer agent or company any coupon or other railroad ticket with intent to permit the same to be used in fraud of any such company or who fraudulently stamps prints or signs any such ticket or fraudulently sells or puts in circulation any such ticket is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding three thousand dollars or both

Section 828 Making etc Check without sufficient Funds Any person who with intent to defraud makes draws utters or delivers any check draft or order for the payment of money upon any bank banking institution trust company or other depository knowing at the time of such making drawing uttering or delivering that the maker or drawer has not sufficient funds in or credit with such bank banking institution trust company or other depository for the payment of such check draft or order is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

In any prosecution under this section proof of the making drawing uttering or delivering of a check draft or order together with proof that the person making or drawing such check draft or order had not sufficient funds in or credit with the drawee for the payment of such check draft or order shall be prima facie evidence of intent to defraud and of knowledge of insufficient funds in or credit with such bank banking institution trust company or other depository unless such maker or drawer shall have paid the drawee thereof the amount due thereon together with interest and protest fees within ten days after receiving written notice that such check draft or order has been paid to the drawee

Section 829 False Certification of Check Any officer director agent or employee of any banking institution trust company or savings bank who certifies any check drawn upon such banking institution trust company or savings bank unless the person drawing the check has at the time such check is certified on deposit with the banking institution trust company or savings bank on which the check is drawn an amount of money not less than the amount specified in such check is guilty of a msidemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 830 False Certification of Weight Any sworn weigher who knowingly signs his name to or certifies any false inaccurate or misleading statement relative to the weight of any article such signing or certification not being within the provisions of section eight hundred two of this act is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding two hundred dollars or both

Section 831 Obtaining Employment by False Pretense Any person who obtains employment or appointment to any office or place of trust by color or aid of any false or forged letter or certificate of recommendation or of any false statement in writing as to his name residence previous employment or qualification is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 832 Publishing Deceptive Advertisement Any person who with intent to sell or dispose of any property or service to the public or to increase the consumption thereof or to induce the public to enter into any obligation relating thereto or to acquire any interest therein makes publishes disseminates circulates or places before the public an advertisement concerning such property or service which advertisement contains any assertion representation or statement of fact which is untrue deceptive or misleading and which is known or which by the exercise of reasonable care should be known to be untrue deceptive or misleading is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 833 Possession of False Meters et cetera Any person who with intent to defraud has in his possession custody or control any meter used for measuring electricity gas gasoline oil water steam or other product which has been tampered with or prevented from duly registering the quantity of any such produce supplied or consumed or who with such intent interferes with the proper action and just registration of any such meter or who wilfully and unlawfully opens closes or in any manner adjusts or tampers with any valve regulator guage gate disc curb-cock stop-cock meter or other regulating operating or measuring device or appliance in or attached to any well tank conduit pipe-line main service pipe house-pipe or display pipe or other distributing pipe of any person furnishing gas to consumers or who wilfully and unlawfully enlarges or alters or removes from its connection any mixer furnished or approved by such furnisher of gas or who without express permission first obtained from such furnisher of gas puts on any mixer or consumes the gas of such furnisher of gas or who without such permission taps severs or opens any gas main or pipe or connects with such main or pipe any other main or pipe is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 834 Fraud on Vending Machine Any person who fraudulently inserts anything other than money in any automatic vending machine automatic telephone or any instrument machine apparatus meter or device intended to be operated by the insertion of money therein is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 835 Making False Tokens to be used in Vending Machines Any person who makes sells or gives any thing intended to be used or designed to be used in stead of money intending or knowing or having cause to believe that the same is intended for fraudulent use in any automatic vending machine automatic telephone or any instrument machine apparatus meter or device intended to be operated by the insertion of money therein is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 836 Fortune Telling Any person who pretends for gain or lucre to predict future events by cards tokens the inspection of the head or hands of any person or by any one's age or by consulting the movements of the heavenly bodies or who for gain or lucre pretends to effect any purpose by spells charms necromancy or incantation or who advises the taking or administering of what are commonly called love powders or potions or prepares the same to be taken or administered or who pretends for lucre or gain to enable any one to get or to recover stolen property or to tell where lost property is or to stop bad luck or to give good luck or to put bad luck on any person or property or to stop or injure the business or injure the health of any person or to give success in business enterprise speculation lottery lottery numbers or games of chance or win the affections of any person whatever for marriage or seduction or to make one person marry another or to induce any person to alter or make a will in favor of or against any one or tell the place where treasure property money or valuables are hid or to tell the place where to dig or search for gold metals hidde treasure or any other article or to make one person dispse of property business or any valuable thing in favor of another is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 837 Fraud on Hotel Keeper Any person who at any hotel inn or boarding house receives or causes to be furnished any food or accommodations with intent to defraud the owner or proprietor of such hotel inn or boarding house out of the value or price of such food or ac-

commodation and any person who obtains credit at any hotel inn or boarding house by depositing at such hotel inn or boarding house any baggage or property of value less than the amount of such credit or of the bill by such person incurred with such fraudulent intent and any person who after obtaining credit or accommodation at any hotel inn or boarding house absconds from such hotel inn or boarding house and surreptitiously removes his baggage or property therefrom is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 838 Fraudulent Marking of Gold Any person who marks stamps labels or brands with the word "gold" or the words "solid gold" or who sells offers or exposes for sale or has in his possession with intent to sell any article of merchandise marked stamped labelled or branded with the word "gold" or the words "solid gold" containing less than ten karats of pure gold is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 839 Fraudulent Marking of Gold Fineness Any person who marks stamps labels or brands as being of any number of karat not less than ten in fineness or sells offers or exposes for sale or has in his possession with intent to sell any article of merchandise marked stamped labelled or branded as being of any number of karat of gold not less than ten in fineness or wrapped incased or enclosed in any box package cover wrapper or other thing in or by which the said article is packed wrapped incased enclosed or otherwise prepared for distribution having thereupon any engraving label stamp imprint or mark indicating or denoting that such article is of any number of karat of gold not less than ten in fineness unless the component parts of which said article is made are in the following ratio If marked eighteen karat there must be eighteen parts of pure gold and six parts alloy if fourteen karat there must be fourteen parts of pure gold and ten parts alloy if ten karat there must be ten parts of pure gold and fourteen parts alloy and other qualities in the same proportion with twenty-four karat as the standard of pure gold by which the article is marked is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 840 Sale of Article Fraudulently Marked Gold Any person who sells or offers or exposes for sale or has in his possession with intent to sell any article of merchandise to which is attached a metal mounting addition or ornament marked stamped or branded with the word "gold" or the words "solid gold" unless such mounting addition or ornament contain not less than ten karats of pure gold is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 841 Sale of Article Fraudulently Marked as to Gold Fineness Any person who sells or offers or exposes for sale any article of merchandise to which is attached a metal mounting addition or ornament marked stamped or branded as being of any number of karat of gold not less than ten in fineness unless the component parts of which such mounting addition or ornament is made are in the ratio prescribed by section eight hundred forty of this act is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 842 Fraudulent Marking of Silver Any person who marks stamps labels or brands with the word "sterling" or the words "sterling silver" or who sells or offers or exposes for sale or has in his possession with intent to sell any article of merchandise marked stamped labelled or branded with the word "sterling" or the words "sterling silver" or wrapped incased or enclosed in any box package cover wrapper or any other thing in or by which the said article is packed wrapped enclosed incased or otherwise prepared for sale or distribution having thereon any engraving label stamp imprint or mark indicating or denoting that such article is silver or sterling silver unless nine hundred and twenty-five one-thousandths of the component parts of the metal of which the said article is made is pure silver is guilty of a misdemeanor nnd shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 843 Fraudulent Marking of Coin Silver Any person who marks stamps labels or brands with the word "coin" or the words "coin silver" or who sells or offers or exposes for sale or has in his possession with intent to sell any article of merchandise marked stamped labelled or branded with the word "coin" or the word "coin silver" or wrapped incased or enclosed in any box package cover wrapper or other thing in or by which the said article is packed wrapped incased enclosed or otherwise prepared for sale or distribution having thereupon any engraving label stamp imprint or mark indicating or denoting that such article is coin or coin silver unless nine hundred one-thousandths of the component parts of the metal of which the said article is made is pure silver is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 844 Sale of Article Fraudulently Marked Silver Any person who sells or offers or exposes for sale or has in his possesion with intent to sell any article of merchandise to which is attached a metal mounting addition or ornament marked stamped or branded with the word "sterling" or the words "sterling silver" unless such mounting addition or ornament contain not less than nine hundred and twenty-five one-thousandths parts of pure silver is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 845 Sale of Article Fraudulently Marked Coin Silver Any person who sells or offers or exposes for sale or has in his possession with intent to sell any article of merchandise to which is attached a metal mounting addition or ornament marked stamped or branded with the the word "coin" or the words "coin silver" unless such mounting addition or ornament contain not less than nine hundred one-thousandths parts of pure silver is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 846 Presenting Unpublished Play or Music Any person who publicly presents for profit any unpublished dramatic play or musical composition without the consent of the author or authors thereof is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 847 Buying Junk Any person who buys or receives from a minor knowing or having reasonable cause to believe him to be such or from any person unknown to such person buying or receiving or from any person pursuing no trade labor or employment for a livelihood scrap iron brass lead copper or other metal or any junk or rope is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 848 False Registration of Animals Any person who by any false representation knowing the same to be false obtains from any club association society or company for improving the breed of animals the registration of any animal in the register of any such club association society or company or a transfer of any such registration is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 849 Fraudulent Entry of Horse in Race Any person who enters for competition for any purse prize premium stake or sweep-stake offered or given by any person club association society or company any animal under an assumed name or out of its proper class when such prize purse premium stake or sweepstake is to be decided by a contest in racing is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding two hundred dollars or both

Section 850 Fraudulent Obtaining of Property from Bailee Any person being the bailor of any property who with intent to defraud his bailee obtains possession of such property from the bailee without permission of such bailee his agent or servant with intent to defraud such bailee or who obtains possession of such property from the bailee by any representation known by him to be false is

guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 851 Destruction of Records Any officer agent or member of any association the formation of which is provided by any act of assembly of this Commonwealth wantonly mutilates or destroys render to his successor duly elected or appointed or to the proper authority as provided by the constitution or by any seal minute book record ledger voucher or other book or paper or any article of property belonging or appertaining to the affairs of such association is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 852 Refusal of Public Officer to Surrender Records Any officer of the Commonwealth or any subdivision thereof who wilfully keeps secretes mutilates or destroys or refuses to surrender to his successor duly elected or appointed any seal book record ledger voucher or other book or paper or any article of property belonging or appertaining to the affairs of the Commonwealth or such subdivision is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both and shall be sentenced to surrender such article to the proper authority

Section 853 Fraudulent Destruction of Deed Et Cetera Any person who fraudulently or maliciously tears burns or in any other way destroys any deed lease will bond mortgage or any bill or note check draft or other security for the payment of money or the delivery of goods or any certificate of loan or other public security of this Commonwealth or of the United States or of any of them or of any foreign country or any certificate of the stock or debt of any bank corporation or society either of this Commonwealth of the United States or either of them or of any foreign country or any receipt acquittance release or discharge of any debt suit or other demand or any transfer or assurance of money stocks goods chattels or other property or any letter of attorney or other power or any day book or other book of accounts or any agreement or contract whatever with intent in any of the said cases to defraud prejudice or injure any person is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 854 Altering et cetera Marks on Machines Any person who removes alters defaces covers or destroys the manufacturers' serial number or any other manufacturers' number or distinguishing number or identification mark upon any machine or other apparatus (other than a motor vehicle) for the purpose of concealing or destroying the identity of any such machine or other apparatus or who takes into his possession any such machine or apparatus from which the manufacturers' serial number or any other manufacturers' number or distinguishing number or identification mark has been removed altered defaced covered or destroyed for the purpose of concealing or destroying the identity of any such machine or other apparatus knowing at the time of taking possession of such removal alteration defacement covering or destruction is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding one hundred dollars or both

Section 855 Fraud on Creditors Any person who confesses or authorizes the confession of a judgment against himself or against any partnership corporation or association represented by him in favor of one not a bona fide creditor with intent to defraud a creditor or who removes any of his property or the property of any other person out of any county with intent to prevent the same from being levied upon by virtue of any execution or to prevent the said property from being sold by virtue of any said execution after levy has been made thereon or who secretes assigns conveys or otherwise disposes of any of his property or the property of any other person with intent to defraud any creditor or to prevent such property from being levied upon by virtue of any execution or to prevent such property from being sold by virtue of any execution after levy has been made thereon or to prevent such property from being made liable for the payment of his debts or the debts of any other person and any person who receives such property with such intent or who with like intent colludes with any debtor or other person for the concealment or removal of such property or for giving a false color thereto or conceals any grant sale lease bond or other instrument or proceeding either in writing or by parole or becomes a grantee purchaser lessee obligee or other like party in any such instrument or proceeding with the like fraudulent intent or acts as broker scrivener agent or witness in regard to such instrument or proceedings with like intent is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 856 Frauds on Certain Associations Any person who with intent to deceive wears or displays on a vehicle any insignia emblem badge button shield or official decoration of any association of veterans or of any fraternal organization or of any trade or labor union or of any other club society or association duly registered in accordance with the law of this Commonwealth or uses any of the same to obtain aid assistance or service unless he be entitled to wear use or display same under the constitution and by-laws rules and regulations of such organization is guilty of a misdemeanor and shall be imprisoned not exceeding two months or fined not exceeding one hundred dollars or both

Section 857 Unauthorized Wearing of Discharge Button Any person who not being entitled under the laws or regulations of the United States Government to wear the same wears the discharge button issued by the United States Government to soldiers sailors marines and war nurses who served in the military or naval forces of the United States during times of war is guilty of a misdemeanor and shall be imprisoned not exceeding two months or fined not exceeding one hundred dollars or both

Section 858 Unauthorized Wearing of Uniform Any person who wears the uniform or any distinctive part thereof of the United States Army Navy Marine Corps Revenue Cutter Service or Coast Guard or of the National Guard while soliciting alms or while engaged for personal profit in selling merchandise or taking orders for the same or while engaged for personal profit in seeking or receiving contributions in support of any cause enterprise or undertaking or while engaged in soliciting or receiving subscriptions to any book paper or magazine unless said wearer is a duly authorized solicitor of the Grand Army of the Republic the United States War Veterans the Veterans of Foreign Wars of the United States the American Legion or the Disabled American Veterans of the World War or any local branch camp or post thereof is guilty of a misdemeanor and shall be imprisoned not exceeding two months or fined not exceeding one hundred dollars or both

Section 859 Buying Selling Pledging et cetera Insignia of Service Any person who sells or offers for sale or purchases or accepts as a pledge or pawn a victory medal service button or other medal insignia or decoration granted by the Government of the United States for service in the army navy marine or nurses' corps is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 860 Frauds on Association having Grand Lodge Any person who fraudulently or with intent to deceive uses the name or title of any secret fraternal association society order or organization which has had a grand lodge having jurisdiction in this Commonwealth for ten years or who imitates such name or title or any name or title so nearly resembling it as to be calculated to deceive or who fraudulently or with intent to deceive wears or uses any emblem badge button shield device or insignia of any such organization or who without the authority of the grand lodge aforesaid publishes sells lends gives away or circulates any letter or written or printed matter or device advertising for or soliciting members or applications for membership in such organization or in any alleged or pretended organization using or designated or claiming to be designated by such title or imitation or resemblance thereof or who offers to sell confer communicate or give information as to where how or whom or by what means any alleged or presented degree or secret or secret work of any such organization or any alleged or pretended organization designated or claiming to be

known by such title or imitation or resemblance thereof may be obtained conferred or communicated is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both and the possession by the defendant of any such letter or written or printed matter or device shall be presumptive proof of an intent to violate this section

ARTICLE IX

OFFENSES AGAINST REAL PROPERTY AND MALICIOUS MISCHIEF

Section 901 Burglary Any person who in the night time breaks and enters any dwelling house of another or building a parcel thereof or adjoining or appurtenant thereto with intent to commit a felony or who enters any building of another with intent to commit a felony therein by the use of gunpowder dynamite nitroglycerin or other explosive is guilty of burglary a felony and shall be imprisoned not exceeding twenty years and fined not exceeding ten thousand dollars or both

Section 902 Making Mending or Possessing Burglars' Tools Any person who makes or mends or has in his possession any tool false key pick-lock bit nippers fuse force-screw punch drill jimmy or any material implement or other mechanical device designed or commonly used for breaking into any vault safe or building with intent to use such tool or implement in the commission of an offense or knowing that the same is intended to be so used is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both and the jury may infer the intent aforesaid from the fact of the possession by the defendant of any of the articles mentioned in this section

Section 903 Breaking and Entering Building or Entering Building With Intent to Commit Felony Any person who in the daytime breaks and enters any building of another or who at any time enters any building of another with intent to commit a felony therein is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 904 Breaking or Entering School House or Injuring Property Therein Any person who wilfully and unlawfully breaks or enters any building used for public school purposes or any outhouse used in connection therewith or who wantonly or maliciously injures or defaces any furniture book paper map chart or apparatus in any such building is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 905 Arson Any person who maliciously or wantonly sets fire to or burns any dwelling house or any kitchen shop barn stable or other outhouse that is parcel thereof or belonging to or adjoining thereto whether the property of himself or of another or any other building in which there is to the knowledge of the offender any human being is guilty of arson a felony and shall be imprisoned not exceeding twenty years and fined not exceeding ten thousand dollars or both

Section 906 Burning Other Buildings Any person who maliciously or wantonly sets fire to or burns any barn stable garage or other building whether the property of himself or of another not a parcel of a dwelling house or any shop storehouse warehouse factory mill coal tipple breaker power house washery or any other building or structure used in connection with any industrial establishment or mine whether the property of himself or of another or any church meeting house court house work house school jail or other public building or any public bridge is guilty of a felony and shall be imprisoned not exceeding ten years and fined not exceeding five thousand dollars or both

Section 907 Effect of Tenancy and Coverture The fact that the offender was the husband or wife of the owner of the property burned or was in possession as tenant or otherwise at the time of the commission of the offense provided against in sections nine hundred five and nine hundred six of this act does not exempt him or her from the provisions of the said section

Section 908 Burning With Intent to Defraud Insurer Any person who with intent to injure or defraud the insurer sets fire to or burns any goods wares merchandise or other chattels or personal property of any kind whether the property of himself or of another which shall at the time be insured by any person against loss or damage by fire is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both

Section 909 Burning Building Hay Motor etc Any person who without the consent of the owner maliciously or wantonly sets fire to or burns any barrack cock crib rick or stack of hay corn wheat oats barley or other grain or vegetable products of any kind or any field of standing hay or grain of any kind or any pile of coal wood or other fuel or any pile of planks boards posts rails or other lumber or any street car railway car ship boat or other water craft automobile or other motor vehicle or any other personal property not herein specifically named (such property being of the value of twenty-five dollars) is guilty of a felony and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 910 Injuring Person or Property by Explosives Any person who maliciously or wantonly by the explosion of gunpowder dynamite nitroglycerine or other explosive substance does any bodily harm to any person or destroys or injuries any property of another is guilty of a felony and shall be imprisoned not exceeding ten years and fined not exceeding five thousand dollars or both

Section 911 Injuring Property in Libraries Museums etc Any person who wantonly or maliciously injures or defaces soils obliterates or destroys any book volume chart map magazine newspaper picture painting engraving statuary coin model apparatus specimen or other article in any public library gallery museum collection fair or exhibition which is either at all times or from time to time open for the admission of the public or any considerable number of persons either by the permission of the owner thereof or by the payment of money for entrance to the same or of any college or university or of any other incorporated institution devoted to educational scientific literary artistic historical or charitable purpose is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 912 Injuring Property at Exhibition Any person who wantonly or maliciously injures defaces or soils any property of exhibitors visitors or lessees at any fair or exhibition is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 913 Injuring or Defacing Buildings and Fixtures Any person who wantonly or maliciously injures or defaces any building or any fixture thereto or wantonly or maliciously removes any sign house number knocker name plate bell pull or other fixture therefrom is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 914 Halting Injuring etc Train Any person who injuries or stops or attempts to injure or stop or enters into a conspiracy to injure or stop any moving railroad train with intent to commit any felony thereon is guilty of a felony and shall be imprisoned not exceeding fifteen years and fined not exceeding seven thousand dollars or both

Section 915 Injuring Railroad Any person who places or throws any obstruction upon or across any railroad whether such railroad be operated by steam electricity or other motive power or loosens removes displaces or injures any rail sleeper bridge viaduct culvert embankment or other thing or structure attached appertaining to or connected with any railroad or turns moves diverts or injures any switch machinery or other appliance appertaining to any such railroad or makes or shows hides or removes or injures any signal or light appertaining to any such railroad or removes any waste brasses or packing from any journal-box of any locomotive engine tender carriage coach car caboose or truck used or operated upon any railroad or removes displaces or injures any air appliance wire insulator pole dynamo or motor attached appertaining to or connected with any such railroad or injures any engine

tender carriage car or truck upon any such railroad or discharges a firearm or throws or causes to fall or strike against into or upon any engine tender carriage car or truck upon any such railroad any wood stone or other matter or thing with intent in any of the cases aforesaid to obstruct upset overthrow derail or injure any engine tender carriage car or truck used on any such railroad or to endanger the safety of any person traveling or working or being upon any such railroad is guilty of a felony and shall if no person is killed thereby be imprisoned not exceeding ten years and fined not exceeding five thousand dollars or both

Section 916 Injuring or Taking Possession of Railroad Property Any person who wilfully and unlawfully but without any of the intents mentioned in section nine hundred fifteen does any of the acts mentioned in the said section or who wilfully and unlawfully takes possession of or removes any of the property mentioned therein or wilfully and unlawfully prevents or attempts to prevent the use thereof by any railroad company or its employees is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 917 Malicious Injury to Railroad Property Any person who wilfully and unlawfully breaks or injures any locomotive or stationary engine inclined plane engine house station or depot bridge culvert trestle work or other building or structure belonging to any railroad or any other part of such railroad or wantonly or maliciously deranges or displaces the fixtures or machinery of any locomotive or stationary engine used or employed on any railroad or wantonly or maliciously injures any fence or wall or cross-road passing over or under such railroad is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 918 Malicious Injury etc to Wires Cables etc Any person who wilfully and unlawfully displaces removes or injures or interfers with any line of telegraph or telephone posts wire or cable pier or abutment or any material or property appertaining thereto or who wilfully and unlawfully cuts breaks taps or makes connection with any telegraph or telephone line wire cable or instrument or who not being authorized thereto reads or copies any message or communication passing over the same or who wilfully and unlawfully prevents obstructs or delays the sending transmission conveyance or delivery of any authorized message or communication by or through any telegraph or telephone line wire or cable under the control of any telegraph or telephone company is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 919 Injuring or Obstructing Highway Bridges etc Any person who wilfully and unlawfully removes or injures any part of a public highway or bridge or a private way or bridge maintained by authority of law or who wilfully injures obstructs or places or throws in or upon any public path street sidewalk alley road or other public way or place any article or substance which might cause injury to any person animal or vehicle is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 920 Injuring or Obstructing Artificial Navigation Any person who wilfully and unlawfully injures throws down or levels any lock sluice floodgate bank waste-weir dam aqueduct culvert bridge feeder guard wall towing path or berme bank belonging to or used in any artificial navigation or obstructs any such feeder waste-weir aqueduct or culvert is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 921 Opening or Shutting Locks etc Any person who wantonly or maliciously opens or shuts any lock safety gate wicket paddle or culvert gate or any waste feeder or sluice gate or who drives any nail spike pin or wedge into any such gate or fixture thereof or who takes any other means to prevent the perfect and free use of the same or who wantonly or maliciously breaks throws down or injures any fence wall or timber work on or used in connection with any canal pool feeder or other part of any artificial navigation or who wantonly or maliciously obstructs the navigation of any canal or pool is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 922 Injuring Bank or Wall of Stream Any person who wantonly or maliciously breaks down or cuts down or damages any river or meadow bank or mill dam or the bank or wall of any canal or marsh is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 923 Obstructing Stream Any person who wantonly or maliciously causes to fall into any navigable stream used for the purpose of floating running or manufacturing lumber or into any tributary of such stream any slabs edgings driftwood brush stump log or tree is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 924 Injuring etc Buoy Beacon etc Any person who moors any vessel or raft or hangs on with any vessel or raft to any signal or mark used for purposes of navigation and erected by lawful authority in the waters of this Commonwealth or wilfully and unlawfully removes injures or damages such signal or mark erected in or near any stream by lawful authority or who having through accident run down dragged or in any way injured any such signal or mark fails to give notice as soon as practicable of having done so to the lighthouse inspector of the district in which said signal or mark is located or to the board of wardens for the port of Philadelphia is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 925 Injuring Miner Any person who causes any water to be conveyed into any mine or into any subterraneous passage communicating therewith with intent thereby to damage such mine or to hinder or delay the working thereof or who with like intent wilfully and unlawfully pulls down fills up or obstructs any airway waterway drain pit level or shaft of or belonging to any mine or otherwise wilfully and unlawfully injures any mine is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 926 Injuring Oil Gas and Water Wells Any person who wilfully and unlawfully injures any well sunk for the production of oil gas or water or any reservoir standpipe or tank used or intended for the storage of oil gas or water or any pumping station valve pipe or pipe line or conduit used or intended for the transportation of oil gas or water or any gas post burner or reflector appliance works or machinery used in connection with such well reservoir stand-pipe tank pumping station valve pipe or pipe line is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 927 Injuring Property of Electrical Company Any person who wilfully and unlawfully injures any power house sub-station cable meter pipe conduit wire line pole tower cross-arm insulator transformer switching-device lightning-arrester lamp motor generator or other appliance or apparatus or machinery owned or used by any person using or being engaged in the manufacture or sale or transportation transmission or distribution of electricity for the purpose of light heat or power and any person not being duly authorized thereto who wilfully and unlawfully connects or disconnects any electrical conductor owned by any such person or makes any connection with any such electrical conductor with intent to use or waste the electric current or anywise tampers with any meter used to register electric current consumed or electric energy passing through the same or the characteristics thereof or interferes with the operation of any dynamo or other electric appliance or apparatus of such person or tampers with or interfers with any sub-station cable meter pipe conduit wire line pole tower cross-arm insulator transformer switching-device lightning arrester lamp motor generator or other appliance or apparatus used by such

person or by a customer or patron thereof is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 928 Injuring Fire Apparatus Any person who wilfully and unlawfully injures any hose or engine or any apparatus appertaining to the same belinging to the Commonwealth or any sub-division thereof or to any fire engine or hose company is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 929 Injuring et cetera Fire Alam Any person who wantonly or maliciously injures or interferes with or interrupts the working of any fire alarm telegraph or telephone box fire alarm signal box or any pole post wire or other appurtenance thereto is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 930 Injuring Arsenal Armory or Property Therein Any person who wilfully and unlawfully injures any arsenal or armory or any uniform arm equipment or other property therein is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 931 Injuring Baggage Any person whose duty it is to handle remove or care for the baggage of passengers on any common carrier who wilfully and unlawfully injures any box package parcel or other such baggage while loading transporting unloading delivering or storing the same is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 932 Injuring Property by Bailee Thereof Any person who being bailee for hire of any property of another wilfully and unlawfully injures such property is guilty of a misdemanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 933 Defacing Et Cetera Advertisement Any person who wantonly or maliciously destroys mutilates defaces or removes any show bill placard programme poster or other advertisement lawfully erected posted or being upon any rail fense billboard or other structure is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 934 Injuring Defacing Et Cetera Monument Any person who wilfully and unlawfully injures or defaces any statue or monument or wilfully and unlawfully destroys alters defaces adds to or changes any inscription upon any such statue or monument is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 935 Posting Advertisement on Property of Another Any person who wilfully and unlawfully paints writes or affixes any placard notice sign or advertisement upon any property of another without the consent of the owner of said property is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

Section 936 Injuring Trees Vines Timber Produce Fence Et Cetera Any person who wantonly or maliciously breaks or cuts down or otherwise injures any tree shrub bush plant trellis arbor hotbed hothouse greenhouse or vine being standing or growing on the land of another or of the people of the Commonwealth or who wilfully violates any rule made for the government of the state forest reserves or injures or defaces or removes any notice posted by the department of forestry or wantonly or maliciously breaks or cuts or otherwise injures any wood or timber being on the land of another or of the people of the Commonwealth or who wantonly or maliciously breaks or cuts severs from or injures on the land of another or of the people of the Commonwealth any grain grass vegetables or other growing crop or any other produce thereof or anything attached thereto or who wantonly or maliciously breaks cuts down or otherwise injures or defaces any wall fence or enclosure of another or of the people of the Commonwealth or any tree rock post or other monument which has been either erected or marked for the purpose of designating a point in the boundary of the Commonwealth or of any sub-division thereof or of any farm tract or lot of land or alters destroys defaces adds to or changes any mark or inscription thereon is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 937 Unlawful Entry of Game Preserve Any person who enters an enclosed private game preserve of another with intent to wantonly or maliciously injure destroy or capture any animal or fish or to injure or destroy any other thing therein is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 938 Killing Etc Animals of Another Any person who wilfully and unltwfully kills wound injures or disfigures any cattle horse mule dog or other domestic animal or fowl of another or who wilfully and unlawfully administers any poison to any such animal or fowl is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both Provided That the provisions of this section shall not apply to the killing of any animal or fowl taken or found in the act of destroying any other domestic animal or fowl

Section 939 Injuring Ice on Pond Et Cetera Any person who wilfully and unlawfully injures or defiles any ice forming formed or being formed upon any water of another from which ice is taken as an article of merchandise or for domestic consumption is guilty of a misdemeanor and shall be imprisoned not exceeding three months or fined not exceeding one hundred dollars or both

ARTICLE X

Offenses Against the Coin and Forgery

Section 1001 Counterfeiting Gold and Silver Coin Any person who falsely makes forges or counterfeits any coin resembling or apparently intended to resemble any gold or silver coin which is or shall be current or in actual use or circulation as money within this Commonwealth is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 1002 Mutilating Gold and Silver Coin Any person who fraudulently defaces mutilates impairs diminishes falsifies or scales any gold or silver coin which is or shall be current or in actual use or circulation as money in this Commonwealth is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 1003 Buying Selling and Importing Counterfeit Gold and Silver Coin Any person who buys sells receives pays or puts off or offers so to do any false forged or counterfeit coin resembling or apparently intended to resemble or pass for any gold or silver coin which is or shall be current or in actual use or circulation as money within this Commonwealth at or for a lower rate or value than the same by its denomination imports or was coined forged or counterfeited for knowing the same to be false forged or counterfeit or who brings into this Commonwealth any false forged or counterfeit coin resembling or apparently intended to resemble any gold or silver coin which is or shall be current or in actual use or circulation as money within this Commonwealth knowing the same to be false forged or counterfeit is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 1004 Uttering Counterfeit Gold and Silver Coin Any person who tenders utters passes or puts off any false forged or counterfeit coin resembling or apparently intended to resemble any gold or silver coin which is or shall be current or in actual use or circulation in this Commonwealth knowing the same to be false forged or counterfeit or who has in his possession any such false forged or counterfeit gold or silver coin knowing the same to be false forged or counterfeit with intent to utter pass or put off the same is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 1005 Counterfeiting Minor Coin Any person who falsely makes forges or counterfeits any coin resembling or apparently intended to resemble any copper nickel bronze or other minor coin which is or shall be

current or in actual use or circulation as money within this Commonwealth is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 1006 Buying Selling and Importing Minor Coin Any person who buys sells receives pays puts off or offers so to do any false forged or counterfeit coin resembling or apparently intended to resemble any copper nickel bronze or other minor coin which is or shall be current or in actual use or circulation as money within this Commonwealth at or for a lower rate or value than the same by its denomination imports or was coined forged or counterfeited for knowing the same to be false forged or counterfeit or who brings into this Commonwealth any false forged or counterfeit coin resembling or apparently intended to resemble any copper nickel bronze or other minor coin which is or shall be current or in actual use or circulation as money within this Commonwealth knowing the same to be false forged or counterfeit is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 1007 Uttering Counterfeit Minor Coin Any person who tenders utters passes or puts off any false forged or counterfeit coin resembling or apparently intended to resemble any copper nickel bronze or other minor coin which is or shall be current or in actual use or circulation as money within this Commonwealth knowing the same to be false forged or counterfeit or who has in his possession custody or control any such false forged or counterfeit minor coin knowing the same to be false forged or counterfeit with intent to utter pass or put off the same is guilty of a misdemeanor and shall be imprisoned not exceeding three years or fined not exceeding one thousand dollars or both

Section 1008 Making Possessing et cetera Coining Tools Any person who makes mends buys sells conceals or has in his possession custody or control any puncheon matrix die hub stamp mould edger or cutting engine or part thereof used or designed for coining forging or counterfeiting any coin knowing that such tool or instrument is intended to be used in the false and fraudulent making forging or counterfeiting of any coin which is or shall be current or in actual use or circulation as money within this Commonwealth or with intent to use such tool or instrument for the fraudulent purpose aforesaid is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 1009 Proof of Counterfeiting Where upon the trial of any person charged with any of the offenses enumerated in sections one thousand one to one thousand eight both inclusive of this act it shall be necessary to prove any coin produced in evidence against such person to be false forged or counterfeit it shall not be necessary to prove the same to be false forged or counterfeit by the evidence of any officer of the United States mint but it shall be sufficient to prove the same false forged or counterfeit by the evidence of any credible witness

Section 1010 Counterfeiting Uttering and Possessing United States Securities Any person who falsely makes forges counterfeits or alters any obligation or other security of the United States or knowingly utters publishes or put off any such falsely made forged counterfeited or altered obligation knowing the same to be false forged counterfeit or altered or has in his possession custody or control any such falsely made forged counterfeited or altered obligation knowing the same to be forged counterfeited or altered with intent to utter publish or put off such obligation is guilty of a felony and shall be imprisoned not exceeding fifteen years and fined not exceeding seven thousand dollars or both

Section 1011 Counterfeiting Forging Bank Notes and Checks and Uttering same Any person who falsely and fradulently makes forges or counterfeits any bill scrip or note in imitation of or purporting to be a bill scrip or note issued by order of the president directors and company of any bank incorporated under the laws of this Commonwealth or under the laws of any of the States or territories of the Union or of the District of Columbia or any clearing house association comprised of or maintained by any such banks or by the Commonwealth or any municipality therein or any order check or draft on any such bank or any cashier of the same or who falsely alters any bill scrip or note issued by any of the said banks or clearing houses or by the Commonwealth or any municipality therein or any check order or draft on the same or the cashier of any thereof or who passes utters or publishes any false forged or counterfeit bill scrip or note as and for a true note issued by any such bank or clearing house or by order of the president and directors of any thereof or by the Commonwealth or any municipality therein or any false forged or counterfeit order check or draft upon any such bank or any cashier thereof knowing the same to be falsely made forged or counterfeited or who passes utters or publishes any forged or counterfeit or shall pass utter or publish any falsely and fraudulently altered bill scrip or note issued by any of the said banks or clearing houses or by order of the president and directors thereof or by the Commonwealth or any municipality therein or any falsely altered order check or draft on any of the said banks or on any cashier thereof knowing the same to be false forged or counterfeited is guilty of felony and shall be imprisoned not exceeding fifteen years and fined not exceeding seven thousand dollars or both

Section 1012 Forgery and Uttering of Forged Instruments Any person who commits forgery of any written instrument the forging of which is not otherwise specially provided against in this act or who utters any such forged instrument knowing the same to be forged is guilty of a felony and shall be imprisoned not exceeding ten years or fined not exceeding five thousand dollars or both

Section 1013 Connecting Parts of Notes Any person who fraudulently places together or conects different parts of two or more notes bills or other instruments in such a manner as to produce one or more notes or instruments with intent to pass or utter all or any thereof as genuine and any person who utters publishes or passes the same or either of them with intent to defraud is guilty of a felony and in either case such person shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 1014 Uttering Note of Fictitious Bank Any person who fraudulently utters or passes any note or bill purporting to be the note or bill of a bank company or association which never in fact legally existed knowing that the bank company or association purporting to have issued the same never legally existed is guilty of a felony and shall be imprisoned not exceeding fifteen years and fined not exceeding seven thousand dollars or both

Section 1015 Making Possessing etc Plates Possessing Counterfeit Notes Bonds Paper etc Any person who makes engraves or prepares or has in his possession custody or control any plate or substance made engraved or prepared after the similitude of any plate or substance from which any note or bill issued by any bank incorporated under the laws of the United States or of this Commonwealth or under the laws of any of the States or territories of the Union or of the District of Columbia shall have been taken or printed or whereupon or by means whereof any note or bill may be made printed or prepared after the similitude of any note or bill issued by any such bank or made or prepared after the similitude of any plate or substance from which any obligation or other security of the United States or any bond note coupon or other instrument issued by this Commonwealth or any other State or territory of the Union or by any corporation company or individual shall have been taken or printed or wherefrom or by means whereof any obligation or other security of the United States or any bond note coupon or other instrument for the payment of money may be made printed or prepared after the similitude of such obligation or other security or of such bond note coupon or other instrument issued as aforesaid with intent to use such plate or substance or cause or suffer the same to be used in forging or counterfeiting any of the instruments aforesaid or passes utters or publishes any such forged or counterfeit note bill coupon or other instrument knowing the same to be false forged or counterfeit or has in his possession custody or control any note bill bond coupon or other instrument aforesaid made printed engraved or other prepared after the similitude

of any note bill bond coupon or other instrument issued by the United States or by this Commonwealth or by any of the States or territories of the Union or by any corporation company or individual with intent to pass utter or publish such simulated note or who has in his possession custody or control any paper adapted to the making of any such bill note bond coupon or other instrument aforesaid and similar to the paper on which said obligations or evidences of debt shall have been issued with intent to use such paper or suffer the same to be used in forging or counterfeiting any such instrument is guilty of a felony and shall be imprisoned not exceeding fifteen years and fined not exceeding seven thousand dollars or both

Section 1016 Printing Advertisement of Counterfeit Money Any person who prints writes utters publishes sells lends gives away circulates or distributes or has in his possession with intent to publish sell lend give away circulate or distribute any letter writing circular paper pamphlet hand bill or any other written or printed matter advertising offering or purporting to advertise or offer for sale loan exchange gift or distribution or to furnish procure or distribute any counterfeit coin paper money internal revenue stamp postage stamp or any other token of value or what purports to be counterfeit coin paper money internal revenue stamp postage stamp or any other token of value or giving or purporting to give information where how of whom or by what means any counterfeit coin paper money internal revenue stamp or postage stamp or token of value can be procured or had or what purports to be counterfeit coin paper money internal revenue stamp postage stamp or other token of value can be procured or had whether called "green articles" "queer coin" "paper goods" "bills" spurious treasury notes" "United States goods" "green paper goods" "business that is not legitimate" "cigars" "green cigars" or by any other name or title or any other device is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 1017 Using Fictitious Name in Advertising Counterfeit Money Any person who for executing operating promoting carrying on or in the aiding assisting or abetting in the promoting operating or carrying on or executing of any scheme or device whatsoever to defraud by use or means of any papers writings letters circulars or written or printed matter concerning the offering for sale loan gift distribution or exchange of counterfeit coin paper money internal revenue stamp postage stamp or other token of value as provided in section one thousand sixteen of this act shall use any fictitious false or assumed name or address other than his own right proper and lawful name or whoever in the executing operating promoting carrying on aiding assisting or abetting in the execution promoting or carrying on of any scheme or device offering for sale loan gift or distribution or purporting to offer for sale loan gift or distribution or giving or purporting to give information where how of whom or by what means any counterfeit coin paper money internal revenue stamp postage stamp or other token of value can be had knowingly receives or takes from the mails of the United States any letter or package addressed to any such fictitious false or assumed name or address or name other than his own right proper or lawful name is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both Any letter circular writing or paper offering or purporting to offer for sale loan gift or distribution or giving or purporting to give information directly or indirectly where how of whom or by what means any counterfeit coin paper money internal revenue stamp postage stamp or token of value may be obtained or had or concerning any similar scheme or device to defraud the public whether such article matter or thing is called "green articles" "bills" "business that is not legitimate" "spurious treasury notes" "United States goods" "green paper goods" "cigars" "green cigars" or by any other name device or title of a similar character shall be deemed presumptive proof of the fraudulent character of such scheme

Section 1018 Forgery of Seal and Uttering Instruments Impressed with Same Any person who falsely and fraudulently makes forges or counterfeits the great or less seal of the Commonwealth the sale of any court office county or corporation or any other seal authorized by the law of the United States or this Commonwealth or of any other State or any territory of the United States or who falsely and fraudulently utters or publishes any instrument or writing impressed with such forged or counterfeit seal knowing the same to be forged or counterfeit is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both

Section 1019 Forgery Defacing etc of Records Any person who forges or frauduently defaces alters corrupts withdraws carries away falsifies discharges secretes or avoids any record charter gift grant conveyance contract fine forfeited recogniznce or other forfeiture or any registry acknowledgment or certificate or any minute document book or any proceeding filed or deposited by authority of law in any public office or with any public officer of this Commonwealth or any sub-division thereof is guilty of a felony and shall be imprisoned not exceeding seven years or fined not exceeding three thousand dollars or both and if such person be a public officer of this Commonwealth or any sub-division thereof he shall in addition to the penalty above prescribed forfeit his office and be forever disqualified from holding any office of trust honor or profit under the constitution or laws of this Commonwealth

Sectin 1020 Forgery of Letters Telegrams etc Any person who with intent to injure or defraud falsely makes forges or alters any telegram letter or other written communication paper or instrument by which making forging or altering any other person is injured in his good name standing position or general reputation is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 1021 Forgery of Warehouse Receipts etc Any person who issues or delivers any receipt or other paper by which it appears that any goods wares or merchandise have been stored in any elevator or in any place designated by law for the storage of any goods wares or merchandise or delivered to any warehouseman wharfinger or other bailee unless the same has been so delivered and is at the time actually under the control of such warehouseman wharfinger or bailee and any person who issues or delivers any second or duplicate receipt or other such paper while any former receipt or other such paper representing any goods wares or merchandise shall be outstanding and uncalled without writing across the face of the same the word 'duplicate" and any person who sells encumbers ships transfers or removes beyond his immediate control any goods wares or merchandise for which a receipt or other such paper aforesaid has been given by him unless such receipt or other such paper bears on its face the words "not negotiable" or unless it is surrendered to be cancelled at the time of such sale encumbrance transfer or removal or unless in the case of a partial delivery a memorandum thereof is endorsed upon such paper is guilty of a felony and shall be imprisoned not exceeding five years or fined not exceeding two thousand dollars or both

Section 1022 Counterfeiting Public Brands Any person who counterfeits or fraudulently impresses or makes the brand mark or any number or other mark of any public inspector or a mark or number in imitation thereof upon any article subject by law to inspection or upon any cask vessel or container containing such article or upon any plug of such cask vessel or container or fraudulently puts any stamped plug into any cask vessel or container or fraudulently alters defaces conceals or erases any such inspection mark duly made and any person who counterfeits or fraudulently impresses or marks upon any article subject by law to inspection or upon any cask vessel or container containing such article the brand mark or any number or other mark of any miller manufacturer packer or other person or fraudulently alters defaces or erases any such mark or fraudulently impresses or makes the brand mark or any number or other mark of any person upon such article cask vessel or container is guilty of a misdemeanor and shall be imprisoned not

exceeding one year or fined not exceeding five hundred dollars or both

Section 1023 Counterfeiting Trade Marks Any person who forges or counterfeits any private stamp mark wrapper or label resembling or apparently intended to resemble the private stamp mark wrapper or label usually affixed by any other person to or used by any other person on or in the sale of any goods wares or merchandise with intent to deceive or defraud such other person or the purchaser of any such goods wares or merchandise is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 1024 Counterfeiting or Possessing Counterfeit Tickets Any person who makes forges circulates publishes transfers delivers stamps prints signs alters engraves or prepares an imitation counterfeit or duplicate of any ticket having a money commercial or other value or ticket card token pass or other written printed engraved or stamped means of admission to or evidence of the right to secure passage on any electric or other railway car bus or commercial air vehicle or the right to enter any place where games contests theatrical or entertainment performances or public exhibitions are held or who has in his custody or possession any such ticket card token pass or other written printed engraved or stamped means of admission to or evidence of the right to secure passage on any electric or other railway car bus or commercial air vehicle or the right to enter any place where games contests theatrical or entertainment performances or public exhibitions are held is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both Possession of any of the articles mentioned in this section shall be prima facie evidence of the violation of this section

Section 1025 Possessing Plates for Counterfeiting Tickets Any person who has any metallic type plate or other substance in his possession which may be used by any person in violation of the preceding section is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 1026 Possessing Dies Plates etc of Trade Marks Any person who has in his possession custody or control any engraving or printed stamp wrapper or label or any other representation likeness copy or imitation of the private stamp mark wrapper or label usually affixed by any other person to or used by any other person on or in the sale of any goods wares or merchandise or any die or plate from which such engravings stamp wrapper label or other representation may be made with intent to use or sell the said die plate engraving stamp wrapper or label in aiding in vending any goods wares or merchandice in imitation of or intended to resemble or to be sold for the goods wares or merchandise of such other person is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 1027 Counterfeiting etc Mark of Trade Union and Vending Goods marked with same Any person who forges counterfeits or imitates any duly registered trademark label symbol or private stamp of any association or union of persons authorized by law to register a trade mark label symbol or private stamp or uses displays sells or offers for sale any counterfeit or imitation of any such trade-mark label symbol or stamp or uses any original or bona fide trade-mark label symbol or stamp without authority from the association or union owning controlling or having jurisdiction over the same or after the license or authority to use the same has been rescinded or revoked by the association or union owning controlling or having jurisdiction over the same or has in his possession custody or control any such counterfeit trade-mark label symbol or stamp with intent to use or sell the same in aiding in vending any goods wares or merchandise and any person who knowingly uses any such trade-mark label symbol or stamp of such association or union by placing the same on any goods wares or merchandise which is not the product of members of such association or union and any person who knowingly sells or offers for sale of any goods wares or merchandise on which such trade-mark label symbol or stamp is so wrongfully placed is guilty of a misdemeanor and shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 1028 Falsely Branding Goods and Offering same for Sale Any person who with intent to defraud puts upon any article of merchandise or upon any cask vessel container stopper case cover wrapper package band ticket label or other thing covering or attached to such article or with which such article is intended to be sold or is sold any false description or other indication of or respecting the kind number quantity weight or measure of such article or any part thereof or the place or country where it was manufactured made or produced or the quality or grade of any such article if the quality or grade thereof is required by law to be marked branded or otherwise indicated on or with such article or sells or offers for sale or has in his possession custody or control with intent to sell any article which to his knowledge is falsely described or indicated in any of the ways aforesaid or is otherwise misbranded within the meaning of the word misbranded as defined by any act of assembly of this Commonwealth in force at the time is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 1029 Falsely Representing Food to be Kosher Any person who sells or exposes for sale any article of food whether raw or prepared for consumption any food product or the contents of any package or container falsely represented as kosher either by direct statements orally or in writing or by the display of the word "kosher" in the letters of any language or by the display of any sign or mark in simulation of such word or by display of any insignia or mark reasonably calculated to receive or lead a reasonable person to believe that a representation is being made that the food exposed for sale or sold is kosher or prepared in accordance with orthodox Hebrew religious requirements and any person who sells or exposes for sale in the same place of business both kosher and nonkosher meat or meat preparations either raw or prepared for human consumption who fails to indicate on his window signs and all display advertising in block letters at least four inches in height "Kosher and nonkosher meat sold here" or who exposes for sale in any window or place of business both kosher and nonkosher meat or meat preparations either raw or prepared for human consumption who fails to display over each kind of meat or meat preparations so exposed a sign in block letters at least four inches in height reading "kosher meat" or "nonkosher meat" as the case may be is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

Section 1030 Removing Marks from Property Any person who wilfully and unlawfully defaces obliterates or removes any mark letter or brand from any saw-log board shingle bolt or lumber of any kind floating in or lodged upon the bank of any river or stream is guilty of a misdemeanor and shall be imprisoned not exceeding one year or fined not exceeding five hundred dollars or both

Section 1031 Vending Goods Fraudulently Marked Any person who vends any goods wares or merchandise having thereon any forged or counterfeit stamp mark wrapper or label of another knowing the same to bear such forged or counterfeit stamp mark wrapper or label without disclosing the fact to the purchaser thereof is guilty of a misdemeanor and shall be imprisoned not exceeding six months or fined not exceeding three hundred dollars or both

ARTICLE XI

General Provisions

Section 1101 Offenses not Provided against to be Punished as Heretofore Every offense now punishable either by the statute or common law of this Commonwealth and not provided for by this act shall continue to be an offense and to be punishable as heretofore

Section 1102 Civil Rights and Remedies Preserved The provisions of this act shall not affect any civil rights or remedies now existing by virtue of the common law or of any statute

Section 1103 Civil Penalties not Affected The omission

to specify or affirm in this act any liability to any damages penalty forfeiture or other remedy imposed by law and allowed to be recovered or enforced in any civil action or proceeding for any act or omission declared punishable herein does not affect any right to recover or enforce the same

Section 1104 Restitution of Property On conviction of any person for larceny or for robbery or burglary in which it shall appear that the defendant also committed larceny or for any other offense in which it shall appear that the defendant unlawfully and fraudulently took or obtained property or received property knowing the same to have been stolen or unlawfully and fraudulently taken the defendant shall in addition to the penalty hereinbefore prescribed for any such offense be adjudged to restore to the owner the property taken or received or to pay to him the value of the same or so much thereof as may not be restored And on conviction of any person for forgery uttering or publishing any forged or counterfeit coin bank note bill check obligation security or other writing the defendant shall in addition to the punishment hereinbefore prescribed for any such offense be adjudged to make similar restitution or other compensation as in the case of larceny to the person defrauded Provided That nothing herein shall prevent the party aggrieved and to whom restitution is to be awarded from being a competent witness on the trial of the offender

Section 1105 Principals in the Second Degree and Accessories Every principal in the second degree and every accessory before the fact to any felony for whom no punishment is or shall be specially prescribed by law is subject to the same punishment as the principal in the first degree of such felony and every person who counsels aids or abets the commission of any misdemeanor for whom no punishment is or shall be specially prescribed by law is liable to be proceeded against and punished as the principal offender and every accessory after the fact to any felony for whom no punishment is or shall be specially prescribed by law shall be imprisoned not exceeding two years or fined not exceeding one thousand dollars or both

Section 1106 Conspiracy Any person who conspires with another to commit an offense the conspiracy to commit such offense not being otherwise specially provided against by an act of assembly of this Commonwealth in force at the time is if he conspire to commit an offense which is punishable by imprisonment for a term greater than ten years guilty of a felony if he conspire to commit an offense which is punishable by imprisonment for a term less than ten years he is guilty of a misdemeanor and shall be punished as follows If he conspire to commit an offense which is punishable by death or by imprisonment for life he shall be imprisoned not exceeding twenty years or fined not exceeding ten thousand dollars or both if he conspire to commit an offense which is punishable by a lesser period of imprisonment than imprisonment for life he shall be imprisoned not exceeding one-half of the longest term or fined not exceeding one-half of the largest sum prescribed for the commission of the offense be conspired to commit or by both such imprisonment and fine

Section 1107 Attempts and Solicitation Any person who attempts to commit or solicits another to commit an offense the attempt or solicitation to commit such offense not being otherwise specially provided against by an act of assembly of this Commonwealth in force at the time is if he attempts to commit or solicit the commission of an offense which is punishable by imprisonment for a term greater than ten years guilty of a felony if he attempts to commit or solicits the commission of an offense which is punishable by imprisonment for a term less than ten years he is guilty of a misdemeanor and shall be punished as follows If he attempts to commit or solicits the commission of an offense which is punishable by death or by imprisonment for life he shall be imprisoned not exceeding twenty years or fined not exceeding ten thousand dollars or both If he attempts to commit or solicits the commission of an offense which is punishable by a lesser period of imprisonment than imprisonment for life he shall be imprisoned not exceeding one-half of the longest term or fined not exceeding one-half of the largest sum prescribed for the commission of the offense he attempted to commit or the commission of the offense he solicited or by both such imprisonment and fine

Section 1108 Offenders to be Competent as Witnesses Any person convicted of any offense except perjury as provided in this act is notwithstanding such conviction a competent witness in any cause or proceeding civil or criminal but the conviction of such person may be proved for the purpose of affecting the weight of his testimony

Section 1109 Second Offenders Any person who after having been convicted within or without this Commonwealth of the crime or attempt to commit the crime of treason murder voluntary manslaughter sodomy or buggery burglary entering with intent to steal robbery arson mayhem kidnapping sale of narcotics perjury abortion pandering incest or any offense committed or attempted to be committed through the instrumentality of or with the aid of a deadly weapon or gunpowder or other explosive substance or corrosive fluid may upon conviction of any of such crimes for a second offense committed within five years after the first offense or subsequent offense committed within five years after the prior offense be sentenced to imprisonment for a term the maximum of which shall not be more than twice the longest term prescribed upon a first conviction for the crime in question

Section 1110 Fourth Offenders A person who after having been three times convicted within or without this Commonwealth of crimes of the character described in section one thousand one hundred nine or of attempt to commit any such crimes shall upon conviction of any such crimes for a fourth or subsequent offense committed within five years after the prior offense be sentenced in the discretion of the judge trying the case to imprisonment in a State penitentiary for the term of his natural life

Section 1111 Limitation Computation of Time (1) All indictments for offenses murder and voluntary manslaughter excepted shall be brought and exhibited within and not after the following times and limitations

(a) For treason arson sodomy buggery burglary robbery larceny perjury counterfeiting forgery uttering or publishing any coin currency bank note check or draft knowing the same to be counterfeited or forged bigamy bigamous cohabitation or knowingly marrying the husband or wife of another within five years next after the offense shall have been committed

(b) For any offense other than those set forth in subparagraph (a) hereof committed by any officer director receiver superintendent manager broker attorney agent employe or member of any bank body corporate or politic municipal or quasi-municipal corporation in or with relation to the duties occupation or office of such person within four years next after the offense shall have been committed

(c) For any offense other than those set forth in sub-paragraphs (a) and (b) hereof within two years next after the offense shall have been committed

If the person against whom any indictment shall be brought or exhibited shall not have been an inhabitant of this State or usual resident therein during the period for which he shall be subject to prosecution under the provisions of this section then such indictment shall be brought or exhibited against such person at any time within a similar period during which he shall be an inhabitant of or usual resident within this State

(2) In computing the period of time between convictions as provided in sections one thousand one hundred nine and one thousand one hundred ten of this act any period of servitude by a person in a penal institution within or without this Commonwealth shall not be included in the computation of any of said five-year periods. It is hereby declared that the intent of said sections is that said five-year periods shall run only during the time any such person was at liberty

Section 1112 Effect of Repeal Amendment or Modification of Existing Laws All offenses committed and all penalties forfeitures or liabilities incurred prior to the taking effect hereof under any law embraced in or changed modified or repealed by this act may be prosecuted and punished in the same manner and with the same effect as if this act had not been passed

Section 1113 Power of Judges to Sentence to Labor Judges of the Courts of Quarter Sessions and General

Gaol Delivery and of the Courts of Oyer and Terminer are hereby empowered to prescribe that the person sentenced shall be employed at labor during the term of imprisonment to which he is sentenced and shall in sentencing such person state whether or not such person shall be so employed during the term of imprisonment

Section 1114 Place of Serving Sentence When the defendant is sentenced to imprisonment at labor for one year or more such sentence shall be served either in a state penitentiary for the proper district or in a county prison now or hereafter authorized by law to receive convicts of like description when the defendant is sentenced to imprisonment at labor for less than one year such sentence shall be served in a suitable county prison or in the absence of such prison in the county jail when the defendant is sentenced to imprisonment without labor such imprisonment shall be served in the county jail

Section 1115 Constitutional Construction If any section sentence clause or part of this act is for any reason held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional sentence section clause or part thereof not been included herein

Section 1116 Repeals The following acts of assembly and sections of acts of assembly and all other acts or parts thereof in so far as the same are altered and supplied by this act or are inconsistent therewith are and the same are hereby repealed The repeal of the first sction of an act shall not repeal the enacting clause thereof

The act approved the twelfth day of January one thousand seven hundred five-six (2 Stat L 172) entitled "An act against murder and manslaughter"

The act approved the twelfth day of January one thousand seven hundred five-six (2 Stat L 173) entitled "An act against burglary"

The act approved the twelfth day of January one thousand seven hundred five-six (2 Stat L 178) entitled "An act against rape or ravishment"

The act approved the twelfth day of January one thousand seven hundred five-six (2 Stat L 183) entitled "An act against sodomy and buggery"

The act approved the twelfth day of January one thousand seven hundred five-six (2 Stat L 184) entitled "An act against burning of houses"

Section three of the act approved the thirty-first day of May one thousand seven hundred eighteen (1 Sm L 105) entitled "An act for the advancement of justice and more certain administration thereof"

The act approved the nineteenth day of October one thousand seven hundred forty-four (5 Stat L 5) entitled "An act for the speedy trial of capital offense committed by any Indian or Indians in the remote parts of the province"

The act approved the seventh day of March one thousand seven hundred forty-six (5 Statute Laws 42) entitled "An act for the more effectual suppressing profane cursing and swearing"

Section one of the act approved the ninth day of February one thousand seven hundred fifty-one (5 Statute Laws 108) entitled "An act for the more effectual preventing accidents which may happen by fire and for suppressing idleness drunkenness and other debaucheries"

Section two and three of the act approved the twenty-first day of February one thousand seven hundred sixty-seven (1 Smith Law 268) entitled "An act to prevent the mischiefs arising from the increase of vagabonds and other idle and disorderly persons within this province"

The act approved the first day of August one thousand seven hundred seventy-six (9 Statute Laws 8) entitled "An ordiance to prevent the counterfeiting the paper money issued by the Honorable the Continental Congress or by this or any other of the United American States"

The act approved the twenty-first day of March one thousand eight hundred six (Pamphlet Laws 548) entitled "An act regulating the proceedings of county commissioners and treasurers in certain cases"

Section twenty-eight of the act approved the twenty-ninth day of January one thousand eight hundred eighteen (Pamphlet Laws 38) entitled "An act for establishing a health office and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases and for other purposes"

The act approved the twenty-seventh day of March one thousand eight hundred twenty (Pamphlet Laws 104) entitled "An act to prevent kidnapping"

Sections one and six of the act approved the nineteenth day of March one thousand eight hundred twenty-four (Pamphlet Laws 50) entitled "An act for the preservation of wooden bridges within this Commonwealth"

The act approved the twenty-third day of March one thousand eight hundred twenty-nine (Pamphlet Laws 292) entitled "A supplement to an act entitled 'An act for the preservation of wooden bridges within this Commonwealth' passed the nineteenth of March eighteen hundred and twenty-four and for other purposes"

Section one of the act approved the twelfth day of March one thousand eight hundred thirty (Pamphlet Laws 80) entitled "A further supplement to the act entitled 'An act for the prevention of vice and immorality and of unlawful gaming and restraining disorderly sports and dissipation' passed twenty-second April seventeen hundred and ninety-four"

Section one of the act approved the third day of April one thousand eight hundred forty (Pamphlet Laws 714) entitled "A resolution providing for the resumption of specie payments by the banks and for other purposes"

Section two of the act approved the twenty-sixth day of January one thousand eight hundred forty-nine (Pamphlet Laws 21) entitled "An act relating to investivation into the affairs of banks or savings institutions applying to the legislature for re-charter"

Section three of the act approved the seventh day of April one thousand eight hundred forty-nine (Pamphlet Laws 461) entitled "A supplement to the act 'An act regulating turnpike and plank road companies' approved January the twenty-sixth Anno Domini one thousand eight hundred and forty-nine"

Section five of the act approved the twenty-sixth day of April one thousand eight hundred fifty (Pamphlet Laws 592) entitled "A supplement to the road laws of this Commonwealth and to incorporate the Mutual fire insurance company of Lawrence County"

Section four of the act approved the eighth day of May one thousand eight hundred fifty-four (Pamphlet Laws 663) entitled "An act to protect certain domestic and private rights and prevent abuses in the sale and use of intoxicating drinks"

Section one of the act approved the sixteenth day of May one thousand eight hundred fifty-seven (Pamphlet Laws 535) entitled "An act relating to city county and township treasurers"

The act approved the thirty-first day of March one thousand eight hundred sixty (Pamphlet Laws 382) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" with the exception of sections eighteen thirty thirty-eight one hundred and twenty-two one hundred and thirty-one

The act approved the eighth day of April one thousand eight hundred sixty-one (Pamphlet Laws 270) entitled "An act for the suppression of fortune telling and similar purposes"

Sections one and two of the act approved the eighteenth day of April one thousand eight hundred sixty-one (Pamphlet Laws 408) entitled "An act supplementary to an act entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' approved March thirty-first one thousand eight hundred and sixty"

The act approved the first day of May one thousand eight hundred sixty-one (Pamphlet Laws 465) entitled "An act supplementary to an act to consolidate revise and amend the penal laws of this Commonwealth passed the thirty-first day of March Anno Domini one thousand eight hundred and sixty"

Section thirty-six of the act approved the first day of May one thousand eight hundred sixty-one (Pamphlet Laws 503) entitled "Supplement to an act to establish a system of free banking in Pennsylvania and to secure the public against loss from insolvent banks approved March thirty-first one thousand eight hundred and sixty"

Section four of the act approved the fourteenth day of May one thousand eight hundred sixty-one (Pamphlet Laws 745) entitled "A further supplement to an act to establish a board of wardens for the port of Philadelphia and for the regulation of pilots and pilotages and for other purposes therein mentioned passed twenty-ninth of March Anno Domini one thousand eight hundred and three"

Section seventeen of the act approved the eleventh day of April one thousand eight hundred sixty-two (Pamphlet Laws 471) entitled "A further supplement to the act entitled 'An act for the regulation and continuance of a system of education by common schools' approved the eighth day of May one thousand eight hundred and fifty-four"

Section one of the act approved the eleventh day of April one thousand eight hundred sixty-two (Pamphlet Laws 425) entitled "A supplement to an act to provide for the incorporation of insurance companies approved the second day of April Anno Domini one thousand eight hundred and fifty-six

Sections one and two of the act approved the twenty-second day of April one thousand eight hundred sixty-three (Pamphlet Laws 531) entitled "A supplement to the act to consolidate revise and amend the penal laws of this Commonwealth approved the thirty-first day of March one thousand eight hundred and sixty"

Section one of the act approved the twenty-second day of April one thousand eight hundred sixty-three (Pamphlet Laws 562) entitled "An act to punish th fraudulent receiving of money on deposit"

Section three of the act approved the sixth day of May one thousand eight hundred sixty-three (Pamphlet Laws 582) entitled "An act to prevent fraud upon travelers"

Section one of the act approved the eleventh day of March one thousand eight hundred sixty-four (Pamphlet Laws 6) entitled "An act to punish the recruiting of men for the volunteer service of other states"

Section three of the act approved the fifth day of May one thousand eight hundred sixty-four (Pamphlet Laws 826) entitled "An act to promote the establishment of district and school libraries"

Section one of the act approved the twenty-eighth day of February one thousand eight hundred sixty-five (Pamphlet Laws 238) entitled "A further supplement to an act to incorporate the city of Philadelphia relating to fire alarm and police telegraph"

The act approved the twenty-second day of March one thousand eight hundred sixty-five (Pamphlet Laws 30) entitled "An act to promote the safety of travellers on railroads and to punish negligent and careless employees thereof"

Section three of the act approved the thirtieth day of March one thousand eight hundred sixty-six (Pamphlet Laws 89) entitled "An act to provide for the payment of gratuities and annuities to the soldiers of the war of one thousand eight hundred and twelve and to their widows"

Sections one and three of the act approved the twelfth day of April one thousand eight hundred sixty-six (Pamphlet Laws 101) entitled "An act to prevent the extension of disease among cattle"

Sections one two and three of the act approved the seventh day of January one thousand eight hundred sixty-seven (Pamphlet Laws 1369) entitled "A supplement to an act to revise consolidate and amend the penal laws of this commonwealth so as to punish frauds upon the national currency as well as that of the state and forging or uttering forged instruments"

Section two of the act approved the twenty-second day of March one thousand eight hundred sixty-seven (Pamphlet Laws 38) entitled "An act making it an offense for railroad corporations within this Commonwealth to make any distinction with their passengers on account of race or color and punishing said corporations and their agents and employees for the commission of such offense"

The act approved the twenty-second day of March one thousand eight hundred sixty-seven (Pamphlet Laws 39) entitled "An act to prevent and punish prize fighting"

The act approved the second day of April one thousand eight hundred sixty-nine (Pamphlet Laws 615) entitled "An act for the prevention of the mutilation and destruction of show bills placards posters programmes announcements et cetera and for the protection of the proprietors of places of amusement merchants manufacturers and others in the city of Philadelphia and county of Centre"

Section one of the act approved the twelfth day of February one thousand eight hundred seventy (Pamphlet Laws 15) entitled "An act to prevent the injury or destruction of baggage within the limits of the state of Pennsylvania"

The act approved the twenty-fourth day of February one thousand eight hundred seventy (Pamphlet Laws 34) entitled "A further supplement to the act entitled 'An act to consolidate revise and amend the penal laws of this commonwealth' approved March thirty-first one thousand eight hundred and sixty"

The act approved the sixteenth day of March one thousand eight hundred seventy (Pamphlet Laws 39) entitled "An act to prevent and punish publication of obscene advertisements and the sale of noxious medicines"

The act approved the second day of April one thousand eight hundred seventy (Pamphlet Laws 46) entitled "An act supplementary to an act entitled 'An act to consolidate revise and amend the laws of this commonwealth relating to penal proceedings and pleadings' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty"

Section nine of the act approved the sixth day of April one thousand eight hundred seventy (Pamphlet Laws 53) entitled "A further supplement to the act relating to elections in this Commonwealth"

The act approved the nineteenth day of May one thousand eight hundred seventy-one (Pamphlet Laws 271) entitled "An act to prohibit the sale of academic degrees"

The act approved the second day of June one thousand eight hundred seventy-one (Pamphlet Laws 289) entitled "An act relating to clandestine marriages"

The act approved the second day of June one thousand eight hundred seventy-one (Pamphlet Laws 290) entitled "An act amendatory to an act entitled 'An act for the punishment of cruelty to animals in this commonwealth' approved March twenty-ninth one thousand eight hundred and sixty-nine"

The act approved the fourteenth day of March one thousand eight hundred seventy-two (Pamphlet Laws 25) entitled "An act to punish witnesses who refuse or neglect to appear and testify before legislative committees"

Section two of the act approved the twelfth day of April one thousand eight hundred seventy-two (Pamphlet Laws 60) entitled "An act to regulate the execution and transfer of notes given for patent rights"

The act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws 115) entitled "An act defining the offense of corrupt solicitation of members of assembly state county election municipal or other public officers and prescribing the punishment therefor"

Section thirty-four clause six of the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (Pamphlet Laws 73) entitled "An act to provide for the incorporation and regulation of certain corporations"

The act approved the fifteenth day of May one thousand eight hundred seventy-four (Pamphlet Laws 179) entitled "An act to prevent traffic in children"

Sections eight nine and twelve of the act approved the twenty-third day of May one thousand eight hundred seventy-four (Pamphlet Laws 230) entitled "An act dividing the cities of this state into three classes regulating the passage of ordinances providing for contracts for supplies and work for said cities authorizing the increase of indebtedness and the creation of a sinking fund to redeem the same defining and punishing certain offenses in all of said cities and providing for the incorporation and government of cities of the third class"

The act approved the twenty-fifth day of February one thousand eight hundred seventy-five (Pamphlet Laws 4) entitled "A supplement to the act approved March thirty-first one thousand eight hundred and sixty entitled 'An

act to consolidate revise and amend the penal laws of this Commonwealth's further defining the offense of kidnapping and affixing additional penalties thereto"

The act approved the eighteenth day of March one thousand eight hundred seventy-five (Pamphlet Laws 33) entitled "An act to punish persons for carrying concealed weapons within this Commonwealth"

Section four of the act approved the thirty-first day of March one thousand eight hundred seventy-six (Pamphlet Laws 13) entitled "An act to carry into effect section five of article fourteen of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants"

Section one of the act approved the twentieth day of April one thousand eight hundred seventy-six (Pamphlet Laws 45) entitled "An act to prevent fraud and fraudulent practices upon or by hotel keepers inn keepers and boarding house keepers"

The act approved the eighth day of May one thousand eight hundred seventy-six (Pamphlet Laws 136) entitled "An act regulating the selling of baled hay et cetera in this Commonwealth"

The act approved the eighth day of May one thousand eight hundred seventy-six (Pamphlet Laws 137) entitled "An act to prevent the defiling of ice upon ponds streams rivers creeks and canals owned or leased for the production of ice for sale"

The act approved the eighth day of May one thousand eight hundred seventy-six (Pamphlet Laws 138) entitled "A further supplement to an act to consolidate revise and amend the penal laws of this Commonwealth approved March thirty-first one thousand eight hundred sixty defining and providing for the punishment of the offenses of unlawfully obtaining the key or means used to open any bank vault safe or other depository"

The act approved the eighth day of May one thousand eight hundred seventy-six (Pamphlet Laws 146) entitled "An act to punish persons for pointing or discharging firearms at other persons within this Commonwealth"

Section nineteen of the act approved the thirteenth day of May one thousand eight hundred seventy-six (Pamphlet Laws 161) entitled "An act for the incorporation and regulation of banks of discount and deposit"

The act approved the twenty-second day of March one thousand eight hundred seventy-seven (Pamphlet Laws 14) entitled "An act to provide for the better protection of passengers upon railroads and to insure the prompt transportation and delivery of freight"

The act approved the twenty-third day of May one thousand eight hundred seventy-eight (Pamphlet Laws 102) entitled "An act to provide for the arrest and punishment of persons carrying dangerous substances upon public conveyances"

The act approved the twenty-third day of May one thousand eight hundred seventy-eight (Pamphlet Laws 117) entitled "An act to prevent the wanton use of poisons"

Sections one two three four and five of the act approved the twelfth day of June one thousand eight hundred seventy-eight (Pamphlet Laws 196) entitled "An act supplementary to an act entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty"

The act approved the seventeenth day of June one thousand eight hundred seventy-eight (Pamphlet Laws 212) entitled "An act extending protection to foreign and domestic insurance companies from fraudulent agents"

The act approved the thirtieth day of April one thousand eight hundred seventy-nine (Pamphlet Laws 33) entitled "An act to define and punish tramps"

Sections one and two of the act approved the thirteenth day of May one thousand eight hundred seventy-nine (Pamphlet Laws 60) entitled "An act for the protection of the aids to navigation established by the authority of the United States lighthouse board within the state of Pennsylvania"

The act approved the nineteenth day of May one thousand eight hundred seventy-nine (Pamphlet Laws 64) entitled "A supplement to section sixty-eight of an act entitled 'An act to consolidate revise and amend the penal laws of the commonwealth of Pennsylvania' passed March Anno Domini one thousand eight hundred and sixty in relation to the violation of sepulchres in this Commonwealth"

The act approved the eleventh day of June one thousand eight hundred seventy-nine (Pamphlet Laws 148) entitled "An act to define the terms sodomy and buggery as used in the laws of this Commonwealth"

Section one of the act approved the eleventh day of June one thousand eight hundred seventy-nine (Pamphlet Laws 162) entitled "An act to prevent the burning of woods in any of the counties of this Commonwealth"

Section two and three of the act approved the eleventh day of June one thousand eight hundred seventy-nine (Pamphlet Laws 142) entitled "An act to protect children from neglect and cruelty and relating to their employment protection and adoption"

The act approved the first day of June one thousand eight hundred eighty-one (Pamphlet Laws 37) entitled "An act to prevent the keeping maintaining or permitting the game or amusement of pool played with balls or any other game of chance for drinks of vinous and other liquors and defining the punishment therefor"

The act approved the eighth day of June one thousand eight hundred eighty-one (Pamphlet Laws 82) entitled "An act to protect fruit gardens growing crops et cetera and punish trespass"

The act approved the eighth day of June one thousand eight hundred eighty-one (Pamphlet Laws 85) entitled "An act to prohibit the defacing of walls fences and trees by painting posting or otherwise and providing a penalty therefor"

The act approved the tenth day of June one thousand eight hundred eighty-one (Pamphlet Laws 109) entitled "An act to punish frauds upon life insurance companies by agents physicians and others"

The act approved the tenth day of June one thousand eight hundred eighty-one (Pamphlet Laws 111) entitled "An act to prohibit sale to any person under sixteen years of age of deadly weapons gunpowder and explosive substances in the Commonwealth of Pennsylvania"

The act approved the tenth day of June one thousand eight hundred eighty-one (Pamphlet Laws 117) entitled "An act declaring that the possession as tenant or otherwise at the time of the commission of the offense shall not exempt him from conviction and punishment for arson"

Section nine of the act approved the nineteenth day of April one thousand eight hundred eighty-three (Pamphlet Laws 9) entitled "An act to abolish the office of the collector of all outstanding or delinquent taxes to authorize and empower the receiver of taxes to collect the delinquent taxes and to provide for the more efficient collection of said delinquent taxes in cities of the first class

The act approved the first day of June one thousand eight hundred eighty-three (Pamphlet Laws 57) entitled "An act to prevent the placing in peril the life and limbs of performers or exhibitors in places of public amusement"

Section three of the act approved the fourth day of June one thousand eight hundred eighty-three (Pamphlet Laws 72) entitled "An act to enforce the provision of the seventeenth article of the constitution relative to railroads and canals"

The act approved the thirteenth day of June one thousand eight hundred eighty-three (Pamphlet Laws 95) entitled "An act to prevent the obstruction of the navigable streams of this Commonwealth"

The act approved the thirteenth day of June one thousand eight hundred eighty-three (Pamphlet Laws 96) entitled "An act to prevent the selling and vending of theatre tickets on the public streets and highways"

The act approved the thirteenth day of June one thousand eight hundred eighty-three (Pamphlet Laws 96) entitled "An act to prohibit political parties committees or members thereof from assessing upon or demand from public officials contributions for political purposes in the several counties of this Commonwealth"

The act approved the thirtieth day of April one thousand eight hundred eighty-five (Pamphlet Laws 18) en-

titled "An act to enable officers soldiers sailors and marines of the United States army or navy to recover possession of their commissions or discharges and providing a fine and punishment for withholding the same from the owners thereof"

Section eighteen of the act approved the twenty-ninth day of May one thousand eight hundred eighty-five Pamphlet Laws 29) entitled "An act to provide for the incorporation and regulation of natural gas companies"

The act approved the third day of June one thousand eight hundred eighty-five (Pamphlet Laws 60) entitled "An act to punish co-partners for fraudulently appropriating the property or using the name of the copartnership corporation or association"

The act approved the third day of June one thousand eight hundred eighty-five (Pamphlet Laws 72) entitled "An act to punish defaulting tax collectors"

The act approved the third day of June one thousand eight hundred eighty-five (Pamphlet Laws 55) entitled "An act for the suppression of lottery gifts by store keepers and others to secure patronage"

The act approved the fourth day of June one thousand eight hundred eighty-five (Pamphlet Laws 74) entitled "An act to make it a misdemeanor for any member of a co-partnership firm or association to keep fraudulent accounts or destroy or mutilate the books of the co-partnership firm or association"

The act approved the tenth day of June one thousand eight hundred eighty-five (Pamphlet Laws 81) entitled "An act to prevent the establishment of joints booths or other places for the smoking or other use of opium"

The act approved the eleventh day of June one thousand eight hundred eighty-five (Pamphlet Laws 111) entitled "An act to prohibit the manufacture and sale of toy deadly weapons in the Commonwealth of Pennsylvania"

The act approved the twenty-third day of June one thousand eight hundred eighty-five (Pamphlet Laws 136) entitled "A supplement to an act to consolidate revise and amend the penal laws of the Commonwealth approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty"

The act approved the twenty-third day of June one thousand eight hundred eighty-five (Pamphlet Laws 138) entitled "An act to prevent the wilfully cutting mutilating or otherwise injuring any book volume map chart magazine newspaper painting engraving or statuary in public libraries museums or galleries"

The act approved the twenty-second day of March one thousand eight hundred eighty-seven (Pamphlet Laws 8) entitled "An act for the protection of livery stable keepers"

Section fifty-three of the act approved the thirteenth day of April one thousand eight hundred eighty-seven (Pamphlet Laws) entitled "An act to provide for the organization discipline and regulation of the National Guard of Pennsylvania"

The act approved the sixth day of May one thousand eight hundred eighty-seven (Pamphlet Laws 84) entitled "An act to prevent and punish the making and dissemination of obscene literature and other immoral and indecent matter"

The act approved the sixth day of May one thousand eight hundred eighty-seven (Pamphlet Laws 87) entitled "An act to prevent the mutilation destruction tearing down or removing of any show bills placard programme poster or other advertisement"

The act approved the nineteenth day of May one thousand eight hundred eighty-seven (Pamphlet Laws 128) entitled "A supplement to an act entitled 'An act to consolidate revise and amend the penal laws of this commonwealth' approved the thirty-first day of March one thousand eight hundred and sixty amending the ninety-first section thereof defining rape and carnal knowledge of female children and prescribing the penalty therefor"

The act approved the nineteenth day of May one thousand eight hundred eighty-seven (Pamphlet Laws 130) entitled "An act to provide civil rights for all people regardless of race or color"

The act approved the nineteenth day of May one thousand eight hundred eighty-seven (Pamphlet Laws 130) entitled "An act to punish false pretenses in obtaining registration of cattle and other animals and to punish giving false pedigrees"

The act approved the nineteenth day of May one thousand eight hundred eighty-seven (Pamphlet Laws 140) entitled "An act to amend an act entitled 'An act to prevent the wilfully cutting marking mutilating or otherwise injuring any book volume map chart newspaper painting engraving or statuary in public libraries museums or galleries' approved June twenty-third one thousand eight hundred eighty-five extending the provisions thereof to libraries museums or galleries attached to or controlled by institutions incorporated under the laws of this Commonwealth"

The act approved the twenty-third day of May one thousand eight hundred eighty-seven (Pamphlet Laws 166) entitled "An act relating to saw logs and lumber floating in or lodged upon the banks of rivers and streams of this Commonwealth"

The act approved the twenty-third day of May one thousand eight hundred eighty-seven (Pamphlet Laws 177) entitled "A supplement to an act entitled "An act to consolidate revise and amend the penal laws of this commonwealth' approved the thirty-first of March one thousand eight hundred and sixty relating to breaking or entering cars or locomotives and providing penalties therefor"

Section four of the act approved the twenty-fourth day of May one thousand eight hundred eighty-seven (Pamphlet Laws 182) entitled "An act to authorize the councils of cities of the first class of the commonwealth to appropriate annually a sum not exceeding five hundred dollars for the support and maintenance of each company of the National Guard using or occupying an armory building room or quarters within said cities in addition to the annual appropriation by the legislature"

Section five of the act approved the first day of June one thousand eight hundred eighty-seven (Pamphlet Laws 283) entitled "An act to encourage and authorize General to supply the posts of the Grand Army of the Republic and the camps of the Sons of Veterans United States of America located within the state with such arms and accoutrements as may belong to the state and not be necessary for the equipment of the National Guard"

Section nineteen of the act approved the seventh day of June one thousand eight hundred eighty-seven (Pamphlet Laws 365) entitled "An act to encourage and authorize the formation of co-operative associations productive and distributive by farmers mechanics laborers and other persons"

The act approved the eighth day of March one thousand eight hundred eighty-nine (Pamphlet Laws 10) entitled "An act to prevent persons from unlawfully using or wearing the insignia or rosette of the military order of the Loyal Legion of the United States or the badge or button of the Grand Army of the Republic or the badge or shield of the Union Veteran Legion"

The act approved the seventh day of May one thousand eight hundred eighty-nine (Pamphlet Laws 105) entitled "An act to prohibit the sale of cigarettes to persons under the age of sixteen years and prescribing the punishment for the same"

The act approved the eighth day of May one thousand eight hundred eighty-nine (Pamphlet Laws 128) entitled "An act prohibiting the printing or circulating of publications offering for sale et cetera counterfeit coin paper money et cetera"

The act approved the ninth day of May one thousand eight hundred eighty-nine (Pamphlet Laws 145) entitled "An act relating to the receiving of deposits by insolvent bankers brokers or any officer of a bank national state or private defining the offense and providing a punishment therefor"

The act approved the ninth day of May one thousand eight hundred eighty-nine (Pamphlet Laws 167) entitled "An act to provide for the punishment of persons injuring or defacing statues and monuments erected by authority of or within the commonwealth altering defacing or adding to the inscriptions thereon"

Sections six and seven of the act approved the thirteenth day of May one thousand eight hundred eighty-nine (Pamphlet Laws 194) entitled "An act to authorize

the chartering of associations of employees and to provide punishment for the fraudulent appropriation or use of their money

Sections eight nine eleven twelve and fourteen of article four of the act approved the twenty-third day of May one thousand eight hundred eighty-nine (Pamphlet Laws 277) entitled "An act providing for the incorporation and government of cities of the third class"

The act approved the twenty-sixth day of May one thousand eight hundred ninety-one (Pamphlet Laws 121) entitled "An act defining the offense of taking a human life through the wilful and malicious wrecking of cars and locomotives upon railroads in this commonwealth"

The act approved the fourteenth day of April one thousand eight hundred ninety-three (Pamphlet Laws 17) entitled "An act amending section seventy-six of an act to consolidate revise and amend the penal laws of this commonwealth approved March thirty-first one thousand eight hundred and sixty increasing the maximum punishment for the first conviction of murder in the second degree to twenty years

The act approved the twenty-ninth day of May one thousand eight hundred ninety-three (Pamphlet Laws 174) entitled "An act relative to the appointing of special deputies marshals or policemen by sheriffs mayors or the persons authorized by law to make such appointments and by individuals associations or corporations incorporated under the laws of this State or any other State of the United States making it a misdemeanor for persons to exercise the functions of such officers without authority"

The act approved the third day of June one thousand eight hundred ninety-three (Pamphlet Laws 273) entitled "An act to provide for the punishment of persons wilfully procuring the publication of false statements"

The act approved the third day of June one thousand eight hundred ninety-three (Pamphlet Laws 286) entitled "An act to amend the one hundred and eightieth section of an act entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March one thousand eight hundred and sixty so as to make the said section applicable to all penal laws of this Commonwealth"

The act approved the sixth day of June one thousand eight hundred ninety-three (Pamphlet Laws 344) entitled "An act to prevent entering of trotting or pacing horses out of their classes"

The act approved the twenty-second day of May one thousand eight hundred ninety-five (Pamphlet Laws 99) entitled "An act to punish pool-selling receiving and transmitting bets or aiding in pool-selling or betting"

The act approved the twenty-second day of May one thousand eight hundred ninety-five (Pamphlet Laws 112) entitled "An act to prohibit giving and raising a false alarm of fire in the Commonwealth of Pennsylvania"

The act approved the eighteenth day of June one thousand eight hundred ninety-five (Pamphlet Laws 196) entitled "An act to amend an act entitled 'An act to protect fruit gardens growing crops grass et cetera and punish trespass' approved the eighth day of June Anno Domini one thousand eight hundred and eighty-one so as to protect berries and nuts by punishing trespass"

The act approved the twenty-fourth day of June one thousand eight hundred ninety-five (Pamphlet Laws 265) entitled "An act to prohibit the illicit conveyance of articles into and from the Pennsylvania Industrial Reformatory"

The act approved the twenty-fourth day of June one thousand eight hundred ninety-five (Pamphlet Laws 231) entitled "An act declaring it to be a misdemeanor to trespass on certain enclosed land of a water company and providing that any watchman of a water company or any constable or policeman duly authorized to make arrests may arrest without warrant"

The act approved the twenty-fourth day of June one thousand eight hundred ninety-five (Pamphlet Laws 244) entitled "An act to prevent the pollution of the waters of streams supplying centers of population by the use of land for burial purposes within prescribed limits"

The act approved the twenty-fifth day of June one thousand eight hundred ninety-five (Pamphlet Laws 289) entitled "An act to amend an act entitled 'An act to prevent persons from unlawfully using or wearing the insignia or rosette of the military order of the Loyal Legion of the United States or the badge or button of the Grand Army of the Republic or the badge or shield of the Union Veteran Legion and providing for the summary conviction of offenders under the same'"

The act approved the twenty-fifth day of June one thousand eight hundred ninety-five (Pamphlet Laws 290) entitled "An act for the protection of railroad travellers defining the crime of train robbery and punishing the same"

The act approved the twenty-fifth day of June one thousand eight hundred ninety-five (Pamphlet Laws 291) entitled "An act to prohibit exhibitions of physical or mental deformities in certain public places"

The act approved the twenty-fifth day of June one thousand eight hundred ninety-five (Pamphlet Laws 302) entitled "An act to prevent the interference of unauthorized persons with electrical conductors and electrical appliances and machinery of companies using generating or supplying electricity for light heat or power"

The act approved the twenty-sixth day of June one thousand eight hundred ninety-five (Pamphlet Laws 319) entitled "An act to protect the property of natural gas companies and other furnishers of gas and the interest of consumers of gas"

The act approved the twenty-sixth day of June one thousand eight hundred ninety-five (Pamphlet Laws 389) entitled "An act punishing the printing posting and distributing any libelous circulars or poster or other written or printed paper"

The act approved the second day of July one thousand eight hundred ninety-five (Pamphlet Laws 432) entitled "An act to amend an act entitled 'An act to prevent any life insurance company or agent thereof doing business in Pennsylvania from making or permitting any distinction or discrimination in favor of individuals between insurants of the same class and equal expectation of life in the amount or payment of premiums or rates charged for policies of life or endowment insurance and providing a penalty for violation thereof" approved the seventh day of May Anno Domini one thousand eight hundred and eighty-nine extending its provisions so as to include insurants and enlarging the penalty for the violation thereof"

The act approved the twenty-ninth day of April one thousand eight hundred ninety-seven (Pamphlet Laws 34) entitled "An act to protect the American flag from insult and degradation"

The act approved the fifth day of May one thousand eight hundred ninety-seven (Pamphlet Laws 39) entitled "An act to prohibit any person from falsely representing himself to be or falsely assuming to act as a detective or any elective or appointed officer within the Commonwealth of Pennsylvania and prescribing the penalty therefor"

Sections one and two of the act approved the twelfth day of May one thousand eight hundred ninety-seven (Pamphlet Laws 64) entitled "An act to prevent and punish the loan gift sale or distribution of indecent and immoral writings printings pictures photographs or representatons of all matters of an indecent or immoral character and of all articles drugs recipes et cetera to prevent conception or to produce unlawful abortion or intended or purporting to be used for such purpses or either of them and also to prevent the advertisement exhibition or publication of the same and to authorize the seizure and destruction of all such matters"

The act approved the nineteenth day of May one thousand eight hundred ninety-seven (Pamphlet Laws 76) entitled "An act for the protection of public school houses and other buildings used and occupied for public school purposes out-buildings thereof and public school property"

The act approved the twenty-fifth day of May one thousand eight hundred ninety-seven (Pamphlet Laws 85) entitled "An act punishing the sending of anonymous communications of a libelous dafamatory scurrilous or opprobrious nature"

The act approved the twenty-seventh day of May one thousand eight hundred ninety-seven (Pamphlet Laws 111) entitled "An act to amend an act making it a misdemeanor to levy blackmail or extort money or other valu-

able using by threats charges or accusations and fixing the penalty therefor"

The act approved the fourth day of June one thousand eight hundred ninety-seven (Pamphlet Laws 116) entitled "An act to protect employees of corporations in their right to form joint or belong to labor organizations by prescribing penalties for any interference therewith"

The act approved the tenth day of June one thousand eight hundred ninety-seven (Pamphlet Laws 139) entitled "An act to prevent the wearing of the badge or button of any labor or fraternal organization by others than members and fixing a penalty for the same"

The act approved the fifteenth day of June one thousand eight hundred ninety-seven (Pamphlet Laws 290) entitled "An act for the better protection of employees in and about the coal mines by preventing mine superintendents mine foremen and assistants from receiving or soliciting any sums of money or other valuable consideration from men while in their employ and providing a penalty for violation of the same"

The act approved the fifteenth day of June one thousand eight hundred ninety-seven (Pamphlet Laws 164) entitled "An act to regulate the sale of goods marked 'gold' or 'solid gold' "

The act approved the twenty-second day of June one thousand eight hundred ninety-seven (Pamphlet Laws 186) entitled "An act to regulate the sale of goods marked 'sterling' or 'sterling silver' or 'coin' or 'coin silver' "

The act approved the twenty-second day of June one thousand eight hundred ninety-seven (Pamphlet Laws 184) entitled "An act making it a misdemeanor for persons to obtain or attempt to obtain positions of trust or solicit alms by fraud or misrepersentation and providing a penalty for the same"

The act approved the twenty-third day of June one thousand eight hundred ninety-seven (Pamphlet Laws 201) entitled "An act in relation to aiding an inmate of any of the State institutions of this Commonwealth to escape"

The act approved the twenty-eighth day of April one thousand eight hundred ninety-nine (Pamphlet Laws 78) entitled "An act making unlawful the wilful injury to or destruction of side paths in this Commonwealth declaring such injury to be a misdemeanor and providing for the punishment thereof"

The act approved the fifth day of May one thousand eight hundred ninety-nine (Pamphlet Laws 247) entitled "An act to punish the buying or receiving of junk rope scrap iron brass or other metals from minors unknown or irresponsible parties"

The act approved the thirteenth day of March one thousand nine hundred one (Pamphlet Laws 49) entitled "An act amending the second section of an act entitled 'A supplement to an act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March one thousand eight hundred and sixty approved the twenty-second day of April one thousand eight hundred and sixty-three increasing the penalty thereof"

The act approved the fourth day of April one thousand nine hundred one (Pamphlet Laws 65) entitled "An act to punish kidnappers their aiders assisters and abettors"

Sections one and four of the act approved the eleventh day of April one thousand nine hundred one (Pamphlet Laws 74) entitled "An act relating to criminal prosecutions and civil suits for libel and repealing the act entitled 'An act relatng to libel and its punishment' approved July first one thousand eight hundred and ninety-seven"

The act approved the twenty-fourth day of April one thousand nine hundred one (Pamphlet Laws 102) entitled "An act to define and punish the crime of giving or administering any drug narcotic or anaesthetic agent to persons by mixing the same with any food or drink with felonious intent"

The act approved the second day of May one thousand nine hundred one (Pamphlet Laws 111) entitled "An act to protect children and making it a misdemeanor to place free or trial samples of medicines dyes ink coloring or polishing compounds in any form where children can secure the same"

The act approved the second day of May one thousand nine hundred one (Pamphlet Laws 120) entitled "An act to prevent burgesses and councilmen of the several boroughs within this Commonwealth from soliciting or receiving bribes and to punish any person who may offer to bribe the same"

Section one of the act approved the sixteenth day of May one thousand nine hundred one (Pamphlet Laws 220) entitled "An act regulating the employment of minor children for theatrical or athletic performances singing exhibitions or for playing upon musical instruments"

The act approved the twenty-ninth day of May one thousand nine hundred one (Pamphlet Laws 335) entitled "An act prohibiting the public presentation for profit of unpublished dramatic plays and musical compositions without consent of the authors thereof and providing punishment for violation of the provisions of this act"

The act approved the nineteenth day of June one thousand nine hundred one (Pamphlet Laws 577) entitled "An act to prohibit the manufacture and sale of fire crackers containing dynamite"

The act approved the twentieth day of June one thousand nine hundred one (Pamphlet Laws 584) entitled "An act to prevent the importation and selling in the Commonwealth of Pennsylvania of dressed carcasses of lamb and sheep with the hoofs on"

The act approved the tenth day of July one thousand nine hundred one (Pamphlet Laws 651) entitled "An act making it a misdemeanor for any person connected with any line of telegraph or telephone within this State to use or cause to be used or make known or cause to be made known or in any manner divulge the contents of any telegraphic or telephonic dispatch and prescribing the punishment therefor"

The act approved the twenty-seventh day of March one thousand nine hundred three (Pamphlet Laws 102) entitled "An act to prevent bigamous marriages defining same and declaring same misdemeanors fixing the punishment declaring certain marriages void exempting certain persons from the penalties marking out limits of time within which the prosecution must be brought and repealing inconsistent acts"

The act approved the twenty-seventh day of March one thousand nine hundred three (Pamphlet Laws 14) entitled "An act making it a misdemeanor for persons to unlawfully use or wear any insignia or button of any association society or trades union"

Section three of the act approved the third day of April one thousand nine hundred three (Pamphlet Laws 134) entitled "An act to amend sections two and three of an act entitled 'An act to provide for the adoption of trade marks labels symbols or private stamps by any incorporated or unincorporated association or union of working men and to regulate the same' approved March twenty-one Anno Domini one thousand eight hundred and ninety-five amended by an act approved May second Anno Domini one thousand nine hundred and one"

The act approved the fourth day of April one thousand nine hundred three (Pamphlet Laws 154) entitled "An act for the protection of the health of persons addicted to the smoking of cigarettes and imposing a fine for the violation of its provisions"

The act approved the eleventh day of April one thousand nine hundred three (Pamphlet Laws 166) entitled "An act prohibiting athletic exhibitions of longer duration than twelve hours in every calendar day"

The act approved the twenty-second day of April one thousand nine hundred three (Pamphlet Laws 242) entitled "An act to amend an act approved the twenty-eighth day of June one thousand eight hundred and eighty-five entitled 'A supplement to an act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March one thousand eight hundred and sixty prohibiting the disposing of property to defraud creditors and prohibiting the removing of any property out of any county to prevent the same from being levied upon or sold on execution"

The act approved the twenty-third day of April one thousand nine hundred three (Pamphlet Laws 285) entitled "An act to prevent officers or members of boards of managers of institutions receiving appropriations of

State money from selling supplies to such institution or acting as agent for sale of the same"

The act approved the twenty-fourth day of April one thousand nine hundred three (Pamphlet Laws 296) entitled "An act to amend section one hundred and fifty-four of the Act of March twenty-one one thousand eight hundred and sixty entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth'"

The act approved the eighth day of March one thousand nine hundred five (Pamphlet Laws 33) entitled "An act to prevent and punish the stealing of wire forming part of a line for the transmission of electricity"

The act approved the fourteenth day of March one thousand nine hundred five (Pamphlet Laws 38) entitled "An act making it a misdemeanor for persons to have in their possession certain mechanical devices or tools commonly called 'burglar tools' and prescribing the punishment thereof"

The act approved the twenty-fourth day of March one thousand nine hundred five (Pamphlet Laws 49) entitled "An act to prohibit the sale or use of certain fireworks firecrackers pistols explosive canes and ammunition and providing penalties for violations thereof"

The act approved the eighteenth day of April one thousand nine hundred five (Pamphlet Laws 202) entitled "An act providing for the punishment of male persons frequenting bawdy houses or taking money or other valuable things from the proprietress or inmate thereof"

The act approved the eighteenth day of April one thousand nine hundred five (Pamphlet Laws 213) entitled "An act to prevent the buying and selling of infant children and providing for the punishment therefor"

The act approved the twentieth day of April one thousand nine hundred five (Pamphlet Laws 227) entitled "An act to prohibit the throwing of waste paper sweepings ashes household waste nails or rubbish of any kind into any street in any city borough or township in this Commonwealth or to disturb the contents of any receptacle placed upon any street or sidewalk for collection"

The act approved the twenty-second day of April one thousand nine hundred five (Pamphlet Laws 279) entitled "An act to amend an act entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' approved the thirty-first day of March one thousand eight hundred and sixty and supplement thereto providing for the punishment of persons committing or attempting to commit a felony with explosives"

The act approved the twenty-eighth day of March one thousand nine hundred seven (Pamphlet Laws 35) entitled "An act to prohibit the fraudulent use of the name or title of secret fraternities societies orders or organizations also prohibiting the fraudulent wearing or using of any emblem badge button or insignia of such secret fraternal organization and fixing the penalty for violation of this act"

The act approved the eighth day of May one thousand nine hundred seven (Pamphlet Laws 180) entitled "An act making false statements reports entries in books and exhibiting false papers of any bank trust company or building and loan association a misdemeanor"

The act approved the eighth day of May one thousand nine hundred seven (Pamphlet Laws 181) entitled "An act to prohibit the depositing casting throwing or placing of packages parcels or samples of medicines or candies in the houses buildings porches verandas or on the lawns lands streets or public highways within this Commonwealth and prescribing penalties for the violation thereof"

The act approved the twenty-third day of May one thousand nine hundred seven (Pamphlet Laws 225) entitled "An act to prevent and punish the desecration of the flag of the United States and of this State"

Sections two and three of the act approved the twenty-ninth day of May one thousand nine hundred seven (Pamphlet Laws 318) entitled "An act to provide for the better protection of children under the age of sixteen years and providing punishment for the violation thereof"

The act approved the twenty-fourth day of March one thousand nine hundred nine (Pamphlet Laws 59) entitled "An act providing for the protection of minor children and providing penalties for the violation thereof"

The act approved the twenty-third day of April one thousand nine hundred (Pamphlet Laws 159) entitled "An act prohibiting the buying having or receiving of stolen property in the Commonwealth of Pennsylvania and providing for the punishment thereof"

The act approved the twenty-third day of April one thousand nine hundred nine (Pamphlet Laws 169) entitled "An act making it a misdemeanor for any president vice-president cashier treasurer secretary teller bookkeeper clerk employee or agent of any mutual savings bank savings bank bank of discount and deposit trust company title insurance company surety company or safe deposit company incorporated under the laws of this Commonwealth or of any private bank or unincorporated association receiving deposits of money or of any building and loan association incorporated under the laws of this Commonwealth or authorized to do business therein his or their aiders and abettors to embezzle abstract or wilfully misapply any of the moneys funds or credits of such institution or to issue certificates of deposit draw any order or bill of exchange make any acceptance assign any note bond draft bill of exchange mortgage judgment or other instrument in writing without authority from the directors of such institution with intent to deceive or defraud or to make a false entry in the books reports or statements thereof with like intent prescribing penalties and authorizing the Banking Commissioner to institute prosecutions"

The act approved the twenty-third day of April one thousand nine hundred nine (Pamphlet Laws 171) entitled "An act making it a misdemeanor for any person to make utter circulate or transmit false or derogatory statements affecting the solvency or financial standing of any bank banking house banking company trust company surety company guaranty company title insurance company or other financial institution in this Commonwealth and providing penalties for violation of this act"

This act approved the twenty-seventh day of April one thousand nine hundred nine (P. L. 248) entitled "An act for the protection of livery stable keepers and fixing a penalty for any violation thereof"

The act approved the first day of May one thousand nine hundred nine (P. L. 306) entitled "An act to prevent the inducing enticing or procuring or attempting to induce entice or procure into the Commonwealth of Pennsylvania any woman or girl for immoral purposes and providing a punishment for the violation thereof"

The act approved the eleventh day of May one thousand nine hundred nine (P. L. 519) entitled "An act making it a misdemeanor for any officer of this Commonwealth to authorize to be paid or for the State Treasurer to pay any money out of the State Treasury except in accordance with the provisions of an act of Assembly specifying the amount and purpose of the expenditure or for any officer of this Commonwealth to authorize to be paid or for the State Treasurer to pay any money out of the State Treasury in excess of the amount of such specific appropriation and providing penalties for the violation thereof"

The act approved the thirteenth day of April one thousand nine hundred eleven (P. L. 64) entitled "An act to regulate the amusement and places of public amusement in this Commonwealth by prohibiting any dramatic theatrical operatic or vaudeville exhibition or the exhibition of any fixed or moving pictures of a lascivious sacrilegious obscene indecent or immoral nature or character and providing penalties for the violation thereof"

The act approved the fifth day of May one thousand nine hundred eleven (P. L. 125) entitled "An act to protect the dignity and honor of the uniform of the United States in the State of Pennsylvania and providing a penalty for any violation thereof"

The act approved the fifth day of May one thousand nine hundred eleven (P. L. 163) entitled "An act to protect the State Forest Reserves and providing punishment for the violation thereof"

Sections one two three and five of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 274) entitled "An act to prohibit the bringing into prisons of all weapons or other implements which may be used to injure any convict or person or

in assisting any convict to escape punishment or the selling or furnishing of same to convicts to prohibit the bringing into prisons of all spirituous or fermented liquors drugs medicines poisons opium morphine or any other kind or character of narcotics or the giving selling or furnishing of spirituous or fermented liquor drugs medicines poison opium morphine or any other kind or character of narcotics or bringing into or taking out letters notes money or contraband goods of any kind whatsoever and providing a penalty for the violation thereof"

The act approved the first day of June one thousand nine hundred eleven (P. L. 542) entitled "An act to regulate the use of fire crackers fire works blank cartridges pellets tablets et cetera in any county in this Commonwealth and providing penalties for the violation thereof"

The act approved the first day of June one thousand nine hundred eleven (P. L. 553) entitled "An act defining what shall constitute the offense of malicious injury to railroads providing the punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing Section 142 and 143 of the act approved the thirty-first day of March Anno Domini one thousand eight hundred and sixty entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' and act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled 'An act defining the offense of the taking of human life through the wilful and malicious wrecking of cars and locomotives upon the railroads in this Commonwealth

The act approved the first day of June one thousand nine hundred eleven (P. L. 554) entitled "An act to restrain and regulate the sale and manufacture of certain fire crackers fireworks and certain explosive materials used in canes cannons pistols or any toy and providing penalties for the violation thereof"

The act approved the first day of June one thousand nine hundred eleven (P. L. 557) entitled "An act to amend an act entitled 'An act making the wilful and malicious taking or removal of the waste or packing from out any journal box or boxes of any locomotive engine tender carriage coach car caboose or truck used or operated upon any railroad whether the same be operated by steam or electricity a felony and providing penalties therefor' approved the tenth day of June Anno Domini one thousand nine hundred and one so as to include brasses or the air-appliances"

The act approved the seventh day of June one thousand nine hundred eleven (P. L. 679 entitled "An act for the protection of shade and fruit trees growing on or along any highway street or road"

The act approved the seventh day of June one thousand nine hundred eleven (P. L. 698) entitled "An act defining and prohibiting pandering providing penalties for violation thereof and regulating competency of certain evidence at the trial thereof"

The act approved the eighth day of June one thousand nine hundred eleven (P. L. 716) entitled "An act to punish the interference or the permitting of interference of unauthorized persons with the electrical conductors electrical appliances and machinery electric meters and other apparatus of companies using generating or supplying electricity for light heat or power and to punish any consumer of electricity for knowingly having in his possesson or under his control any electric meter that has been tampered with or prevented from duly registering and providing penalties therefor"

The act approved the ninth day of June one thousand nine hundred eleven (P. L. 746) entitled "An act making it a misdemeanor for an officer or employee of any employer of labor in Pennsylvania to solicit demand or receive directly or indirectly from any person any moneys or other valuable thing for the purpose actual or alleged of either obtaining for the latter employment in the service of the said employer or continued in said employment and providing for the punishment thereof on conviction"

The act approved the ninth day of June one thousand nine hundred eleven (P. L. 833) entitled "An act making it a misdemeanor to intimidate levy blackmail or extort money or other valuable thing or to attempt so to do from any person and providing punishment therefor"

The act approved the thirteenth day of June one thousand nine hundred eleven (P. L. 890) entitled "An act providing for the protection of owners of animals or vehicles and providing penalties for the violation thereof"

The act approved the eighth day of May one thousand nine hundred thirteen (P. L. 161) entitled "An act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof"

The act approved the ninth day of May one thousand nine hundred thirteen (P. L. 186) entitled "An act to amend an act approved the first day of June one thousand nine hundred and eleven entitled 'An act defining what shall constitute the offense of malicious injury to railroads providing a punishment therefor fixing the punishment in case of loss of life as a result of such offense and repealing Sections one hundred and forty-two and one hundred and forty-three of an act approved the thirty-first day of March Anno Domini ene thousand eight hundred and sixty entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" and an act approved the twenty-sixth day of May Anno Domini one thousand eight hundred and ninety-one entitled "An act defining the effense of taking human life through the wilful and malicious wrecking of cars and locomotives upon railroads in this Commonwealth"'"

The act approved the nineteenth day of May one thousand nine hundred thirteen (P. L. 222) entitled "An act relating to extortion and attempted extortion by threats and fixing a penalty therefor"

The act approved the twentieth day of May one thousand nine hundred thirteen (P. L. 246) entitled "An act to amend an act approved the tenth day of May one thousand eight hundred and eighty-one entitled 'An act making it a misdemeanor for any minor to knowingly and falsely represent himself to be of full age for the purpose of obtaining intoxicating liquors'"

The act approved the fifth day of June one thousand nine hundred thirteen (P. L. 419) entitled "An act for the protection of keepers of garages or automobile shops and providing a penalty for the removal of automobiles from the said garage or shop with intent to defraud the keepers or owners"

The act approved the ninth day of April one thousand nine hundred fifteen (P. L. 76) entitled "An act to further protect the rights and liberty of the people of this Commonwealth when under arrest upon a bailable criminal charge making its infraction a misdemeanor and providing punishment therefor"

Section fifty-eight of the act approved the ninth day of April one thousand nine hundred fifteen (P. L. 80) entitled "An act providing for the organization discipline maintenance and regulation of the militia of the Commonwealth"

The act approved the sixth day of May one thousand nine hundred fifteen (P. L. 260) entitled "An act relating to balloons and imposing a penalty"

The act approved the eighteenth day of May one thousand nine hundred seventeen (P. L. 241) entitled "An act making the fraudulent conversion of property or the proceeds of property a misdemeanor prescribing the penalties therefor and regulating the procedure therein"

The act approved the twenty-fourth day of May one thousand nine hundred seventeen P. L. 303) entitled "An act regulating the conduct and prescribing the duties of drivers or operators of automobiles motorcycles or other vehicles on public highways who shall injure any person or persons by so driving on said highway and providing penalties for violations of this act"

Section thirty-two of the act approved the twenty-second day of June one thousand nine hundred seventeen (P. L. 628) entitled "An act providing for the organization government discipline maintenance and regulation of an additional armed land force for the defense of the Commonwealth of Pennsylvania during any war in which the United States may become engaged"

The act approved the twenty-eighth day of June one

thousand nine hundred seventeen (P. L. 657) entitled "An act making it a misdemeanor to take remove steal or destroy any seed or plants after the same have been sown or planted"

The act approved the sixth day of July one thousand nine hundred seventeen (P. L. 748) entitled "An act amending Section one of the Act of June twenty-third one thousand eight hundred and eighty-five P. L. 145) entitled 'An act to protect oil gas and water wells tanks pipes and machinery connected therewith and to prevent wilful and malicious injury thereto' extending the provisions thereof to reservoirs stand pipes pumping stations power houses and other buildings or appliances used for the supply of water or electric current"

The act approved the sixteenth day of July one thousand nine hundred seventeen (P. L. 1000) entitled "An act defining sodomy and prescribing penalties for the commission of sodomy assault with intent to commit sodomy and solicitation to commit sodomy"

Sections one three four and five of the act approved the eighteenth day of July one thousand nine hundred seventeen (P. L. 1068) entitled "An act to prevent the publication of discriminating matter against any religious sect creed class denomination or nationality and to punish the same"

The act approved the eighteenth day of April one thousand nine hundred nineteen (P. L. 61) entitled "An act to amend Section one hundred of an act approved the thirty-first day of March one thousand eight hundred and sixty (P. L. 382) entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' "

The act approved the eighteenth day of April one thousand nine hundred nineteen (P. L. 70) entitled "An act declaring it a misdemeanor for any maker or drawer with intent to defraud to make or draw or utter or deliver any check draft or order when such person has not sufficient funds in or credit with the depository upon which the same is drawn"

The act approved the first day of May one thousand nine hundred nineteen (P. L. 99) entitled "An act to prevent the felonious taking and stealing of motor vehicles" and the receiving and purchasing of stolen motor vehicles

Section seven and eight of the act approved the twenty-seventh day of May one thousand nine hundred nineteen (P. L. 310) entitled "An act to amend and revise an act entitled 'An act providing for the incorporation regulation and government of cities of the third class regulating the nomination and election of municipal officers therein and repcaling cancelling and extending existing laws in relation thereto' approved the twenty-seventh day of June Anno Domini one thousand nine hundred and thirteen enlarging changing modifying and defining certain of the powers of cities of the third class"

The act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 542) entitled "An act making it a felony to receive or bring or assist in receiving or bringing into the Commonwealth of Pennsylvania any stolen property and fixing a penalty"

The act approved the twenty-sixth day of June one thousand nine hundred nineteen (P. L. 639) entitled "An act defining sedition and prescribing the punishment therefor"

The act approved the seventh day of July one thousand nine hundred nineteen (P. L. 722) entitled "An act declaring it a felony to wilfully and maliciously burn or cause to be burned or to set fire to or attempt to set fire to any motor vehicle"

The act approved the twenty-first day of July one thousand nine hundred nineteen (P. L. 1084) entitled "An act prohibiting advertisement relating to the treatment of diseases of the generative organs and prescribing penalties"

The act approved the twenty-first day of July one thousand nine hundred nineteen (P. L. 1063) entitled "An act prohibiting false labels and misrepresentation in the sale of certain food products and providing penalties for the violations thereof"

The act approved the thirty-first day of March one thousand nine hundred twenty-one (P. L. 89) entitled "An act making it a misdemeanor for persons to unlawfully use or wear the insignia or button of the American Legion or the official decorations of said organization"

The act approved the thirteenth day of April one thousand nine hundred twenty-one (P. L. 140) entitled "An act making it unlawful to accept or offer inducements to procure a defeat in any athletic contest"

The act approved the thirteenth day of April one thousand nine hundred twenty-one (P. L. 140) entitled "An act making it unlawful to turn in or sound false alarms of fire and to meddle or interfere with or break or destroy any fire alarm telegraph system"

The act approved the twenty-first day of April one thousand nine hundred twenty-one (P. L. 242) entitled "An act prohibiting advertisements of cures or medicines relating to venereal diseases and certain sexual disorders and prescribing the penalties"

The act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 350) entitled "An act making it unlawful to give or offer money to secure proxies for use at meetings of insurance companies"

Section three of the act approved the fifth day of May one thousand nine hundred twenty-one (P. L. 420) entitled "An act to supplement an act entitled 'An act authorizing the erection and construction by counties of memorial halls in memory of soldiers sailors and marines of such counties providing for an election to determine whether such hall shall be erected providing for the purchase and condemnation of property for such purposes regulating the use of such halls and providing for the maintenance and care of the same by a board of control at the expense of the county approved the seventeenth day of March one thousand nine hundred and twenty-one by providing for the planting of memorial trees and prescribing penalties"

The act approved the tenth day of May one thousand nine hundred twenty-one (P. L. 435) entitled "An act to amend section one of the act approved the twenty-sixth day of June one thousand nine hundred and nineteen entitled 'An act defining sedition and prescribing the punishment therefor' "

Sections two three and four of the act approved the tenth day of May one thousand nine hundred twenty-one (P. L. 430) entitled "An act defining a private game preserve and making it a misdemeanor to enter such preserve for certain purposes or to break injure or destroy the enclosure of the same and fixing penalties"

Section thirty-nine of the act approved the seventeenth day of May one thousand nine hundred twenty-one (P. L. 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth"

The act approved the twentieth day of May one thousand nine hundred twenty-one (P. L. 968) entitled "An act giving additional protection to human beings in this Commonwealth and imposing penalties upon those who may shoot at or wound or kill a human being in mistake for either game or other wild creatures"

The act approved the twenty-sixth day of March one thousand nine hundred thirty-five (P. L. 387) entitled "An act to amend section fifty-five of an act approved the thirty-first day of March one thousand eight hundred and sixty (P. L. 382) entitled 'An act to Consolidate Revise and Amend the Penal Laws of this Commonwealth' "

The act approved the ninth day of May one thousand nine hundred twenty-three (P. L. 175) entitled "An act making unlawful the wearing of the discharge button issued by the United States Government by any person not entitled to wear the same"

Section thirteen of the act approved the sixteenth day of May one thousand nine hundred twenty-three (P. L. 326) entitled "An act providing compensation for the residents of this Commonwealth who served in the military or naval forces of the United States during the World War imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation"

Sections five six eight eleven and twelve of the act approved the nineteenth day of May one thousand nine hundred twenty-three (P. L. 283) entitled "An act to assure to persons within the jurisdiction of every county

the equal protection of the laws by providing for their removal from the county and their trial in certain criminal cases by a court of quarter sessions of the peace or oyer and terminer of another county imposing penalties upon the counties and officers thereof for failure to provide protection and upon individuals for interfering with or obstructing the carrying out of the provisions of this act and imposing certain duties upon the Superior Court"

The act approved the twenty-second day of May one thousand nine hundred twenty-three (P. L. 306) entitled "An act to amend section seventy-four of the act approved the thirty-first day of March one thousand eight hundred and sixty (P. L. 382) entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' "

The act approved the twenty-ninth day of June one thousand nine hundred twenty-three (P. L. 977) entitled "An act to prohibit the bribing of agents employes or servants and the giving or use of false documents with intent to deceive a principal employer or master to regulate evidence in such proceedings and to provide penalties for violation of this act"

The act approved the thirty-first day of May one thousand nine hundred twenty-three (P. L. 476) entitled "An act prohibiting persons from concealing changing or destroying manufacturers' serial numbers or identification marks upon machines or apparatus or from taking possession of any such machines with the knowledge of such concealment change or destruction and prescribing penalties for violation thereof"

Section twenty-four of the act approved the fourteenth day of June one thousand nine hundred twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties"

The act approved the twenty-eighth day of June one thousand nine hundred twenty-three (P. L. 885) entitled "An act prohibiting the purchase sale accepting as a pledge or pawn offering for sale stealing or conversion of medals buttons insignia or decorations granted by the Government of the United States for services in the army navy marine or nurses' corps"

Section two of the act approved the thirtieth day of June one thousand nine hundred twenty-three (P. L. 982) entitled "An act for the repression of prostitution and assignation making it unlawful to solicit aid or permit prostitution or to use or permit the use of any place for the purpose of prostitution or assignation making certain evidence admissible in proceedings under this act authorizing the commitment of prostitutes to private institutions providing for their parole and prescribing penalties"

Section two of the act approved the first day of April one thousand nine hundred twenty-five (Pamphlet Laws 99) entitled "An act authorizing the entry of sheriffs constables and others by force or otherwise into places or build ings where goods and chattels formerly levied upon are contained for the purpose of sale and providing penalties for interference"

The act approved the twenty-ninth day of April one thousand nine hundred twenty-five (Pamphlet Laws 357) entitled "An act prohibiting the manufacture of gambling machines and providing penalties"

The act approved the thirtieth day of April one thousand nine hundred twenty-five (P. L. 386) entitled "An act to amend section one hundred and eleven of the act approved the thirty-first day of March one thousand eight hundred and sixty (P. L. 382) entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' "

The act approved the first day of May one thousand nine hundred twenty-five (P. L. 440) entitled "An act declaring it to be larceny for any person to steal take or carry away or to be engaged in stealing taking or carrying away any property growing or being on the land of another"

The act approved the second day of May one thousand nine hundred twenty-five (P. L. 501) entitled "An act to amend section one of the act approved the thirty-first day of March one thousand nine hundred and twenty-one (P. L 89) entitled 'An act making it a misdemeanor for persons to unlawfully use or wear the insignia or button of the American Legion or the official decorations of said organization' by extending the provisions of said act to the Veterans of Foreign Wars"

The act approved the seventh day of May one thousand nine hundred twenty-five (P. L. 552) entitled "An act making it unlawful to bribe or attempt to bribe any professional baseball player professional football player boxer or wrestler and for such player boxer or wrestler to accept agree to accept or solicit bribes"

The act approved the fourteenth day of May one thousand nine hundred twenty-five (P. L. 713) entitled "An act to amend an act approved the twenty-seventh day of March one thousand nine hundred and three (P. L. 106) entitled 'An act making it a misdemeanor for persons to unlawfully use or wear any insignia or button of any association society or trade's union' "

The act approved the seventh day of April one thousand nine hundred twenty-seven (P. L. 131) entitled "An act declaring it a misdemeanor for any person with intent to defraud to obtain a motor vehicle from the owner or person lawfully in possession thereof by agreeing to pay a rental for the use thereof based in whole or in part upon the distance the motor vehicle shall travel"

The act approved the twentieth day of April one thousand nine hundred twenty-seven (P. L. 326) entitled "An act to amend section one hundred forty-one of an act approved the thirty-first day of March one thousand eight hundred and sixty (P. L. 382) entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' "

The act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 776) entitled "An act to amend section one hundred and eight of the act approved the thirty-first day of March one thousand eight hundred and sixty (P. L. 382) entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' by providing that any bailee shall be guilty of larceny if he wilfully fails to return the bailed property to the owner in accordance with his agreement with the owner thereof or destroys the same or permits it to be destroyed"

The act approved the fifth day of May one thousand nine hundred twenty-seven (P. L. 778) entitled "An act to provide for the registration and protection of the names badges mottoes buttons decorations charms emblems rosettes and other insignia of associations lodges orders fraternal societies beneficial societies or fraternal and beneficial societies or associations historical military or veterans' organizations labor uinon foundation federation or any other society organization or association degree branch subordinate lodge or auxiliary thereof to prohibit the wearing exhibition display or use of the same by any person not entitled to wear exhibit display or use the same and fixing a penalty for the violation of this act"

The act approved the twenty-eighth day of March one thousand nine hundred twenty-nine (P. L. 102) entitled "An act to further amend section one of the act approved the thirty-first day of March one thousand nine hundred and twenty-one (P. L. 89) entitled 'An act making it a misdemeanor for persons to unlawfully use or wear the insignia or button of the American Legion or the official decorations of said organization' as amended by extending the provisions of said act to the Disabled Amerian Veterans of the World War"

The act approved the twenty-eighth day of March one thousand nine hundred twenty-nine (P. L. 105) entitled "An act to prohibit false labels and misrepresentation in the sale of certain food products and providing penalties for the violation thereof"

The act approved the fourth day of April one thousand nine hundred twenty-nine (P. L. 142) entitled "An act regulating the certification of checks by officers directors agents and employes of banking institutions trust companies and savings banks and imposing penalties"

The act approved the eleventh day of April one thousand nine hundred twenty-nine (P. L. 513) entitled "An act to amend section seventy-nine of the act approved the

thirty-first day of March one thousand eight hundred and sixty (P. L. 382) entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' increasing the penalty for involuntary manslaughter"

The act approved the sixteenth day of April one thousand nine hundred twenty-nine (P. L. 524) entitled "An act to amend section one of the act approved the twenty-third day of April one thousand nine hundred and nine (P. L. 669) entitled 'An act making it a misdemeanor for any president vice-president cashier treasurer secretary teller bookkeeper clerk employe or agent of any mutual savings bank savings bank bank of discount and deposit trust company title insurance company surety ecompany or safe deposit company incorporated under the law of thi Commonwealth or of any private bank or unincorporated association receiving deposits of money or of any building and loan association incorporated under the laws of this Commonwealth or authorized to do business therein his or their aiders and abetters to embezzle abstract or wilfully misapply any of the moneys funds or credits of such institution or to issue certificates of deposit draw any order or bill of exchange make any acceptance assign any note bond draft bill of exchange mortgage judgment or other instrument in writing without authority from the directors of such institution with intent to deceive or defraud or to make a false entry in the books reports or statements thereof with like intent prescribing penalties and authorizing the Banking Commissioner to institute prosecutions' extending the penalties provided by said act to cases where officers directors employes and agents of aforesaid institutions commit certain acts as individuals or as officers directors employes or members of corporations or copartnerships with intent to injure or defraud such institutions or to deceive any bank examiner"

The act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 778) entitled "An act to prohibit the possession or carrying of bomb bombshells explosive substances or noxious liquid gases or substances and providing penalties"

The act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 767) entitled "An act to definie the crime of arson and attempted arson prescribing penalties therefor and to punish the wilful and malicious burning of or attempt to burn property of various kinds and the defrauding of or attempt to defraud insurers thereby and repealing certain acts and parts of acts relating thereto"

The act approved the twenty-fifth day of April one thousand nine hundred twenty-nine (P. L. 777) entitled "An act prohibiting the sale giving away transfer purchasing owning possession and use of machine guns providing penalties and providing for certain exemptions and the granting of permits by sheriffs to own and possess machine guns as relics"

The act approved the twenty-sixth day of April one thousand nine hundred twenty-nine (P. L. 811) entitled "An act making it a misdemeanor to wear the uniform of the United States Army Navy Marine Corps Revenue Cutter Service or Coast Guard or of the National Guard while soliciting alms or while doing other things for personal profits and fixing penalties"

The act approved the seventeenth day of May one thousand nine hundred twenty-nine (P. L. 1800) entitled "An act providing for the appointment of sworn weighers in the cities and counties of this Commonwealth who are to serve without compensation and perform certain duties in connection with the manufacturing company transportation company merchant or dealer having requested his appointment"

The act approved the twelfth day of March one thousand nine hundred thirty-one (P. L. 3) entitled "An act making it unlawful to counterfeit electric railway car tokens bus tickets commercial air vehicle tickets tickets having a money commercial or other value those evidencing the right to admission to games contests public exhibitions theatrical or other places of amusement and also making it unlawful to alter possess utter publish or circulate the same and providing penalties therefor"

The act approved the twenty-fourth day of April one thousand nine hundred thirty-one (P. L. 52) entitled "An act relating to prostitution defining and prohibiting pandering prohibiting the leaving of a wife in a house of prostitution the receipt or appropriation of money from earnings of a prostitute the detention of a female in a house of prostitution and the transportation of a female for purpossess of prostitution fixing the jurisdiction of the courts in cases involving transportation providing penalties and regulating the competency of certain evidence at the trial of persons indicted for violation hereof"

The act approved the twenty-second day of June one thousand nine hundred thirty-one (P. L. 621) entitled "An act to amend sections one two and three of the act approved the eighth day of May Anno Domini one thousand nine hundred thirteen (P. L. 161) entitled 'An act making it a misdemeanor to make or use a false statement or statements in writing for the purpose of obtaining property money credit or the extension of credit and providing penalties for the violation thereof" by extending the provisions of the act to include the procuring of contracts of surety bond therein"

The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 922) entitled "An act restricting the sale of goods wares and merchandise prepared and manufactured without this Commonwealth by convicts and prisoners and providing penalties"

The act approved the twenty-fifth day of June one thousand nine hundred thirty-one (P. L. 1361) entitled "An act to amend section one of the act approved the twenty-third day of April one thousand nine hundred and nine (P. L. 171) entitled 'An act making it a misdemeanor for any person to make utter circulate or transmit false or derogatory statements affecting the solvency or financial standing of and bank banking house banking company trust company surety company guarantee company title insurance company or other financial institution in this Commonwealth and providing penalties for violation of this act' by extending the provisions of said act so as to include the writing and publishing of derogatory financial statements and to include statements affecting building and loan associations"

The act approved the thirteenth day of April one thousand nine hundred thirty-three (P. L. 39) entitled "An act to amend section one of and to add section two to the act approved the twenty-fifth day of June one thousand nine hundred and thirty-one (P. L. 1364) entitled 'An act prohibiting the use of counterfeit or spurious coins in automatic instruments or machines and providing a penalty' by including devices or substances other than metal and by providing penalties for the manufacture for sale or sale or gift of counterfeit or spurious coins for the fraudulent operation of automatic instruments or machines"

The act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 796) entitled "An act providing for the preservation of the records of banks bank and trust companies trust companies savings banks and private banks and imposing penalties for violations"

The act approved the twenty-fourth day of May one thousand nine hundred thirty-three (P. L. 981) entitled "An act prohibiting the publication printing or radio broadcasting of advertisements or notices of insurance companies associations exchanges or persons not authorized to do business in this Commonwealth requiring certificates from the Insurance Department before accepting insurance advertisements or broadcasting the same by radio and fixing penalties"

Section one of the act approved the first day of May one thousand nine hundred thirty-five (P. L. 125) entitled "An act prohibiting the sale and distribution of medicines drugs poisons and articles intended for use in the cure mitigation treatment or prevention of disease in man or animal by means of vending machines"

The act approved the first day of May one thousand nine hundred thirty-five (P. L. 128) entitled "An act prohibiting the future erection and maintenance of obstructions dangerous to aerial transport adjacent to or near an airport landing field or intermediate landing field"

The act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 247) entitled "An act to amend section thirty-seven of the act approved the thirty-first day of March one thousand eight hundred and sixty (P. L. 382) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth' providing for

the sentence of one convicted of fornication and bastardy to pay funeral expenses of infant"

The act approved the eleventh day of June one thousand nine hundred thirty-five (P. L. 297) entitled "An act to amend section one of the act approved the nineteenth day of May one thousand eight hundred eighty-seven (P. L. 130) entitled 'An act to provide civil rights for all people regardless of race or color amplifying and extending the provisions of said act and increasing the penalties for violation thereof"

The act approved the twenty-first day of June one thousand nine hundred thirty-five (P. L. 387) entitled "An act to amend section one hundred and forty-eight of the act approved the thirty-first day of March one thousand eight hundred and sixty (P. L. 382) entitled 'An act to consolidate revise and amend the penal laws of this Commonwealth' extending the provisions of said act to fixtures hunting lodges cabins cottages and barns"

The act approved the seventeenth day of July one thousand nine hundred thirtyfive (P. L. 1165) entitled "An act to amend section seventy-four of the act approved the thirty-first day of March one thousand eight hundred and sixty (P. L. 427) entitled "An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings' as amended requiring the sentencing of women to the State Industrial Home instead of to State penitentiaries"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considedred in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 856, as follows:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (P L 549) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" by adding a new section thereto 11-A providing that in counties of the first class all appointments shall be equally divided between majority and minority commissioners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 549) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" is hereby amended by adding thereto a new section 11-A to read as follows

Section 11-A All appointments made under the provisions of this act by the county commissioners in counties of the first class shall be equally divided between the majority commissioners and the minority commissioner so that the majority commissioners shall name one-half of all the appointees and the minority commissioner shall name one-half of all the appointees The provisions of this act shall apply to persons presently employed as well as to persons to be employed in the future and the county commissioners shall comply thereto within thirty days of the passage of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. RUTH. Mr. President, I move that Senate Bill No. 869 (House Bill No. 1978, on second reading, entitled:

A Supplement to the act, approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for certain additions to minimum annual salaries for members of the teaching staffs of schools in fourth class school districts and authorizing the suspension of this supplement in certain cases.

be postponed for the present.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 899, (House Bill No. 1761), entitled:

An Act creating a commission to study certain conditions relating to municipal ordinances defining its powers and duties and making an appropriation

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 915, as follows:

An Act to amend the act approved the twenty-fifth day

of July one thousand nine hundred and seventeen (Pamphlet Laws 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" as amended providing for aid to counties holding agricultural exhibitions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one two three and four of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" are hereby amended to read as follows

Section 1 Be it enacted etc That for the purpose of encouraging agriculture and the holding of agricultural exhibitions of farm products an incorporated agricultural association or county conforming to the requirements of this act is entitled to receive from the Commonwealth an annual sum not exceeding one thousand dollars equal to the amount paid by such association as premiums for exhibits at its annual exhibition exclusive of premiums paid on trials of speed Such premiums shall be paid only upon products of this Commonwealth

Section 2 In case there is more than one association holding such annual exhibitions in a county such associations shall be entitled to receive from the Commonwealth a sum not exceeding in the aggregrate the sum of two thousand dollars to be apportioned by the Auditor General among such associations according to the amount of premiums paid for the exhibits at the last exhibition of each of such associations exclusive of premiums for trials of speed

No association or county shall receive from the Commonwealth a greater sum than that paid by the association as premiums on exhibits exclusive of premiums paid for trials of speed

Section 3 No incorporated county agricultural association or county shall be entitled to the benefits of this act unless it shall hold an annual exhibition in the interest of stock-raising grain poultry handiwork dairy products and the like Such exhibitions shall continue at least three consecutive days

Section 4 No county agricultural association hereafter incorporated and no county shall be entitled to the benefits of this act until such association or county shall have held two consecutive annual exhibitions of the character designated in the preceding section nor shall such association or county receive any appropriation for their third and fourth years respectively in excess of the amount it paid in premiums in the State exclusive of premiums for trials of speed during its second year and such association upon its incorporation shall file with the Auditor General a declaration of its intention to apply for said premium money for its third year Such association must also file its report during its first two years the same as any other association This section shall not apply to a county agricultural association heretofore incorporated owning their own buildings and grounds which shall hold annual exhibitions of the character designated in section three Nor shall this section apply to a county agricultural association heretofore or hereafter incorporated which shall resume the holding of annual exhibitions of the character designated in section three of this act which exhibitions have been for a period of not more than two years temporarily discontinued

Section 2 Sections five and six of said act as amended by the act approved the sixteenth day of May one thousand nine hundred and thirty-five (Pamphlet Laws 169) are hereby further amended to read as follows

Section 5 Annually on or before the fifteenth day of December an association or county applying for the benefits of this act shall file with the Auditor General a statement sworn to by its president attested by its secretary with corporate seal attached setting forth the name of the association the time and place of the exhibition and the amount of premiums actually paid giving the names and addresses of the persons to whom such premiums were paid and in what class kind or department

Any association which applied for the benefits of this act during the years of one thousand nine hundred and thirty-three or one thousand nine hundred and thirty-four or both which complied with the provisions of the act in all respects except in that the statement herein required to be filed with the Auditor General was not filed at the time heretofore specified by the act but was subsequently led on or before the fifteenth day of December of the year in which the exhibition was held shall be deemed to have fully complied with the requirements of the act and payment of such benefits shall be made to such associations wthiin thirty days after the effective date of this amendment

Section 6 Payments to incorporated agricultural associations and counties under the provisions of this act shall be made by the State Treasurer upon warrant of the Auditor General issued on or before the fifteenth day of January of the year following the year in which the exhibition is held

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 947, as follows:

An Act authorizing the Department of Public Instruction and its departmental administrative boards to post notices of suspensions and revocations of licenses and registrations of persons engaged in professions or working at trades or occupations requiring licensing or registration by such department or boards on premises occupied by such persons as their offices or places of business and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any case where the Department of Public Instruction or any of its departmental administrative boards has pursuant to the authority vested in it under the provisions of any law heretofore or hereafter enacted revoked or suspended the license or registration of any person engaged in the practice or any profession or working at any trade or occupation for which a license or registration issued by such department or board is required the department or board may post a notice on the premises occupied by such person as his office or place of business notifying the public that the license or registration of the person occupying such premises has been suspended or revoked as the case may be

Section 2 Any person tearing down destroying or defacing any such notice within the period the premises continue to be occupied by the person whose license or registration has been revoked or suspended as his office or place of business shall upon conviction in a summary proceeding be sentenced to pay a fine of twenty-five dollars and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten days

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 952, as follows:

An Act to amend section twenty-four of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws 207) as amended entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as amended by and increasing the term for which sequestrators may lease sequestrated property

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-four of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as last amended by the Act approved the twelfth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 673) is hereby further amended to read as follows

Section 24 After the expiration of twenty days from the recovery of judgment whether on the original scire or any scire facias to revive except in cases where the property named is essential to the business of a quasi public corporation the court shall upon the petition of the plaintiff appoint a sequestrator of the rents issues and profits of the property bound by the judgment unless in the meantime an appeal be taken and approved security given to operate as supersedeas If the owner against whom the judgment is entered be in possession of the property sequestered or the party in possession refuse to pay a fair rent the court shall upon petition filed and served grant a rule and if it be made absolute award a writ in the nature of a writ of habere facias possessionem directed to the owner and/or the party in possession commanding him or them to deliver such possession to the sequestrator within fifteen days thereafter unless such property be occupied by the owner and his family for a home in which case he shall be entitled to retain possession for a period of one month from the time the petition was served upon him A sequestrator once appointed shall have power to retain possession as sequestrator until all the taxes owing at the time of his appointment shall have been collected or paid He shall have power to lease the property for a period not exceeding one year with the usual privilege of renewal or termination thereof upon three months notice or for a term of more than one year but not exceeding ten years without a privilege of renewal provided however that the sequestrator shall first obtain the approval of the court of any lease that provides for a term of more than one year He may make such repairs to the property as may be reasonably necessary to restore it to and maintain it in a tenantable condition He may advertise for tenants and collect the costs of repairs and advertising from rentals collected or from a redeeming owner He may appoint an agent or agents to collect the rentals of the property and pay such agent or agents the customary commissions for rent collections All commissions costs and necessary expenses shall be deducted from the rents collected before paying the net balance towards the taxes Any owner of the property may redeem it from the sequestrator and be again entitled to possession thereof upon payment of the net amount of taxes then owing upon the property after payment of the commissions costs and expenses of the sequestration proceedings Upon payment of all taxes owing either by a redeeming owner or by collection of rentals the sequestrator shall transfer the possession of the property to the owner or owners subject to any existing lease or leases given or executed by the sequestrator which said lease or leases shall be assigned to the owner

Sequestrators appointed under this act shall have and exercise all the powers and shall be entitled to use all the remedies conferred by the laws of this Commonwealth upon sequestrators in other proceedings so far as they may be applicable

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 966, (House Bill No. 731), entitled:

An Act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 987, as follows:

An Act to regulate nominations and elections for all offices of judge of a court of record providing for nonpartisan nominations and elections for said offices abolishing certain existing methods of nomination in such cases and the use of party or political names or appellations at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth county commissioners and elections officers and clerks and providing penalties for the violation of the provisions hereof and the punishment of certain offenses

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter all candidates for the office of judge of any court of record whether such office of judges be filled by the vote of the electors of the State at large or of the electors of any county or judicial

district in the State shall be nominated in accordance with the provisions of this act and in no other manner The term "office of judge" or "office of judge of any court" when used in this act shall mean the office of judge of any court of record

Section 2 Candidates for any office within the provisions of this act to be filled at any election shall be nominated in the manner hereinafter provided at the regular primary provided by law for the nomination of candidates for other offices to be filled at such election and all laws relating to such primaries shall continue to be in force and to be applicable to the said offices in so far as may be consistent with the provisions of this act No nomination by any political party of any candidate for any such office shall hereafter be made under any law of this Commonwealth

Section 3 Official primary ballots hereinafter called "non-partisan primary ballots" for the said offices shall be prepared for the primary by the county commissioners and no other ballots for such offices shall be used thereat These non-partisan primary ballots shall be printed on white paper of uniform quality and shall be uniform in size style of printing and general appearance and but one form of non-partisan primary ballots shall be provided for each polling place The non-partisan primary ballot shall be substantially in the following form

NON-PARTISAN PRIMARY BALLOT

.....District.....Ward City of .....
County of .....State of Pennsylvania
Primary held on the.....day of.....19....
Make a cross (x) in the square to the right of each candidate for whom you wish to vote

If you desire to vote for a person whose name is not on the ballot write or paste his name in the blank space provided for that purpose

Judge of the Supreme Court (Vote for .....)	
John Doe	
Richard Roe	
John Stiles	

Judge of the Court of Common Pleas (Vote for .....)	
John Doe	
Richard Roe	
John Stiles	

Under each group of names of candidates shall be printed blank spaces defined by light lines or rules three-eighths of an inch apart equal in number to the number of candidates for whom an elector would be entitled to vote for such office at the ensuing election

On the back of such ballot shall be printed in prominent type the words Official Non-Partisan Primary Ballot and there shall also appear on the back of such ballot the facsimile signature of the county commissioners of the county The ballot shall vary in form only as the names of districts offices or candidates as the provisions of this act may require The names of the candidates shall appear on the official non-partisan primary ballots in alphabetical order under the respective offices Opposite or under the name of each candidate who is to be voted for by the electors of more than one county shall be printed the name of the county in which such candidate resides and opposite or under the name of each candidate who is to be voted for by the electors of an entire county shall be printed the name of the township borough or ward and city as the case may be in which such candidate resides

The voter may designate his choice as indicated by the instructions shown on the form of ballot above set forth He may vote for no greater number of persons for nomination to any office than the number for which he could vote at the succeeding election for the same office If he shall vote for a greater number of persons for nomination to any office than he would have a right to vote for at the ensuing election for the same office or if for any reason it be impossible to determine his choice for any office his ballot shall not be counted for such office but the rest of his ballot if properly marked shall be counted No ballot shall be rejected for any technical error which does not render it impossible to determine the voter's choice

Section 4 The names of all candidates for nomination at any primary for any of said offices shall be printed upon the official non-partisan primary ballot at such primary upon the filing of nomination petitions in their behalf signed by qualified electors of the State or of the political district or division as the case may be within which the nomination is to be made and the filing of affidavits by the candidates as provided by this act and the names of no candidates for any of said offices shall be printed upon any official non-partisan primary ballot to be used at any primary unless such nomination petitions shall have been filed and unless such candidates shall have filed affidavits as hereinafter provided The petitions and affidavits herein required shall contain no reference to any political party or policy and party membership shall not be necessary to qualify any person to be a candidate or to be a signer of a nomination petition within the provisions of this act

(a) Each signer of a nomination petition shall sign but one such petition for each office to be filled and shall declare therein that he has signed no inconsistent petition Provided however That where there are to be elected two or more persons to the same office each signer may sign petitions for as many candidates for such office as and no more than he could vote for at the succeeding election He shall also declare therein that he is a qualified elector of the county named in the sheet which he signs and in case the nomination is not to be made by the electors of the State at large of the political district or division therein named in which he nomination is to be made He shall add his occupation and residence giving city borough or township with street and number if any and shall also add the date of signing No nomination petition shall be circulated prior to sixty (60) days before the last day on which such petition may be filed and no signature shall be counted unless it bears date within sixty (60) days of the last day for filing the same

Said nomination petition may be on one or more sheets and different sheets must be used for signers resident in different counties Each sheet shall have appended thereto the affidavit of some person not necessarily a signer and not necessarily the same person on each sheet setting forth that the affiant is a qualified elector of the State or of the political district or division as the case may be referred to in said petition his residence giving city borough or township with street and number if any that the signers signed with full knowledge of the contents of the petition that their respective residences

are correctly stated therein that they all reside in the county named in the affidavit and that each signed on the date set opposite his name and that to the best of affiant's knowledge and belief signers are qualified electors of the State or of the political district or division as the case may be

(b) Each candidate shall file with his nomination petition his affidavit stating his residence with street and number if any and his post-office address his election district the name of the office for which he desires to be a candidate that he is eligible for such office and that he will not knowingly violate any election law or any law regulating and limiting nomination and election expenses and prohibiting corrupt practices in connection therewith

Section 5 The nomination petitions shall be filed at least four weeks prior to the primary with the Secretary of the Commonwealth

Nomination petitions of candidates shall be signed

(a) If for the office of judge to be filled by a vote of the electors of the State at large by at east one hundred qualified electors in each of at least five counties of the State

(b) If for the office of judge of any court of record other than a court whose judges are elected by a vote of the electors of the State at large by at least two hundred qualified electors of the county or judicial district as the case may be

Where a nomination petition has been duly filed under the provisions of this act and thereafter and before the day of the primary the candidate named in said petition dies the original signers of said petition or the majority of them may sign and file another petition proposing a new candidate for the same office at any time prior to the printing of the non-partisan primary ballot Said petition so filed shall have the same force and effect as the original petition.

Section 6 No nomination petition with the aforesaid appended and accompanying affidavits shall be refused or set aside except for

(a) Material error or defects apparent on the face thereof or on the face of the appended or accompanying affidavits or

(b) Material alterations made after signing without the consent of the signers or

(c) Want of a sufficient number of genuine signatures of persons qualified with respect to age sex residence and citizenship to be electors

The invalidity of any sheet of a petition shall not affect the validity of such petition if a sufficient petition remains after eliminating such invalid sheet

Application to set aside any nomination petition shall be by petition to the Court of Common Pleas of the county in which such nomination petition has been filed setting forth specifically the matters objected to and must be filed within five days after the last day for filing said nomination petition Upon the presentation of such a petition the court shall make an order fixing a time for hearing which shall not be later than ten days after the last day for filing said nomination petition and specifying the time and manner of notice that shall be given to the candidate named in the nomination petition sought to be set aside

If the matters objected to are such as are specified in subdivision (a) of this section the court upon hearing the case may in its discretion permit amendments within such time and upon such terms as to payment of costs as the said court may specify

In case the petition to set aside a nomination petition is dismissed the petitioner shall pay the whole of the costs of the proceedings including all witness fees

Section 7 The Secretary of the Commonwealth immediately after any last day fixed for the filing of said petitions with him shall forward to the county commissioners of each county a correct list of candidates for the various offices as shown in such petition with their respective residences and postoffice addresses as shown in their affidavits and shall also at the same time notify the said candidates by mail that their names have been so certified to said county commissioners

Section 8 The county commissioners shall have on file in their office on and after the Wednesday preceding the primary open to public inspection forms of the non-partisan primary ballots with the names and such notations respecting residence as may be required by the provisions of this act printed thereon which shall be used in each election district within such county

Section 9 The county commissioners shall prepare and furnish to the election officers of each election district for use at the primary one set of official non-partisan primary ballots of not less than seventy-five for every fifty and fraction of fifty voters therein as contained upon the assessor's or registrar's list

The county commissioners shall also furnish specimen non-partisan primary ballots for the use of electors at the polls equal in number to one-fourth the whole number of official non-partisan primary ballots said specimen ballots to be printed on colored paper and to be of the same size and form as said official ballots

The official non-partisan primary ballots shall be bound in books of one hundred each in the same manner as ballots at elections and shall be delivered to the officers of election in the same manner as ballots are or hereafter may be required by law to be delivered to officers of election for use at elections

Section 10 The qualifications of electors entitled to vote for candidates for offices within the provisions of this act at a primary shall be the same as the qualifications of electors entitled to vote at the next general election within the election district where the primary is held Party membership shall not be necessary to entitle any person to receive and vote a non-partisan primary ballot at any primary at which a candidate for any such office is to be nominated

Section 11 As soon as a voter is admitted within the rail in the voting-room at the time of a primary the election officer having charge of the ballot shall detach one of said non-partisan primary ballots from the stub and give it to the voter but shall first fold it as required by law If the voter is entitled to receive a party ballot he shall receive it at the same time he receives the non-partisan primary ballot Not more than one non-partisan primary ballot shall be given to a voter Provided however That where a voter inadvertently spoils a nonpartisan primary ballot he may obtain another as provided by law first returning the spoiled ballot which shall be cancelled preserved and returned as in like case at elections

The voter shall mark said non-partisan ballot and deposit it in the ballot-box at the same time he marks and deposits the party ballot if any

The ballot check list and the voting check list at primaries shall have separate columns for party ballots and non-partisan primary ballots and the officers or clerks keeping such lists shall make separate checks or notations for each class of ballots as they are issued and deposited

When after the closing of the polls at a primary the ballots are taken from the ballot-box the election officers shall after counting and making a record of the number of ballots for each party count the number of non-partisan primary ballots cast and make a record thereof and after counting the vote cast for the different persons named on the party ballots and making a record thereof shall count the vote cast for the different persons named on the non-partisan primary ballots and make a record thereof and when said count is finally completed they shall certify in due and proper form to the number of votes cast for each person upon the non-partisan primary ballots in addition to certifying the party vote as provided by law The non-partisan primary ballots and their stubs and the unused non-partisan ballots shall be disposed of in the same way as the party ballots stubs and unused ballots are disposed of according to law and the returns of non-partisan votes and register of voters shall be placed in envelopes sealed kept and deposited with the county commissioners and the returns by them computed and canvassed all as provided by law with respect to party registers and returns

Section 12 The county commissioners shall make the proper certification of return of votes cast at any primary for the candidates for nomination for all offices of judge

of any court to the Secretary of the Commonwealth who shall tabulate the same and shall certify to the county commissioners of the respective counties the result of the computation of the vote at least thirty days prior to the date of the succeeding election

Section 13 The candidates for nomination at any primary for any office within the provisions of this act to be filled at the succeeding election equal in number to twice the number to be elected at the succeeding election who shall have received at such primary the highest number of votes cast for nomination to the office for which they are candidates (or if the number of all the candidates voted for as aforesaid be not more than twice the number to be elected then all the candidates) shall be the nominees for such office and their names and none other except as hereinafter provided shall be printed as candidates for such respective offices upon the official ballots which are provided according to law for use at such succeeding election Provided That whenever at any primary any candidate for nomination to any of the aforesaid offices to which but one person is to be elected at the succeeding election shall receive a number of votes greater than one-half of the total number of votes cast for such office at such primary and greater than one half the number of ballots cast in the political district or division within which the nomination is to be made such candidate shall be the sole nominee for such office and his name and none other shall be printed as candidate for such office upon the official ballots for us at such succeeding election

In case of a tie the candidates receiving the tie vote shall appear and cast lots before the Secretary of the Commonwealth on the third Friday after the primary and the one to whom the lot shall fall shall be entitled to the nomination Provided In any case where the fact of a tie vote is not authoritatively determined until after the third Wednesday after the day of the primary the day for appearing and casting lots shall be the second day after the day on which the fact of such tie vote is authoritatively determined If any candidate or candidates receiving a tie vote fail to appear before twelve o'clock noon on said day the Secretary of the Commonwealth shall cast lots for him or them For the purpose of casting lots any candidate may appear in person or by proxy appointed in writing

Section 14 If after any primary and before the succeeding election any candidate nominated pursuant to the provisions of this act shall die or shall by virtue of any present or future law to be disentitled to have his name printed on the ballot for the election a vacancy shall be deemed to exist which shall be filled by the otherwise unnominated and not so disentitled candidate for the same office next in rank with respect to the number of votes received at such primary If after any primary and before the succeeding election there should not be any candidate whatever nominated living and entitled to have his name printed on the ballot for any office which is within the provisions of this act and which is to be filled at the succeeding election or not enough of such candidates for any such office to equal the number of persons to be elected thereto at the succeeding election other candidates may be nominated for such office with the same effect as though nominated at the primary by the filing of nomination petitions on behalf of and affidavits by such candidates in the manner and form and according to the directions hereinbefore provided in sections four and five of this act with respect to getting the name of a candidate for such office printed upon the ballot for the primary varied in so far as may be necesary to fit the different purpose Such nomination petitions and affidavits may nevertheless in such cases be filed at any time after the primary and before the succeeding election but as soon as enough of such after-primary nomination petitions shall have been filed to provide a number of candidates including any previously nominated and still remaining available equal to twice the number of persons to be elected to the office no more such petitions shall be received The Secretary of the Commonwealth shall immediately upon the filing of any such after-primary petition and its accompanying affidavit in proper form in his office forward to the county commissioners of the county or counties whose electors are entitled to vote at the election for the office a written statement of the name residence and post-office address of the candidate therein named as shown in his affidavit as well as the name of the office for which he is a candidate and shall at the same time notify the said candidate by mail that his name has been so certified to the county commissioners As soon as any such substituted or additional candidate shall have been duly nominated as herein provided his name shall be used by the proper officers as though he had been nominated at the primary so far as time will allow and in case such after-primary nomination transmitted to the county commissioners after the ballots have been printed the said commissioners shall prepare and distribute with the ballots suitable slips of paper bearing the substituted or added name together with the tile of the office and having adhesive paste upon the reverse side which shall be offered to each voter with the regular ballot and may be affixed thereto

Section 15 Whenever an office within the provisions of this act is to be filled at a regular or special election because of the prior happening of a vacancy in such office nominations of candidates for such office for such election shall be made as follows

If such vacancy is to be filled at a regular election or at a special election to be held at the same time as a regular election and if such vacancy happened not less than thirty days prior to the last day for filing nomination petitions for the office for the regular primary antecedent to such election nominations shall be made at the primary preceding such election in the same manner that candidates for the same office are nominated under the provisions of this act when there has been no antecedent vacancy occasioning the election

In all other cases within the purview of this section candidates for such office shall be nominated with the same effect as though nominated at a primary by the filing of nomination petitions on behalf of and affidavits by such candidates in the manner and form and according to the directions hereinbefore provided in sections four and five of this act with respect to getting the name of a candidate for such office printed upon the ballot for the primary varied in so far as may be necessary to fit the different purpose Any number of candidates may be so nominated Such nomination petitions and affidavits shall be filed the same length of time prior to the election as corresponding nomination petitions are required to be filed before a primary and shall be filed in the same office and the same proceedings shall be had with respect thereto with relation to the election as herein provided with respect to a primary Provided however Said nomination petitions shall not be deemed to be filed too late if filed within ten days after such vacancy happened

Section 16 At the head of every official ballot furnished for an election at which any candidate for any office within the provisions of this act is to be voted for there shall be printed immediately after the instructions now by law required to be printed thereon the following additional instructions in the same style and size of type to wit A CROSS (X) IN THE PARTY SQUARE IN THE FIRST COLUMN DOES NOT CARRY A VOTE FOR ANY JUDGE TO VOTE FOR JUDGE MARK A CROSS (X) OPPOSITE THE NAME OF THE CANDIDATE DESIRED

The group of candidates for the office or the several offices within the provisions of this act shall be printed on the ballot at the head of the second column shall be enclosed in a solid border not less than one-sixteenth of an inch in width and shall be headed with the following words printed in bold-face type not less than sixteen point in size Judicial Ticket—Non-Partisan Said instruction shall vary as the names of the offices to be filled may require

The names of the candidates nominated as provided by this act shall be printed on the ballot in alphabetical order under the titles of the respective offices and without any party name or appellation and the names of no other candidates for such offices shall be printed on said ballots At the right of the name of each candidate shall be a square for the insertion of a cross mark and following the list of candidates for each different office to be filled (or under the name of the office itself if there are no candidates) shall be left blank spaces all as required by law

Section 17 Any candidate for nomination to be voted for at a primary under this act may at any time before four o'clock post meridian of the Friday next succeeding the last day fixed for filing nomination petitions for the office for which he is a candidate withdraw his name as a candidate by request in writing signed by him and acknowledged before any officer authorized by law to take acknowledgments and filed with the Secretary of the Commonwealth

The Secretary of the Commonwealth upon the filing of requests for withdrawal in the manner herein provided shall forthwith certify to the county commissioners of the proper county a correct list of candidates filing such requests

No candidate for any office within the provisions of this act nominated at or after a primary may withdraw his name as candidate for election

Section 18 Each candidate for any office within the provisions of this act shall be entitled to appoint one watcher at the election in each election district precinct or division in which such candidate is to be voted for who shall be a qualified elector of the district precinct or division in which he is authorized to act as such watcher and who shall serve without compensation Each watcher shall be provided with a certificate from the county commissioners stating his name the district in which he is authorized to act and the name of the candidate appointing him and shall have the right to be present in the voting-room outside of the enclosed space during the time that the ballots are cast and counted and the returns made out and signed by the election officers and may keep poll books and challenge lists Watchers shall be required to show their certificates when requested to do so

If any election officers officiating at any election shall refuse to permit a watcher appointed under the provisions of this act to be present as herein provided such officer or officers shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand ($1,000.00) dollars or to undergo an imprisonment not exceeding one year or both in the discretion of the court

Section 19 Any person or persons who by violence or intimidation shall threaten or drive away said watchers shall be guilty of a misdemeanor and on conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars or undergo an imprisonment for a period not exceeding one year or both in the discretion of the court

Section 20 If any person shall knowingly sign any nomination petition provided for by this act without being qualified with respect to age sex residence and citizenship to be an elector of the State or of the political district or division as the case may be named in said petition and a resident of the county named on the sheet which he signs or if any person shall knowingly set opposite a signature on a nomination petition a date other than the actual date such signature was affixed thereto or if any person shall set opposite a signature on a nomination petition a false statement of the signer's place of residence or if any person shall knowingly sign more nomination petitions than permitted by the provisions of this act he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one hundred ($100.00) dollars

If any person shall knowingly make a false statement in any affidavit required by the provisions of this act to be appended to or to accompany a nomination petition or if any person shall fraudulently sign any name not his own to any nomination petition or if any person shall fraudulently alter any nomination petition or if any person shall alter any nomination petition without the consent of the signers he shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred ($500.00) dollars or to undergo imprisonment for not more than one year either or both in the discretion of the court

Section 21 The invalidity of any portion of this act shall in no wise affect the validity of any other portion thereof which can be given effect without such invalid portion

Section 22 This act shall become effective immediately upon final enactment

Section 23 All acts or parts of acts inconsistent with this act be and the same are hereby repealed in so far as they conflict with the provisions of this act Provided however That the repeal of said acts shall not in any way interfere with or affect any proceeding pending at the date of the approval of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 988, as follows:

An Act to amend section twenty-one of the act approved the seventh day of June one thousand nine hundred and fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" as amended providing that certified copies of birth certificates shall omit certain information

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-one of the act approved the seventh day of June one thousand nine hundred and fifteen (P. L. 900) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and death and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases or practitioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violations of this act" as last amended by the acts approved the twenty-eighth day of April one thousand nine hundred and thirty-three (P. L. 96) and the twenty-fourth day of May one thousand nine hundred and thirty-three (P. L. 979) is hereby further amended to read as follows

Section 21 That the Department of Health shall upon request furnish any applicant a certified copy of the record of any birth death or marriage registered under provisions of this act Provided That when a request is made for a birth certificate of any person who has been adopted by any other person pursuant to the provisions of any law and there is filed with such request a certified copy of the decree of the court in such adoption proceedings the State Registrar shall upon special request therefor issue in lieu of a certified copy of the original record a certificate showing only (a) the name of the adopted person as changed by the decree of adoption if changed (b) the

date and place of birth (c) the names of the adopting parent or parents and (d) the permanent file number of the original birth certificates Such special certificate shall be accepted by all school authorities as evidence of the child's age for all purposes connected with employment or school attendance Provided further That no certified copy of the record of any birth shall contain any informatin as to the legitimacy or illegitimacy of the person concerning whom the certificate is issued For the making and certification of each certified copy of the record of any birth death or marriage or of any special birth certificate the State Registrar shall be entitled to a fee of one dollars to be paid by the applicant and any such copy of the record of a birth or death or marriage when properly certified by the Department of Health to be a true copy thereof shall be prima facie evidence in all courts and places of the facts therein stated Provided That certified copies of the record of any birth death or marriage shall be furnished to honorable discharged soldiers sailors marines war nurses and their dependents without the payment of any fee For any such search of the files and records when no certified copy is made the Department of Health shall be entitled to a fee of fifty cents for each hour or fractional hour of time of search to be paid by the applicant And the Department of Health shall keep a true and correct account of all fees by him received under these provisions and turn the same into the State Treasury through the Department of Revenue

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 990, as follows:

An Act to amend section four hundred twenty seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrtive departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making further provisions for the appointment salary and powers and duties of a Secretary of a State Athletic Commission

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventyseven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended to read as follows

The State Athletic Commission shall consist of three members who shall be appointed for terms of two years and the Adjutant General ex officio

Each member of the commission except the Adjutant General shall receive a salary of five thousand dollars per annum

Two members of the commission shall constitute a quorum and the concurrence of at least two members of the commission shall be necessary to render valid any action by the commission

The commission may appoint such number of deputies as shall be approved by the Executive Board whose compensation shall be fixed by the commission with the approval of the Governor

The commission may with the approval of the Adjutant General appoint a secretary who shall serve for a term of two years and who shall receive a salary to be fixed by the commission with the approval of the Governor which shall not exceed the sum of four thousand dollars per annum The Adjutant General may with the approval of the Governor upon the disability of any member of the commission or his absence from the jurisdiction designate said secretary as a member of the commission and said secretary during such time shall have and possess all the powers and duties of a member thereof provided however that said secretary while so acting shall not be entitled to any extra or additional compensation for any services as a member of the commission

Section 2 This act is to become effective immediately tions or learned professions.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1026, (House Bill No. 563) on second reading, entitled:

An Act to amend the act, approved the twenty-second day of May, one thousand nine hundred and thirty-three (P. L. 912), entitled "An act to protect the public health; defining and providing for the licensing of bakeries, and regulating the inspection, maintenance, and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale and offering for sale of bakery products; conferring powers on the Department of Agriculture; and providing penalties;" requiring licenses for all bakeries; further regulating bakeries and the importation of bakery products; providing for injunctions in certain cases; and changing the penalties prescribed.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1048, sa follows:

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of forty thousand dollars ($40,000.00) or so much thereof as may be necessary is hereby specically appropriated to the Department of Health for the use of the Land Grant College of Pennsylvania engaged by the Department for the purpose of advancing research in human nutrition for children so as to continue the work now in progress in certain areas and in order that this research may be extended into other areas The Department of Health shall commission this research to an institution college or university and remain in an advisory capacity so to benefit and be directed in its work by such findings as may ensue The moneys so appropriated may be advanced to the Land Grant College of Pennsylvania at such time or times and in such amount or amounts as the college shall request

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1063, (House Bill No. 2070), entitled:

An Act to repeal the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred fifty-one) entitled "An act fixing the time of holding elections on questions submitted to electors of boroughs".

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1075, entitled:

An Act to protect the public health and welfare by regulating employment in this Commonwealth with respect to hours and conditions of employment providing for certain exceptions imposing duties liability and conditions on employers defining the powers and duties of the Department of Labor and Industry and its officers and representatives and providing penalties

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

The first section of the bill was read as follows and agreed to:

Section 1 Definitions Whenever used in this act

(a) "Employ" includes permit or suffer to work

(b) "Employer" includes every person firm corporation partnership stock association agent manager representative or foreman or other person having control or custody of any employment place of employment or of any employee

(c) "Day" includes any period of twenty-four consecutive hours

The second section of the bill was read as follows:

Section 2 Hours of Work Except as hereinafter provided no employer shall employ any person for more than forty hours in any one week or eight hours in any one day or on more than five days in any period of seven consecutive days If the work during any one day is not continuous but is divided into two or more periods the employer shall provide that all such periods fall within ten consecutive hours

A person may be employed in more than one place of employment provided the aggregate number of hours such person is employed does not exceed eight in any one day or forty in any one week

Nothing in this section or any other provisions of this act shall apply to employment in agricultural field occupations or in domestic service in private homes or to the work of persons over twenty-one years of age earning at least thirty-five dollars a week in bona fide executive positions or learned professions

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend Section 2, page 2, line 5 by striking out the word "forty" and inserting in lieu thereof the following: "forty-four"; amend section 2, page 2, line 6 by inserting following the word "five" the following: "and one-half"; amend section 2, page 2, line 14 by striking out the word "forty" and inserting in lieu thereof the following: "forty-four"; amend section 2, page 2, line 14 by inserting following the word "week" the following: "provided that one day of rest may be sub-divided into two days of twelve hours each for women employes in hotels boarding houses and in charitable educational and religious institutions at the discretion of the Department of Labor and Industry with the approval of the Industrial Board where the strict application of the schedule of hours provided for by this section imposes an unnecessary hardship and violates the intent and purpose of this Act the Department of Labor and Industry with the approval of the Industrial Board may make alter amend and repeal general rules and regulations prescribing variations from said schedule of hours Provided that if it should be held hereafter by the courts of this Commonwealth that the power herein sought to be granted to the said Department of Labor and Industry is for any reason invalid such holding shall not be taken in any case to affect or impair the remaining provisions of this section"; amend section 2, page 2, line 7, by striking out the following: "if the work during any one"; amend section 2, page 2, by striking out all of lines 8, 9 and 10.

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third and fourth sections inclusive, of the bill were read as follows and agreed to:

Section 3 Meal Period No employer shall employ any person for a period of more than five hours of continuous labor unless such period is broken by a meal period of at least one-half hour and for the purpose of this section no period of less than thirty minutes shall be deemed to interrupt a continuous period of work

Section 4 Posting of Law Every employer shall post and keep conspicuously posted in or about the premises wherein any person is employed a printed abstract

of this act to be furnished by the Department of Labor and Industry

The fifth section of the bill was read as follows

Section 5 Posting of Schedule of Hours (a) Every employer shall post and keep conspicuously posted in or about the premises wherein any person is employed a schedule of hours of employment which shall contain the maximum number of hours each person shall be employed during each day of the week with the total hours per week the time of commencing and stopping work and the time of commencing and stopping the meal periods If more than one schedule of hours is in operation at a particular place of employment the posted schedule shall also contain the names of the employees working on the different shifts and shall clearly indicate the hours required of each person or group of persons An employer may permit a person to begin work after the time for beginning and to cease work before the time for ending stated in such schedule but he shall not otherwise employ him except as stated in such schedule Said schedule of hours shall not be changed except upon written application of the employer and on the approval of the Department of Labor and Industry Said schedule shall be on a form provided by the Department of Labor and Industry and shall remain the property of said department

(b) The presence of any employee at the place of employment at any other hours then those stated in the schedule applying to him shall constitute prima facie evidence of violation of this act

(c) In any place of employment wherein owing to the character of the work it is difficult to fix the hours of employment weekly in advance the Department of Labor and Industry on application accompanied by evidence which satisfies him of the necessity therefor may grant a permit dispensing with the schedule required in this section Any employer to whom such a permit is granted shall post such information as to hours required of employees as the department may require.

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President I move to amend section 5, sub-division (b) page 3 by striking out line 29; amend section 5, page 3, line 26, by striking out the word "then" and inserting in lieu thereof the word "than"; amend section 5, page 4, line 5, by striking out the word "him" and inserting in lieu thereof the word "it".

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixth section of the bill was read as follows and agreed to:

Section 6 Time Records Every employer shall keep in or about the premises wherein any person is employed a time book or record which shall state the name address and occupation of each person employed the number of hours worked by him on each day of the week the hours of beginning and ending such work the hours of beginning and ending meal periods and the amount of wages paid each day period to each such person Such time book or record shall be kept on file for at least one year after the entry of the record Any duly authorized representative of the Department of Labor and Industry shall for the purpose of examination have accesss to and the right to copy from such time book or record Any employer who fails to keep such a time book or record or knowingly makes any false statement therein or refuses to make such time book or record accessible upon request to any such duly authorized representative shall be deemed to have violated this section

The seventh section of the bill was read as follows:

Section 7 Enforcement It shall be the duty of the Department of Labor and ndustry to enforce provisions of this act Any authorized representative of said department shall have the power and authority to enter any place of employment and in the enforcement of this act shall enter and inspect as often as practicable all such places of employment Such representatives shall investigate complaints of violations of this act received by them and shall have power to institute prosecutions as hereinafter provided for violations of this act.

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend section 7, page 4, at the end of line 29 by inserting the following: provisions of this Act Any authorized representative of said.

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eighth section of the bill was read as follows and agreed to.

Section 8 Power as to Witnesses The Secretary of Labor and Industry or his authorized representative in the performance of any duty or execution of any power prescribed by this act shall have the power to administer oaths take and cause to be taken depositions of witnesses issue subpoenas compel the attendance of witnesses and the production of papers books accounts payrolls documents records and testimony In case of failure of any person to comply with any such order of the Secretary of Labor and Industry or any subpoena lawfully issued or on the refusal of any witness to produce evidence or to testify to any matter regarding which he may be lawfully interrogated it shall be the duty of any Court of Common Pleas of the Commonwealth or any judge thereof upon application of the Secretary of Labor and Industry or of his authorized representative to compel obedience by issuing its subpoena and any refusal to obey the subpoena of the court shall be punished as for contempt.

The ninth section of the bill was read as follows:

Section 9 Interference with Enforcement No person shall hinder or delay any authorized representative of the Department of Labor and Industry in the performance of his duties nor shall any person refuse to admit to or lock out from any place of employment any such authorized representatives or refuse to give such authorized representative information required for the proper enforcement of this act.

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend section 9, page 6, line 2, by striking out the word "representatives" and inserting in lieu thereof the word "representative".

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The tenth section of the bill was read as follows:

Section 10 Violation of Act Except as hereinafter otherwise provided any person who whether on his own behalf or for another or through an agent manager representative foreman or other person shall violate any provision of this act shall be guilty of a misdemeanor.

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend section 10, page 6, line 9, by inserting after the word "misdemeanor" the following: "And upon conviction thereof shall be sentenced to pay a fine of ($1000.00) one thousand dollars or undergo imprisonment of one year or both at the discretion of the Court".

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eleventh section of the bill was read as follows and agreed to.

Section 11 Penalties Whoever violates any provision of sections one or two of this act shall be punished by a fine of not less than twenty-five dollars ($25) or more than two hundred dollars ($200) or by imprisonment for not more than sixty days or by both at the discretion of the court and whenever any person shall have been notified by the department or its authorized representative or by the service of a summons in a prosecution that he is violating such provision he shall be punished by like penalties in addition for each and every day that such violation shall have continued after such notification Provided further That the employment of any person in violation of such provisions shall with respect to each person so employed shall constitute a separate and distinct offense

Whoever violates any of the provisions of sections four five six or nine of this act shall be punished for the first offense by a fine of not less than twenty-five dollars ($25) or more than two hundred dollars ($200) or imprisonment for not more than sixty days or both at the discretion of the court and whenever any person shall have been notified by the Department of Labor and Industry or its duly authorized representative that he is violating such provisions and shall have been given a reasonable time in which to remedy the conditions which shall constitute such violations he shall be punished in addition to the penalties aforesaid by like penalties for each and every day that such violation shall have continued after the expiration of the time allowed by the Department of Labor and Industry or its duly authorized representative for remedying the aforesaid conditions Provided That no person shall be sentenced to imprisonment for more than one year at one time for violation of this act

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend section 11, page 6, line 22, by striking out the word "shall".

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twelfth, thirteenth, and fourteenth sections, inclusive of the bill were read as follows and agreed to.

Section 12 Intimidating Witnesses Whoever shall by force intimidation threat or procuring dismissal from employment or by any other manner whatsoever induce or attempt to induce an employee to refrain from giving testimony in any investigation or proceeding relating to or arising under this act or whoever discharges or penalizes any employee for so testifying shall upon conviction in a summary proceeding be punished by a fine of not less than twenty-five dollars ($25) or more than two hundred dollars ($200)

Section 13 Constitutionality of Act The provisions of this act shall be severable and if any provision thereof shall be held unconstitutional the decision so holding shall not be construed to affect or impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

Section 14 Repeal All acts and parts of acts inconsistent herewith are hereby repealed.

The title of the bill was read as follows and agreed to.

An Act to protect the public health and welfare by regulating employment in this Commonwealth with respect to hours and conditions of employment providing for certain exceptions imposing duties liabilities and conditions on employers defining the powers and duties of the Department of Labor and Industry and its officers and representatives and providing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. RICE. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. RODGERS. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF SENATE BILL No. 856

Mr. OWLETT. Mr. President, I move to reconsider the vote by which Senate Bill 856 passed second reading.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring.

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. OWLETT. Mr. President, I ask unanimous consent that Senate Bill No. 856 go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1077, (House Bill No. 812), entitled:

An Act relating to cities of the first class authorizing the issuance of non-debt revenue bonds to finance sewer improvements.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. OWLETT. Mr. President, I ask unanimous consent that Senate Bill No. 1087, on second reading, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (Pamphlet Laws four hundred forty-eight) entitled 'An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as amended by changing the method of issuance of licenses and making further provisions for records and returns thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1089, as follows:

An Act to supplement the Act approved the twenty-fifth day of June one thousand nine hundred nineteen (Pamphlet Laws five hundred eighty-one) entitled "An act for the better government of cities of the first class of this Commonwealth" supplying a new Article XIX providing for the better government of such cities by regulating and improving the civil service of such cities establishing and regulating the powers and duties of Civil Service Commissions providing for the appointment of Civil Service Commissioners providing for the appointment and regulating the duties and powers of Civil Service Directors defining certain crimes and imposing penalties

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 The act approved the twenty-fifth day of June one thousand nine hundred nineteen (Pamphlet Laws five hundred eighty-one) entitled "An act for the better government of cities of the first class of this Commonwealth" as amended is hereby supplemented by the addition of a new Article XIX to provide for the better government of such cities by regulating and improving the civil service of such cities which Article XIX shall read as follows

Article XIX

The Civil Service

Section 1 From and after the effective date of this Act all appointments transfers reinstatements promotions demotions reductions suspensions removals and dismissals in the civil service of cities of the first class shall be made in accordance with the terms and provisions of this Article and the rules prescribed thereunder

Section 2 The civil service of such cities shall include all offices positions and employments in or under such cities or any departments boards or commissions thereof

Section 3 Definitions A In this Article the following terms shall be construed to have the following meanings except in those instances where the context clearly indicates otherwise

(a) "Commission" means the Civil Service Commission of such cities

(b) "Commissioner" means a member of the Civil Service Commission of such cities

(c) "Director" means the Civil Service Director of such cities

(d) The "Unclassified Service" shall comprise

(1) All officers elected by the people

(2) The Director and the Assistant Director of each department of the City Government the Civil Service Commissioners the members of the Commission on City Planning and the Art Jury

(3) The City Solicitor and all assistant City Solicitors

(4) Persons employed by contract to perform a special service for such cities where such contract is certified by the Commission to be for employment which cannot be performed by persons in the classified service

(5) Persons who in time of public emergency may be appointed as special policemen or firemen for service not to exceed thirty days in duration

(6) Persons temporarily appointed or designated to make or conduct a special inquiry investigation or examination where such appointment or designation is certified by the Commission to be for employment which should not be performed by persons in the classified service

(e) "Classified Service" means all positions now existing or hereafter created in the service of such cities not specifically included in the unclassified service

(f) "Non-competitive division" means all positions in the classified service for the filling of which the Commission shall have found competitive tests to be impracticable after a public hearing of which suitable public notice has been given and for which the Commission has determined that it is unable after actual trial to obtain by competitive tests persons possessing the usual and requisite qualifications for filling such positions Such actual trial shall not be necessary as to positions for which the compensation including a fair valuation to be determined by the Commission for meals lodging uniform or other allowance is at a rate less than nine hundred dollars (900.00) per annum.

(g) "Labor Division" means all positions in the classified service which can be satisfactorily filled by ordinary laborers not required to have skill at the time of employment or thereafter during employment

(h) "Competitive division" means all positions in the classified service other than those in the non-competitive or labor division

(i) "Appointing authority" means the officer board commission person or group of persons having power by virtue of the Constitution a statute or lawfully delegated authority to make appointments

(j) "Position" means a place of employment in the service of such cities such that the duties and responsibilities appertaining thereto are exercised by one person

(k) "Class" or "Class of positions" means a group of positions sufficiently similar in respect to the duties and responsibilities thereof that the same requirements as to education experience knowledge and ability are demanded of incumbents the same tests of fitness may be used to choose qualified appointees and the same schedule of compensation may be made to apply with equity

(l) "Permanent position" means a position specifically provided for in the annual financial program or established in a department or institution according to law and likely to be needed continuously for a period of six months or more

(m) "Extra position" means a position in the classified service which arises out of temporary pressure of extra work and which will continue for a period of less than six months

(n) "Employe" means a person legally occupying a position in the classified service

(o) "Employment List" means a list of persons arranged in the order of excellence and found qualified for appointment to positions of a given class in the classified service through suitable tests given under this Article

(p) "Reemployment List" means a list of persons previously holding positions in a given class in the classified service and entitled to re-employment ahead of all other persons when vacancies occur in the class

(q) "Rules" means rules adopted by the Commission as provided herein and having the effect of law

B In this Article wherever the masculine gender is used it shall be construed to include the feminine

Section 4 Any person who holds an office position or employment in the competitive division of the classified

service as herein defined at the time this Act takes effect and who was appointed to such office position or employment after test and certification shall become a member of the competitive division of the classified service created by this Article without original entrance test Any person holding office position or employment in such classified service at the time this article takes effect who has not been appointed after test and certification shall continue to hold such office position or employment only until laid off or removed for inefficiency by the appointing authority or until removed under the provisions of this Article but such persons shall not be entitled to re-employment transfer or promotion under the provisions of this article

Section 5 A Subject to the provisions of Section 54 of this Article there shall be established and constituted in such cities a Civil Service Commission consisting of five civil service commissioners two of whom shall be appointed by the Mayor of such cities and two of whom shall be appointed by the City Controller of such cities and the four commissioners so appointed shall elect the fifth commissioner within 30 days after their appointment The Civil Service Commissioners so appointed shall hold office for a term of four years and until their successors are severally appointed and qualified Vacancies in the office of Civil Service Commissioner shall in like manner be filled for the remainder of the term by the appointing power which appointed the person whose vacancy is to be filled The commissioners shall elect from among their own number a chairman and secretary Each commissioner shall qualify by filing with the Mayor an oath to perform the duties of his office faithfully and without fear or favor

B The Commission shall have power to administer oaths subpoena and require the attendance of witnesses citizens and residents of this State and the production thereby of books and papers pertinent to the investigations and inquiries hereby authorized and to examine them and such public records as it shall require in relation to any matter which it has the authority to investigate The fees of such witnesses for attendance and travel shall be the same as for witnesses before the Courts of Common Pleas and shall be paid from the appropriation for the incidental expenses of the Commission All officers in the public service and their deputies clerks subordinates and employes shall without fee attend and testify when required to do so by said Commission Any disobedience to or neglect of any subpoena issued by the said commissioners or any one of them to any person shall be held a contempt of court and shall be punished by any Court of Common Pleas of this Commonwealth as if such subpoena had been issued therefrom Any judge of any of said courts shall upon the application of any one of said commissioners in such cases cause the process of said court to issue to compel such person or persons disobeying or neglecting any such subpoena to appear and to give testimony before the said commissioners or any one of them and shall have power to punish any such contempt

Section 6 It shall be the duty of the Commission

1 After public hearing as defined herein to establish adopt and amend rules either on its own motion or upon recommendation of the Director for making effective the provisions of this Article Such rules shall have the effect of law

2 After public hearing as defined herein to approve modify or reject such classification and compensation plans for the classified service of such cities as may be presented by the Director after a survey of the personnel and department organization included in such plans

3 To make investigations either on petition of a citizen or on its own motion concerning any matter touching the enforcement and effect of the provisions of this Article and to require observance of the provisions of this Article and the rules and regulations made thereunder

4 To make such investigations as may be requested by the Mayor Controller or Council and to report thereon

Section 7 Subject to the provisions of Section 54 of this Article the Commission shall appoint a Civil Service Director in the manner prescribed in this Article and may authorize him to appoint such examiners investigators clerks and other assistants as may be necessary to carry out this Article Such employes shall be in the competitive division The total compensation of such employes and assistants during any fiscal period shall never exceed the amount appropriated for that purpose The Director shall receive annual compensation commensurate with the importance of his responsibilities and duties and shall be reimbursed for travel and other expenses actually and necessarily incurred in the performance of his duties He and other members of the Commission's staff shall receive compensation in accordance with schedules of compensation established as provided in this Article Pending the establishment of such schedules of compensation their compensation shall be fixed by the Commission subject to the approval of Council

Subject to the Provisions of Section 54 of this Article the Commission or a special board of examiners designated by it shall hold competitive test and establish an employment list for Civil Service Director From such list the Commission shall appoint a Civil Service Director in accordance with the procedure and principles prescribed in this Article for the selection of employes for entrance into the competitive division of the classified service Any person appointed as Civil Service Director shall at the time of his appointment be thoroughly familiar with the principles and methods of personnel administration He shall be of good repute in his business profession or occupation and known to be in sympathy with the systematic application of merit and good business principles in the handling of personnel matters in the public service He shall not hold any other public office or employment The Civil Service Director shall be in the competitive division of the classified service and shall not be removed except in accordance with the procedure prescribed in this Article for the removal of persons in such service

Section 9 The Civil Service Director shall be the chief executive officer of the Commission and except as otherwise provided in this Article shall direct and supervise its administrative work

It shall be his duty

1 To attend the meetings of the Commission act as its assistant-secretary and record its official actions

2 To prepare and recommend to the Commission rules and amendments thereto to administer such rules to appoint under the provisions of this Article with the approval of the Commission such examiners classifiers investigators clerks and employes as may be necessary to carry out the provisions of this Article and to supervise and direct their work

3 To establish and maintain a roster of the employes of such cities showing for each such person the title of the position held the rate of compensation and every change in his status including increases and decreases in pay changes in title transfers sick and annual leaves with or without pay and other facts which the Director may consider desirable and pertinent

4 To ascertain and record the duties responsibilities and authority pertaining to all positions in the classified service of such cities and to classify such positions in the manner hereinafter provided

5 For each class of positions in the classified service to make a study of proper rates of compensation and to make reports thereon as provided in Section 18 From time to time as he may consider necessary and in any case at intervals not to exceed two years he shall make additional compensation studies and recommendations to be submitted to the Commission as aforesaid

6 To test and pass upon the qualifications of applicants for appointment to or promotion in the classified service to establish reemployment lists for the various classes upon request from appointing authorities or upon indication of the necessity for appointment in order to comply with the provisions of this Article or upon the request for the authorization for a temporary or provisional appointment in any class to certify the names of persons for a temporary or provisional appointment in any class to certify the names of persons eligible for employment

promotion or re-employment to devise install and administer service rating systems and training courses to arrange and pass upon transfer to regulate annual sick and special leaves of absence hours of work attendance and payments for overtime in accordance with the provisions of the rules adopted and approved as aforesaid and to see that layoffs demotions suspensions removals retirements and other separations from the service are made in accordance with this Article

7 From time to time to investigate the effect of the administration of this Article and the rules made thereunder and to report his findings and recommendations to the Commission

8 On or before July first of each year to make an annual report to the Commission to be transmitted to the Mayor and Council concerning the administrative work of the Commission under his direction including pertinent information and recommendations

9 To do any act or acts required by this Article or which may be necessary to carry into effect its provisions purpose and spirit

Section 10 Such cities shall furnish the Commission and Director with suitable rooms for carrying on their work and shall supply them with the necessary stationery postage printing and other supplies All officers and employes of such cities shall during the usual business hours grant the Commission and its employes or authorized agents free access to the premises and records under their control and shall furnish the Commission such facilities assistance and information as it may require in carrying on its functions

Section 11 Before adopting or amending the rules or cancelling the re-employment or employment lists on account of illegality fraud or other reasons or before placing positions in the non-competitive division the Commission shall hold a public hearing at which any citizen shall have the right to appear and be heard at reasonable length Public notice of any public hearing shall be given at least five days in advance of the hearing by posting on a bulletin board maintained in or near the Commission's principal office in a place accessible to the public during business hours in a statement of the time and place of the hearing and of the matter to be considered at such hearing The Commission may give such further public notice of such hearing as it deems advisable

Section 12 The minutes of the Commission shall be preserved as permanent records The correspondence re-employment and employment lists and other papers and records of the Commission shall be preserved for five years and shall together with the minutes subject to reasonable regulation as to the time of examination be open to public inspection during the ordinary business hours except as herein specifically otherwise provided The Director shall take due precautions to prevent the securing in advance by any unauthorized person of questions or other material used in any tests unless such questions or material are available for all competitors He shall prevent the identification by an examiner or other person where identity is concealed of papers or work of any competitors in a test before the papers or work of all competitors in that test have been rated Statements of the former employers of competitors in tests may by the direction of the Commission be considered confidential and not open to examination by any person not an employe of the Commission or by a competitor even though employed by the Commission

Section 13 The Director subject to the approval of the Commission shall as soon as practicable but in any event not later than one year after the effective date of this Article after consulting the appointing authorities ascertain and record the duties of positions in the classified service reestablish classes and prepare and publish a statement giving a complete description of each class The published statements which shall be known and be described as "The Classification Plan" of such cities shall show for each class

(a) The title given to the class

(b) The duties and responsibilities exercised by those holding positions allocated to the class illustrated where necessary by example of typical tasks

(c) The minimum qualifications required for the satisfactory performance of such duties and tasks and the exercising of such responsibilities and

(d) As far as practicable the lines of promotion to and from the class

Section 14 As soon as possible after the adoption of the Classification Plan the Director shall after affording employes a reasonable opportunity to be heard and after consultation with appointing authorities and their principal assistants allocate each position in the classified service to its proper class Each employe shall assume the classification title of his position

Section 15 The Director shall from time to time as he deems necessary establish additional classes and allocate thereto new positions created or positions not included in any previously established class and may divide combine alter or abolish existing classes and reallocate positions in case any amendment of the classification plan requires the reallocation of an existing position the employe holding such position shall have reasonable right to be heard before final action is taken

Section 16 Appointing authorities shall promptly report to the Director the establishment of new positions authorized by law in order that they may be classified and allocated Any change in the duties of an existing position which in the judgment of the Director is material shall be interpreted as serving in effect to abolish the position and to create a new position Appointing authorities shall report material changes in the duties of positions to the Director

Section 17 The classification titles shall be used in all records and communications of the Commission the appointing authorities the Mayor Council and fiscal officers of such cities and shall also be used in all estimates submitted to Council requesting the appropriation of money to pay for services and in all reports and papers relating to payments for services

Section 18 For each class of positions in the classified service the Director shall make a study of the rates being paid for similar services elsewhere and of other information and data pertaining to proper rates of compensation After consultation with the appointing authorities and their principal assistants he shall prepare a report to the Commission setting forth a schedule of compensation for each class Such schedule shall show for each class a maximum salary rate a minimum salary rate and such intermediate rate or rates or any of them as he considers necessary and equitable After submission of such proposed schedule to the Commission and after public hearing thereon the Commission shall after approval transmit such schedule of compensation to Council for adoption The director may from time to time recommend to the Commission for its approval and transmission to Council changes in the schedule of compensation for any class together with the reasons therefor

Section 19 After the adoption of the schedule of compensation for any class the rate of compensation for any employe upon appointment to a position in the class shall be at the minimum rate prescribed for the class provided that however that where the appointee is already in the classified service in a position in another class his compensation upon appointment to the new position shall be the same as that which he received before such new appointment or if there is no such rate in the schedule for the class to which he is appointed then at the next higher rate in the schedule for that class

Section 20 The rate of compensation of any employe who has not reached the maximum rate for his class may be increased upon the attainment and maintenance of the appropriate service rating as provided elsewhere in this Article In the absence of service ratings advances in compensation within the salary range for any class may be made on the recommendation of the appointing authority supported by such evidence of increased usefulness in the service as may be required by the rules of the Commission Each such increase shall be to the next higher rate for the class except as provided in this section and shall

become effective at the next quarterly date following its approval by the Mayor No employe shall have his compensation increased in the class oftener than once in a calendar year except that the Mayor upon request of the appointing authority approved by the Director and the Commission and on the basis of facts demonstrating that the action is in the interest of good administration may at any time authorize and increase to any rate established for the class to which the position is allocated The commission in its annual report shall publish the facts regarding each case in which it approves such requests made by appointing authorities to increase the rate of compensation of any employe more frequently than once a year or to a rate above the next higher rate for the class In no case however shall the compensation of any employe be increased unless Council has appropriated funds from which the increase may lawfully be paid nor shall the rate for any employe be greater than the maximum nor less than the minimum rate fixed for his class

Section 21 Except as otherwise provided in this Article appointments of persons entering the classified service or promoted therein shall be from employment lists established as the result of tests which are competitive free and open to all persons who may be lawfully appointed to any position within the class for which the tests are held with such limitation as may be specified in the rules of the Commission or the announcements of the tests as recorded in the minutes of the Commission as to age sex health habits moral character and other qualifications requisite to the performance of the duties of such positions Vacancies in the higher classes of positions shall however be filled by promotion as far as is consistent in the judgment of the Commission with the best interests of such cities The Commission may upon recommendation of the Director limit competition in promotion tests to employes in the classified service who have served not less than one year in the class or classes designated in the public notice of the tests

Section 22 For each class where such action is appropriate the Director shall cause to be maintained a re-employment list consisting of the names of persons who have occupied positions in the class and who have been separated from the service without fault on their own part or who have taken leave of absence and are ready to return to duty when a position is open or who have resigned in good standing and with the consent of the appointing authority and of the Director have withdrawn their resignations and have not been restored to their positions or who have been rejected after probation or have been removed and by direction of the Commission have been given opportunity for re-employment in some other organization unit than that from which dismissed The Director shall in all cases have authority to determine whether or not the names of any such persons shall be placed on the re-employment list The names shall be arranged on the re-employment list for each class in the order of the average service ratings of the employes for the last six months of service in a position allocated to the class In the absence of service ratings the order shall be as provided by the rules of the Commission After the name of any person shall have remained on the re-employment list for the class for a period of one year unless the period is extended by action of the Commission taken before the expiration of the year and entered in its minutes that name shall be removed from the re-employment list

Section 23 The Director shall give tests to establish employment lists Such tests may be written oral or in the form of a demonstration of skill or any combination of these and shall be of such character as fairly to test and determine the qualifications fitness and ability of competitors actually to perform the duties of the class of positions to which they seek appointment Any investigation of the capacity of persons to be examined shall also include the potential ability of such persons to undertake higher responsibilities upon promotion Honorably discharged soldiers sailors and marines who have served as such in the Army Navy or Marine Corps of the United States or in the National Guard of the State shall be given full credit for their experience gained in such service having due regard to the position for which the examination is held The tests shall take into consideration elements of character education aptitude experience knowledge skill personality physical fitness and other pertinent matters

Section 24 The Director shall have charge of the preparation and holding of tests of the rating of the work of competitors and of the preparation of resulting employment lists We may call on other persons not on the regular staff of the Commission either within or without the service of such cities for assistance When such persons are in the service of such cities it shall be deemed a part of their official duty to act as examiners without extra compensation

Section 25 The Director shall give public notice of all competitive tests at least two weeks in advance by causing to be advertised in at least two daily newspapers causing to be advertised in such cities and to be posted on a bulletin board maintained in or near the Commission's principal office in a place accessible to the public during business hours a notice stating

(1) the title of each class for which tests are to be held

(2) the standard or most common rates of compensation

(3) the time and place of holding the tests

(4) the probable number of appointments to be made immediately or in the future and

(5) the manner and place in which application forms and detailed pertinent information may be obtained The Director shall prepare such detailed information in a form suitable for general distribution The tests shall be given such other publicity as the Director may determine or as the Commission may direct

B The final earned rating of each person competing in any test shall be determined by the weighted average of the earned rating on all phases of the test according to weights for each phase established by the Director in advance of the giving of the examination All persons competing in any test shall be sent notice by mail of their final earned ratings and of their relative standing or of their failure to attain a place upon the list

Section 26 From the reports of examiners the Director shall prepare and submit to the Commission for approval an employment list or lists containing the names of persons arranged in the order of excellence who have been given at least such minimum rating as may be fixed in advance for the whole or any one or more of the tests and whose general average is not less than the minimum fixed by the rules of the Commission and who are otherwise qualified

Section 27 Employment lists shall continue in force for a period to be fixed by the rules of the Commission Such period may be different for the various classes of positions but shall not be less than one year nor more than two years for any class except that the period may be extended in any case upon the recommendation of the Director approved by the Commission by action taken before the expiration of the period fixed by the rules and entered in the minutes A new employment list for any class shall be combined with any existing list but in such case any portion of such combined list shall be automatically cancelled at the end of the period fixed by such rules unless held in force provided The Director with the approval of the Commission may at any time correct clerical errors occurring in connection with the preparation of any employment list and revise the list accordingly but no person who has been appointed as the result of certification from such list shall be displaced by such action The Commission shall have the power at any time after giving notice as required in this Article and after a public hearing to cancel the whole or any part of any employment list on account of illegality or fraud in connection therewith

Section 28 Tests for positions in the non-competitive division shall conform to tests for the competitive division except that such tests shall be limited to one or more persons nominated by the appointing authority of the department or institution in which the position is located and except that public notice of not less than forty-eight hours shall be given Following any non-

competitive test an employment list shall be prepared and approved by the Director as in the case of tests for classes of positions in the competitive division Tests for positions in the labor division shall as far as practicable conform to tests for the competitive division but the Commission may by rule provide for the registration of ordinary unskilled laborers following such medical physical or other tests as may be prescribed and for the order in which their names shall be placed on the employment lists and the number of names which may be certified

Section 29 Whenever a vacancy in any permanent position in the competitive division of the classified service is to be filled the appointing authority shall request the Director in writing to certify the name of a person qualified for appointment The Director shall thereupon certify the name of the person who is highest in the reemployment list for the class to which the vacant position has been allocated and who is willing to accept appointment In case there is no reemployment list for the class the Director shall certify the names of the two persons who are highest on the employment list for the class and who are willing to accept appointment In case the reemployment and employment lists for the class do not contain the names of a sufficient number of persons to fill the vacancies the Director shall forthwith hold a test to establish an employment list If necessary to prevent the cessation of public business but not otherwise the Director may authorize the filling of the position at once through a provisional appointment as provided in this Article

Section 30 Unless it is found to be in the interests of the service not to fill the vacant position the appointing authority within a reasonable time to be fixed by the rules of the Commission shall appoint the person whose name has been certified from the reemployment list or in case there is no re-employment list the appointing authority shall with sole reference to the relative merit and fitness of the candidates make an appointment from the two names certified from the employment list After any name has been rejected twice by any one appointing authority for the same or a similar position in favor of others on the same employment list such name shall not again be certified to the appointing authority unless requested by such authority In case an employment list consist of less than two names the appointing authority may at his option expressed in writing to the Director at the time of appointment treat such appointment as provisional

Section 31 Appointing authorities shall promptly report to the Director the selection and appointment of eligibles whose names have been certified If an eligible whose name has been certified shall refuse to accept an appointment offered to him such refusal shall be promptly investigated by the Director and if it be found that the refusal has been made for improper or insufficient reasons the Director may remove his name from the employment or re-employment list

Section 32 In case a vacancy of a permanent position in the clasified service is to be filled and no person whose name is on the reemployment or employment list for the class is willing to accept appointment or there is no reemployment or employment list for the class the Director may if necessary to prevent the cessation of public business but not otherwise authorize the provisional appointment of a qualified person with or without holding any test In all such cases the provisional appointee shall before beginning work fill out and forward to the Director an application form Each such provisional appointment shall only be effective until an appropriate reemployment or employment list has been established and in effect for three months such a provisional appointment shall not in any event continue for a total of more than ninety days

Section 33 When from pressure of work an extra position in the classified service must be established for a period of less than six months the appointing authority shall request the Director in writing to certify the name of a qualified person In such request the appointing authority shall state the cause of the extra work the probable length of employment and unless the position has been classified the duties which the application is to perform The Director shall thereupon authorize the appointment with or without competitive tests of a qualified person for a period not exceeding ninety days Such temporary appointments shall not be renewed more than once As far as practicable however temporary appointment to extra positions shall be made following certification from reemployment and employment lists

Section 34 Any appointing authority or any subordinate authorized by him may to prevent cessation public business when an emergency arises and time will not permit of securing the authorization from the Director for the appointment of a certified eligible appoint any qualified person during the emergency for a period not exceeding ten days A vacancy in a position of which the appointing authority has had reasonable notice or employment concerning the conditions of which the appointing authority had previous knowledge or of which by the exercise of due diligence he might have had previous knowledge shall not however be considered an emergency Persons thus appointed shall be known as "emergency employes" Appointing authorities shall forthwith report to the Director all emergency appointments and such appointments shall not be renewed

Section 35 To enable the appointing authority to exercise a choice in the selective process involved in the filling of positions no appointment to a position in the classified service whether made from a re-employment list or an original entrance or promotion employment list shall be deemed complete until after the expiration of a probation period to be prescribed in the rules of the Commission The probation period shall in no case be less than three months nor more than six months At the end of the probation period any appointing authority may remove any employe from the probation held by him if in his opinion the test provided by observation of his work during the test period thus afforded shows the employe to be unable or unwilling to perform his duties in a satisfactory manner The Director may require from any appointing authority at any time during the probation period a report showing whether any employe on probation has shown the degree of efficiency which may reasonably be demanded if he is to continue in the classified service

Section 36 The Director shall devise plans for and co-operate with appointing authorities and other supervising officials in the conduct of employe training programs to the end that the quality of service rendered by persons in the classified service may be continually improved

Section 37 A The Director subject to the approval of the Commission shall as soon as practicable after this Article takes effect establish standards of performance and a uniform system of service rating for each class of positions or for groups of classes Such standards of performance shall as far as practicable be based upon actual output including quantity and quality of work done and upon conduct and attendance Such standards of performance shall set forth the degree of efficiency which shall constitute ground for

(a) Increase in the rate of compensation for employes who have not attained the maximum rate for the class to which their positions are allocated

(b) Continuance at the existing rate of compensation without increase or decrease

(c) Decrease in the rate of compensation for employes who at the time are above the minimum rate for the class to which their positions are allocated

(d) Demotion or renewal and

(e) Consideration in tests for promotion to a higher class

B The Director upon the establishment of standards of performance for any class or group of classes shall also provide for the rating according to the numerical percentage normal distribution or other plan of the service of each employe or of groups of employes by the appointing authorities in the various departments and institutions and for such report or review and revision by the Director of the ratings as may in his judgment be necessary or desirable Each appointing authority shall when requested by the Director submit such ratings to him but in no case shall an appointing authority be com-

pelled to submit such ratings oftener than once in three months Each employe shall have the right at reasonable times during business hours to inspect his service ratings and the service ratings of other employes in the same class as shown by the records of the Commission or of the department or institution in which he is employed

Section 38 A Appointing authority may at any time according to the rules of the Commission transfer any classified employe under his jurisdiction from one position to another in the same class of position In every such case the appointing authority shall give written notice of his action to the Director Transfer of a classified employe from a position under the jurisdiction of one appointing authority to a position under the jurisdiction of another appointing authority may be made subject to the rules of the Commisison with the approval of the Director and of both appointing authorities concerned Any transfer of an employe from a position in a lower classification to a position in a higher classification shall be deemed a new appointment and may be accomplished only in the manner hereinbefore provided for the making of appointments No person shall be transferred from a position in the unclassified service to a position in the classified service unless he has obtained a position on an employment list of the classified service as herein provided

Section 39 The Commission shall by rule provide for the granting of annual sick and special leaves of absence to employes with or without pay or with reduced pay No employe shall be granted leave of absence except under such rules

Section 40 In case a reduction in force is necessary because of a change in organization or through cessation or lack of work the employes having the lowest service ratings in the unit and in the class affected shall be first laid off In the absence of service ratings the order of lay off shall be established by the rules of the Commission The appointing authority shall promptly report to the Director the names of employes laid off together with the date the lay-off of each is effective and in such case the appointing authority shall give written notice of his action to the Director Transfer of a classified employe from a position under the jurisdiction of one appointing authority to a position under the jurisdiction of another appointing authority may be made subject to the rules of the Commission with the approval of the Director and of both appointing authorities concerned Any transfer of an employe from a position in a lower classification to a position in a higher classification shall be deemed a new appointment and may be accomplished only in the manner hereinbefore provided for the making of appointments No person shall be transferred from a position in the unclassified service to a position in the classified service unless he has obtained a position on an employment list of the classified service as herein provided

Section 41 An appointing authority may for good cause suspend an employe holding a position in the classified service for disciplinary purposes without pay for a period aggregating not more than thirty days in one calendar year No such suspension shall however be for racial religious political or partisan reasons The reasons which shall constitute good cause for suspension may be stated in the rules Every case of suspension together with the reason therefor shall forthwith be reported to the Commission in writing and such report shall be made a part of the Commission's public records

Section 42 The appointing authority may reject an employe appointed to a position in his department or institution at any time before the expiration of the probation period fixed by the rules of the Commission but in all cases the appointing authority shall furnish the Director a statement in writing of the cause for rejection The employe so rejected shall be considered permanently separated from such position but the Director may if he considers such action appropriate place the name of the person thus rejected on the reemployment list of the appropriate class for future certification to other appointing authorities

Section 43 A The Commission shall adopt rules governing the reinstatement within one year of persons who without fault or delinquency on their part have resigned or have been separated from the classified service Persons who have voluntarily resigned from the service shall not be reinstated within three months Absence from duty without notice to the appointing authority for a period of three working days may be regarded as the abandonment of a position and in effect a resignation

B No resignation of any person in the classified service shall be effective unless accepted within fifteen days after the actual date of making thereof Any person who leaves the classified service may request the Director in writing for a public hearing before the Commission stating his reasons for such request If on investigation the Director finds that the employe has been forced to resign against his will and without just cause or that his separation from the service has been involuntary and not justificable the Commission shall grant such person at the earliest opportunity a public hearing as hereinafter provided in the case of removal or demotion

Section 44 The Director with the approval of the Commission shall recommend to the Mayor the retirement of any employe who in his judgment has become unfitted for the efficient performance of the duties of his position owning to advanced age or to physcial or mental disability

Section 45 A Except as provided herein concerning suspension for disciplinary purposes no person in the classified service shall be dismissed removed suspended reduced or demoted in pay or position except for just cause which shall not be religious racial political or partisan Nor shall any person in the classified service be dismissed removed suspended reduced or demoted in pay or position except as herein provided as to the holders of provisional temporary or emergency appointments or employes on probation until he shall have been furnished with a written notice of intended removal suspension reduction or demotion setting forth the reasons for such action and until he has been allowed to give the appointing authority such written answer as the person about to be dismissed removed suspended reduced or demoted may desire In every case of such dismissal removal suspension reduction or demotion a copy of the statement of reasons therefor and of the written answer thereto shall be promptly furnished to the Commission and shall be made a part of its public records

B The transfer of an employe from a position in one class to a position in a different class for which a lower maximum rate of compensation is prescribed and involving a reduction in compensation shall be considered a demotion and may be made upon the recommendation of the appointing authority or the petition of the employe supported by such evidence as the Director may require to show that the employe is not performing satisfactory service in the position he is holding but is able to perform the duties of the class of positions to which it is recommended or petitioned that he be demoted The compensation of any employe so demoted shall in no case exceed the maximum rate for the class to which he is demoted

C Except as hereinafter provided within sixty days after the receipt of such notice of removal or demotion from an appointing authority the Commisison may upon its own initiative or upon request of either the appointing authority or the removed or demoted employe make such investigation as it may deem advisable either sitting as a body or through one or more of its members or through the Director The investigation inquiry or hearing provided for herein is declared to be for the purpose of fairly determining whether or not the employe involved by reason of his act or acts as charged and his record of service continuance therein or should be removed therefrom or demoted or otherwise disciplined for the good of the service In such investigations inquiries or hearings the Commission shall not be required to follow established rules of evidence or court procedure but shall seek information and evidence bearing on the merits of the case The records of such investigations and all hearings shall be open to the public and the employe sought to be removed or demoted shall on request have opportunity to be heard personally or through counsel in his own defense Within twenty days after the completiion of such

investigation or hearing or sooner if practicable the Commission shall make its findings and conclusions which shall be forthwith certified to and enforced by the appointing authority Charges against any employe in the classified service asking for his removal for a violation of law or for any cause enumerated in the rules may be filed by any citizen or taxpayer and when so filed shall at the discretion of the Commission publicly recorded be investigated and determined in the manner provided in this section The Commissoin may in its discretion order that the name of any person whose removal from the classified service has become final and binding be placed at the head of the appropriate reemployment or employment list or transferred provided that such action is taken not later than sixty days after the removal has become final and binding

Except as provided herein concerning suspension for disciplinary purposes No police officer or fireman except those dismissed at the expiration of the probationary period shall be dismissed removed suspended reduced or demoted in pay or position except for just cause upon written charges and after having been given an opportunity to be heard personally or through counsel in his own defense Such charges may be filed by any superior officer or by any citizen or taxpayer and shall within thirty days after filing be investigated heard and determined by the Commision or by one of the Commissioners or by some person or board appointed by the Commission to investigate hear and determine the same Where one person is appointed by the Commisison to hear such charges he shall be a person learned in the law Where a board is appointed to hear such charges at least one member of such board shall be learned in the law The hearing shall be public In the cases to which this subsection relates the finding and decision of the Commission or Commisioner or of such person or board when approved by the Commission shall be forthwith certified to and enforced by the appointing authority

Section 46 It shall be unlawful for any officer or employe of such cities to draw sign issue or authorize the drawing signing or issuing of any requistion voucher check warrant or mandamus on the disbursing officer of such cities for the payment of or for the disbursing officer to pay the salary or wages of any person holding a position in the civil service of such cities unless an estimate account requisition or payroll of such salary or compensation containing the names titles periods for which payments are to be made and rates of pay of the persons to be paid shall bear the certificate of the Director that the persons named in such estimate account requisition or payroll have been appointed and employed in accordance with the provisions of this Article and the rules made thereunder If the Director shall find that any person has been employed in violation of any provision of this Article or the rules of the Commission he shall so notify the fiscal officers of such cities and thereafter such officer shall not draw sign or issue or authorize the drawing signing or issuing of any requisition voucher check warrant or mandamus on such disbursing officer for the payment of salary or compensation to any such person except upon order of a court of competent jurisdiction Any sums paid contrary to the provisions of this Article and the rules made thereunder may be recovered from any officer or officers making such payment and if paid contrary to the provisions of this section may be recovered from any officer signing or countersigning or authorizing the signing or countersigning of any requisition voucher check warrant or mandamus for such payment or from the sureties on his official bond in an action maintained by a taxpayer of such cities All moneys recovered in any action brought under the provisions of this section shall when collected be paid into the treasury of such cities except that the plaintiff in any such action shall be entitled to receive for his own use the taxable costs of such action

Section 47 Any false statement made under oath either in any application or other paper filed with the Commission or in any proceeding before the Commission or in any investigation conducted by or under the direction of the Commission or by the Director or in any proceedings arising under this Article shall be perjury and punishable as such

Section 48 Any person who wilfully by himself or in cooperation with one or more other persons defeats deceives or obstructs any person in respect to his right of taking any test or receiving appointment according to this Article or according to any rules made thereunder or who shall wilfully or corruptly or falsely make rate grade estimate or report upon the tests or proper standing of any person tested or certified pursuant to the provisions of this Article or aid in so doing or who shall wilfully make any false representations concerning the same or concerning the persons tested or who shall wilfully or corruptly furnish to any person any special or secret information for the purpose of either improving or injuring the prospects or chances of any person so tested or certified or to be tested or certified or who shall impersonate any other person or permit or aid in any manner any other person to impersonate him in connection with any test or request to be tested certified or appointed or who shall use or promise to use his influence official or political authority to secure for any person any appointment or prospect of appointment to any position in the classified service as a reward or return for personal or partisan political service shall for each offense be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than fifty dollars ($50.00) and not exceeding three thousand dollars ($3.000.00) and to serve imprisonment for a period not exceeding three 3 years or both in the discretion of the court

Section 49 No person in the civil service shall be a member of or a delegate or alternate to any political convention nor shall he be present at any such convention except in the performance of his official duty nor shall he serve as a member of or attend the meetings of any committee of any political party or take active part in political management or in political campaigns or use his office or positions to influence political movements or influence the political action of any officer or employe in the civil service nor shall he circulate or seek signatures to any nominations or other petition provided by any primary or election law nor shall he seek or accept election nomination or appointment as an officer of a political club or organization or serve as a member of a committee of any such club or organization nor shall be in any manner participate in or interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while counting the vote or returning the election material to the place provided by law for that purpose save only for the purpose of voting as speedily as it reasonably can be done nor shall he be within the polling place or within fifty feet thereof except for the purpose of ordinary travel or residence during the period of time beginning with one hour proceeding the opening of the polls for holding such election and ending with the time when the election officers shall have finished counting the votes and have left the polling place for the purpose of depositing the election material in the place provided by law for that purpose excepting only police officers who may temporarily approach or enter the polling place in order to make any arrest permitted by law or for the purpose of preserving order and in each such case remain only long enough to accomplish the duties aforesaid after which the said officers shall at once withdraw

Section 50 A No person shall solicit pay give or receive in any public building belonging to such cities any money or valuable thing for any political purpose whatever No person shall orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any manner concerned in demanding soliciting collecting or receiving any money or valuable thing or any assessment subscription or contribution whether voluntary or involuntary from any officer or employe in the civil service for any political or partisan purpose whatever No person in the civil service shall orally or by written or printed communication directly or indirectly demand solicit collect or receive or be in any receiving any money or valuable thing for any political manner concerned in demanding soliciting collecting or

purpose whatever No person in the civil service shall pay or give any money or valuable thing or make any subscription or contribution whether voluntary or involuntary for any political purpose whatever No person about to be appointed to any position in the civil service shall in advance of such appointment sign or execute a resignation dated or undated No person in the service of such cities shall dismiss remove suspend lay off reduce demote or promote or in any manner change the official status or compensation of any other person in said service or promise or threaten to do so for wtihholding or neglecting to make any contribution of money or service or other valuable thing for any political or partisan purpose

B No person shall take part in preparing any political assessment subscription or contribution with the intent that the same shall be sent or presented to or collected from any person in the civil service and no person shall knowingly send or present directly or indirectly in person or by letter any political assessment subscription or contribution to or request its payment by any person in the civil service

Section 51 Any person holding a position in the civil service of such cities who violates any of the provisions of this Article or of the rules made thereunder shall be immediately separated from the service It shall be the duty of the Mayor and of the appointing authority of the department or institution in which the offending person is employed to dismiss him at once Any taxpayer may bring an action against such cities to restrain the payment of compensation or the issuing of warrants for the payment of compensation of any officer clerk or employe who has violated any of the provisions of this Article and may as an additional remedy obtain a writ of mandamus to compel such dismissal Any person dismissed under the provisions of this section shall for a period of two years be ineligible for reappointment to any position in the service of such cities

Section 52 The Commission shall have the power from time to time to enter into arrangements and agreements with other public personnel agencies for the purpose of exchanging information and services The Commission shall have power from time to time to become a member of or subscribe to any association or service having as its purpose the interchange of information relating to the technique of personnel administration

Section 53 Any person who shall wilfully or through culpable negligence violate or shall conspire to violate any of the provisions of this Article or of the rules made thereunder shall be guilty of a misdemeanor Persons convicted of a misdemeanor under this Article shall be punished by a fine of not less than fifty dollars ($50.00) and not more than three thousand dollars ($3,000.00) or by imprisonment for a term not exceeding three years or by both such fine and imprisonment in the discretion of the court

Section 54 A The persons who immediately prior to the passage of this Act were the Civil Service Commissioners in cities of the first class appointed pursuant to the provisions of Act number 41 of this Session of the General Assembly of Pennsylvania approved by the Governor March 30 1937 entitled "An Act to amend section five A of article nineteen of the act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws 581) entitled 'An act for the better government of cities of the first class of this Commonwealth' as amended by changing the number and method of appointment of the civil service commissions in said cities" shall become the Civil Service Commissioners of such cities immediately upon the effective date of this Act as if then appointed pursuant to the foregoing provisions hereof

B The person who immediately prior to the passage of this Act held the office of chief examiner under such Civil Service Commission in cities of the first class and who had been appointed to such office after test and certification shall become the first Civil Service Director of such cities immediately upon the effective date of this Act as if then appointed pursuant to the foregoing provisions hereof

Section 55 All existing minutes records and correspondence of the Civil Service Commissions in cities of the first class and all office equipment supplies and building facilities of such Commissions shall be turned over to the Civil Service Commissions established herein and all employes of such Civil Service Commissions who have been appointed after test and certification shall become employes of such Civil Service Commissions without further test and certification in order that the provisions of this Act may be administered without delay and without interruption in the functioning of the civil service of such cities

Section 56 If any section sub-section sentence clause or phrase of this Act or of any rule adopted hereunder for any reason is held to be unconstitutional such decision shall not affect the validity of the remaining portions of this Act nor of any rule adopted hereunder The Legislature hereby declares that it would have passed this Act and each section sub-section sentence clause or phrase hereof irrespective of the fact that any one or more sections sub-sections sentences clauses or phrases be declared unconstitutional

Section 57 All other Acts of Assembly or parts thereof that are in any way in conflict or inconsistent with this Act or any part hereof are hereby repealed

Section 58 This Act shall become effective immediately upon the taking effect of any act passed at the present session of the General Assembly of the Commonwealth of Pennsylvania repealing Article XIX as amended of the Act approved the twenty-fifth day of June one thousand nine hundred and nineteen (Pamphlet Laws five hundred eighty-one) entitled "An act for the better government of the cities of the first class of this Commonwealth"

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1102, (House Bill No. 1504 on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and thirteen (Pamphlet Laws one hundred thirty-eight) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" by further defining and extending the scope of vocational education and enlarging the provisions for State subsidies under certain conditions

go over in its order.

The PRESIDENT. Is there objection? The Chairs hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1144, on second reading, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reasons of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers

and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by providing that certain companies shall not be subject to the tax

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1179, (House Bill No. 718), entitled:

An Act to describe define and officially adopt a system of coordinates for designating the positions of points on the surface of the earth within the Commonwealth of Pennsylvania

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceded to the second reading and consideration of Senate Bill No. 1180, (House Bill No. 729), entitled:

An Act to permit the entry of engineers and surveyors and their representatives into private property for the purpose of using survey stations established by or under the direction of the United States Coast and Geodetic Survey or as a part of the Pennsylvania Coordinate System and providing a penalty for the injuring defacing and destruction of marks and monuments

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1193, (House Bill No. 1355), entitled:

An Act to amend paragraphs one three and five of section one of the act approved the twelfth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred fifty-seven) entitled "An act to provide for the erection maintenance and regulation of public morgues in the several counties of this Commonwealth for the care and disposal of bodies removal thereto and providing for the payment of certain expenses of the same by the proper county or district or by the estate of the deceased person and providing for the disposal of the personal effects of unclaimed dead" as amended by transferring certain powers from the county commissioners to the coroner in counties of the first class

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1194, (House Bill No. 1433), as follows:

An Act to amend section five hundred and fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined' as amended permitting State institutions and sanatoria to supply water to individuals

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act aproved the twenty-second day of May one thousand nine hundred and thirty-five (Pamphlet Laws 241) and by the act approved the twelfth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 791) is hereby further amended to read as follows

Section 514 Sale of Real Estate and Grants of Rights of Way or Other Rights Over or in Real Estate Tapping Water Lines of Institutions and Sanatoria (a) Except as otherwise in this act expressly provided a department board or commission shall not sell or exchange any real estate belong to the Commonwealth or grant any easement right of way or other interest over or in such real estate without specific authority from the General Assembly so to do but a department board or commission may with the approval of the Governor grant a license to any public service corporation to place upon in or over any land or bridge of or maintained by the Commonwealth any public service line if such line will enable any State building or State institution to receive

better service or if such line is necessary for the service of persons living adjacent to the Commonwealth's land upon in or over which it is proposed to run the line or if the running of such line over a bridge will be more economical than the erection of a separate bridge for the line Every such license shall be revocable upon six months' written notice by the Commonwealth and upon such other proper terms and conditions as the department board or commission with the approval of the Governor shall prescribe and unless any such line is primarily for the benefit of a State building or state institution the license shall provide for the payment to the Commonwealth of compensation for the use of its property in such amount as the department board or commission granting it shall with the approval of the Governor prescribe provided however that the Pennsylvania Game Commission may grant such rights-of-way or sell or exchange lands acquired for its use under the conditions especially set forth in the act known as the "Game Law"

But nothing herein contained shall authorize the Commonwealth to impose and collect from any municipality or townships any compensation for a license granted to such municipality or township for the running of a public service line over any such bridge

(b) Any department board or commission having control over lands of the Commonwealth underlaid with veins of coal may with the approval of the Governor exchange part of such coal for coal in place owned by private interests which may be necessary to insure lateral or surface support for any building reservoir or structure erected or to be erected on such lands of the Commonwealth Provided That the coal given by the department board or commission to private interests shall be approximately equivalent in value to the coal received in exchange therefor every such department board or commission is hereby authorized and empowered to execute and deliver and to receive legal instruments and deeds necessary to effectuate any exchange authorized hereunder which instruments and deeds shall have the prior approval of the Department of Justice and a copy thereof shall be filed with the Department of Internal Affairs

(c) Any department board or commission having control over any water supply serving any State institution or sanitorium may with the approval of the Governor permit and authorize the public authorities or individuals of any political sub-division to which no other source of supply is available under suitable regulations to tap the lines of any such water supply for the purpose of supplying water to the people of any community living in proximity to such institution or sanitorium and may impose reasonable charges payable periodically by such political sub-division for the water so furnished All moneys received under the provisions of this clause shall be paid into the State Treasury through the Department of Revenue.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. KUNKEL. Mr. President, I ask unanimous consent that Senate Bill No. 1206, (House Bill No. 1997), on second reading, entitled:

An Act to amend sections one and two of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphet Laws four hundred fifty) entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fire and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties" conferring police and building inspection powers on assistants appointed by the superintendent of State Police

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREY. Mr. President, I ask unanimous consent that Senate Bill No. 1210, on second reading, entitled:

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor to enter into contract with persons firms or corporatiaons to erect an office building and to lease such office building for the use of the Commonwealth the same to become the property of the Commonwealth upon termination of said lease

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1216, as follows:

An Act to further amend subsection (e) of section eight hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" requiring all motor vehicles trailers and semi-trailers to have red reflectors at the rear

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That subsection (e) of section eight hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates

aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within this Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by section fourteen of the act approved the sixteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1056) is hereby further amended to read as follows

(e) Reflectors Every [motor bus motor omnibus commercial] motor vehicle trailer or semi-trailer when operated on a highway shall display at the rear a red reflector meeting the following requirements

Whenever a red reflector is so used or whenever red or green reflectors are used as hereinafter provided it or they shall be mounted upon the vehicle at a height not to exceed forty-two (42) inches and not less than twenty-four (24) inches above the ground upon which the vehicle stands and every such reflector shall be of a type which at the time of its use is approved by the secretary and shall be so designed and maintained as to be visible at night from all distances within five hundred (500) feet to fifty (50) feet from such vehicles when directly in front of or opposed to a motor vehicle displaying lawfully lighted head lamps as provided in this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1217, on second reading, entitled:

An Act to enable the courts of quarter sessions to restore to the possession and ownership of former owners thereof certain intoxicating liquors seized for violation of law notwithstanding the conviction of the owner of said liquor of an offense in respect thereof

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1224, as follows:

An Act to Amend Article Nine of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certains acts and parts of acts relating to corporations" providing that a domestic business corporation formed by merger of one or more domestic business corporations and one or more foreign business corporations shall be entitled to a credit on the bonus due the Commonwealth equal to the amount of the bonus paid under existing laws by the corporations so merging

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article nine of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas and certain State departments commission and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties repealing certain acts and parts of acts relating to corporations" is hereby amended by adding thereto section nine hundred and nine to read as follows

Section 909 Upon the merger of one or more domestic business corporations and one or more foreing business corporations into a domestic business corporation as provided by section nine hundred and one of the act to which this is an amendment said corporation shall be liable for bonus on its capital stock or stated capital or both to the same extent at the same rate and in the same manner as corporations created under the laws of the State of Pennsylvania are liable Provided however That said corporations shall be entitled to a credit on the bonus to which they are made liable by this act equal to the total amount of bonus paid under existing laws by the domestic corporation or corporations and the foreign corporation or corporations so merging

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1226, as follows:

An Act authorizing the Joint Commission having jurisdiction over bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New York to sell and dispose of certain real and personal property to lease real estate and to license Public Utility Companies to occupy with their facilities parts of such bridges as are within the jurisdiction of the Commission and providing for the disposal of the proceeds thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Joint Commission having jurisdiction over bridges between the Commonwealth of Pennsylvania and the State of New York in accordance with the provisions of the Act of July 25 1917 Pamphlet Laws 1180 its amendments and supplements be and is hereby empowered to sell and dispose of such real and personal property in either Pennsylvania or New York as

is in its judgment not necessary for the proper care maintenance and operation of such bridges as are or may hereafter come under its control and jurisdiction for such price or prices and under such conditions as such Commission may deem proper and reasonable

Section 2 That the said Commission be and it is hereby authorized and empowered to lease real estate owned by it and which in its judgment is not necessary for the maintenance and operation of the bridges under its control and jurisdiction and to grant licenses to public utility companies for the occupation of parts of bridges and other real estate now or hereafter under the control and jurisdiction of said Commission upon such terms and conditions and for such rentals and fees as are in the opinion of the Commission proper and reasonable

Section 3 That all moneys paid to the Commission in accordance with the provisions of this act shall be paid by said Commission as follows One half thereof unto the State of New York and the remaining half thereof unto the Commonwealth of Pennsylvania such payment to the Commonwealth of Pennsylvania to be deposited in the Motor License Fund Provided however that whenever the real or personal property which the Commission may desire to sell has been acquired or secured at the sole cost and expense of the Commonwealth of Pennsylvania or the State of New York the entire net proceeds of such sale shall be paid to the state which has borne the cost of acquisition of such property

Section 4 This Act to become effective upon its approval by the Governor and the enactment into law of a similar or substantially similar statute by the State of New York

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1228, as follows:

An Act authorizing county commissioners of any county to hold in trust for the inhabitants and citizens of the county any real estate and property appropriate for agriculture fairs or exhibits and to lease the same without expense or liability to the county to any incorporated agriculture association to operate and conduct an annual fair within the county

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where the owner or owners of any real estate with or without improvements thereon adapted to the use or purpose of public agriculture fairs or exhibits are willing to convey said real estate to the county wherein located to be held in trust for citizens and inhabitants of the county the county commissioners shall have the right to take title thereto and hold such real estate in trust for the benefit of the citizens and inhabitants of the county

Section 2 The county commissioners of any county shall have the power to receive and accept contributions in building or materials for additional improvements on the real estate conveyed and held in trust as provided in section one

Section 3 The county commissioners may lease said real estate to any incorporated agriculture association willing and financially able to manage said premises on condition that said premises will be used annually for agriculture fairs and exhibitions each year without any liability on the part of the county and with no expense to the county Upon failure of any lessee to comply with the terms of any lease the county shall retake possession of the real estate

Section 4 If for a period of five years no public use of said real estate as contemplated by the grant to the county is made the county commissioners shall have power to sell such real estate on petition to the Court of Common Pleas as provided by law for the sale of county property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. RICE, Mr. President, I ask unanimous consent that Senate Bill No. 1229, on second reading, entitled:

An Act to repeal section thirty of the act approved the first day of May one thousand eight hundred sixty-one (Pamphlet Laws four hundred fifty) entitled "An act relating to Allegheny County"

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1240, (House Bill No. 947), on second reading, entitled:

An Act to amend section three of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing acts" as amended requiring buildings to be equipped with certain equipment in connection with gas meters to prevent or retard the escape of gas

go over in order.

The PRESIDENT. Is there objections? The Chair hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1245, on second reading entitled:

An Act to define and regulate as a profession and in the public interest the practice of public accountancy to prohibit the practice of public accountancy by unauthorized persons to establish the Pennsylvania State Board of Accountancy to grant to the board usual and necessary administrative powers to define the status of a certified public accountant to provide for granting and issuing certificates and registration cards to accountants who qualify under and comply with the provisions of this act to provide for revoking and cancelling or suspending certificates and registration cards to prescribe the conditions under which partnerships may engage in the practice of public accountancy to fix the fees to be paid to the State for certificates and registration card to provide for the annual publication of the names and addresses of the persons and partnerships engaging in the practice of public accountancy to determine the ownership of professional papers defining privileged communications and information to recognize certain specifically limited exemptions to provide penalties for violation of the provisions of this act conferring jurisdiction on Common Pleas Courts to restrain violations and to repeal all acts and parts of acts inconsistent with the provisions thereof

go over in order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1258, as follows:

An Act to further amend sections five and eight of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by providing for annual renewals of the registration of pharmacists and assistant pharmacists

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections five and eight of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" as amended by the act approved the twenty-seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws 296) are hereby further amended to read as follows

Section 5 Each applicant for examination and registration as a pharmacist shall pay to the Pennsylvania Board of Pharmacy an examination fee of five dollars ($5.00) If the said applicant passes a satisfactory examination and complies with the rules and regulations and with the terms and conditions of this act of Assembly then the said board shall grant the applicant registration and a certificate of competency and qualification as a pharmacist upon the payment of a fee of twenty dollars ($20.00) or such other sum as shall be fixed by the Department of Public Instruction under authority of law provided said fee shall be paid to the said board within thirty days of the time that the said applicant is notified that satisfactory examination has been passed

Each applicant for examination and registration as assistant pharmacist must pay a fee of five dollars ($5.00) or such other sum as shall be fixed by the Department of Public Instruction under authority of law to the Pennsylvania Board of Pharmacy and if the said applicant passes a satisfactory examination and complies with the rules and regulation of the Pennsylvania Board of Pharmacy for the enforcement of this act of Assembly and with the terms and conditions of this act of Assembly the said board shall grant the said applicant registration and a certificate of competency and qualification as an assistant pharmacist upon payment of a fee of ten dollars ($10.00) or such other sum as shall be fixed by the Department of Public Instruction under authority of law provided that said fee shall be paid to the said board within thirty (30) days of the time when the said applicant is notified that a satisfactory examination has been passed

The Department of Public Instruction shall provide for regulate and require all persons registered as pharmacists or as assistant pharmacists to register annually with the department and shall prescribe the form of such registrations The department shall require as a condition precedent to such annual registration the payment of such annual registration fee as shall be fixed according to law The department may suspend or revoke the registration of such persons as fail refuse or neglect to register annually or pay such fee

Section 8 That all [certificate as pharmacists or assistant pharmacist all] certificates as pharmacist or assistant pharmacists and permits to conduct a pharmacy and the annual renewals thereof issued under the authority of the Commonwealth of Pennsylvania shall at all times be conspicuously exhibited in the place of business where the pharmacist or assistant pharmacist is employed Any person violating this section of this act of Assembly as to the display of his permit or his own or his employes' certificates shall upon conviction be sentenced to pay a fine of ten dollars ($10.00) and the costs of prosecution

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HUFFMAN. Mr. President, I ask unanimous consent that Senate Bill No. 1261, on second reading, entitled:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (P. L. 549) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act"by adding a new section thereto 11-A providing that in counties of the first class all appointments shall be equally divided between majority and minority commissioners

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1262, as follows:

An Act providing for the sale of Fort Necessity Park in Wharton Township to the government of the United States for National Military Park purposes and giving consent to the purchase of said park other lands of historical importance and with certain reservations ceding jurisdiction over such lands

Whereas The Commonwealth of Pennsylvania is the owner of a certain tract of land in Wharton Township surrounding the site of the battle of Fort Necessity formerly owned by George Washington containing approximately two hundred thirty-four acres and known by act of Legislature as Fort Necessity Park and

Whereas The Federal Government is interested in purchasing Fort Necessity Park and other lands adjacent for National Military Park purposes therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Forests and Waters through the Department of Property and Supplies is hereby authorized to sell to the government of the United States at a price agreed upon by the Department of Forests and Waters through its authorized agents a tract of land in Wharton Township surrounding the site of the battle of Fort Necessity known as Fort Necessity Park and comprising approximately two hundred thirty-four acres

Section 2 The consent of the Commonwealth of Pennsylvania is hereby granted to the purchase by the government of the United States of such additional lands within the area of Fort Necessity Park as shall be necessary to carry out the complete restoration of the historic setting Provided however That the consent hereby given is conditioned upon the purchase by the government of the United States of the sites of Jumonville's grave Braddock's grave and Washington's Grist Mill which lands are necessary to carry out the complete historical restoration

Section 3 Exclusive jurisdiction over the lands purchased under the provisions of this act both from the Commonwealth and from other owners is hereby ceded to the United States by the Commonwealth of Pennsylvania and said lands shall be exempt from the payment of all taxes State and local Provided That the Commonwealth of Pennsylvania shall retain a concurrent jurisdiction with the United States over the lands so acquired by the United States for the purpose of serving of all civil processes And provided further That such criminal processes as may issue under the authority of the Commonwealth against any person or persons charged with crimes committed without the area so acquired may be executed therein in the same manner as though this cession had not been granted

Section 4 This act shall become effective immediately upon its final enactment but if within two years thereof the government of the United States has taken no steps to acquire the lands hereinbefore referred to or any part thereof then this act shall become null and void

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1268, on second reading, entitled:

An Act requiring certain candidates at primary elections to be enrolled as members of the political party whose nomination they seek

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1269, as follows:

An Act to further amend Article VI of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by adding thereto sub-article VI (h) consisting of Sections 685 (six hundred and eighty-five) to 696 (six hundred and ninety-six) inclusive defining the specific powers and financial requirements of title insurance companies and providing for the regulation and supervision thereof and prohibiting the guaranteeing of mortgages by such companies

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article VI of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended by adding thereto sub-article VI (h) consisting of Section 685 (six hundred and eighty-five) to 696 (six hundred and ninety-six) to read as follows

Section 685 Specific Powers and Financial Requirements of Title Insurance Companies A Title insurance companies shall have the power to make insurance of every kind pertaining to or connected with titles to real estate and to make execute and perfect such and so many contracts agreements policies and other instruments as may be required therefor such insurances to be made for the benefit of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and encumbrances

B In addition to the general power of companies to receive and hold real estate title insurance companies shall have the power to take receive and hold any and all such pieces of real property as may have been or may hereafter be the subject of any insurance made by such companies under the powers hereinbefore recited whether given by law or by charter and the same to grant lease bargain sell convey and dispose of in any manner as they see proper

C Title insurance companies shall have a paid-in capital of not less than two hundred fifty thousand dollars and in addition a surplus paid-in at least equal to fifty per centum of the paid-in capital

Section 686 Power to Insure Titles to Real Estate Loss of Power A Every corporation which upon the effective date of this act shall lawfully possess and which has within one year prior to such date exercised the power to insure owners of real property mortgagees and others interested in real property and others from loss by reason of defective titles liens and encumbrances shall subject to the conditions herein prescribed continue to possess such power

B Every corporation which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances but which does not hereafter exercise such power for any consecutive period of one year shall be forever barred from the exercise of such power

Section 687 Power to Accept Deposits Loss of Title Insurance Powers If any corporation which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances and also the further powers to receive deposits or otherwise to engage in a banking business shall not have exercised within one year preceding the effective date of this act any of such further powers then every such corporation which shall again exercise such further powers to receive deposits or

otherwise engage in a banking business shall make no further contracts or policies of title insurance If any such corporation shall not hereafter exercise any of such further powers for any consecutive period of one year than each such corporation which shall again exercise such further powers to receive deposits or otherwise engage in a banking business shall make no further contracts or policies of title insurance

Section 688 Power to Act as a Fiduciary Loss of Title Insurance Powers If any corporation which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances and also the further powers to act as trustee guardian executor administrator or in any other similar fiduciary capacity shall not have exercised within one year preceding the effective date of this act any of such further powers then every such corporation which shall again exercise any of such further powers shall make no further contracts or policies of title insurance If any such corporation shall not hereafter exercise any of such further powers for any consecutive period of one year than each such corporation which shall again exercise any of such further powers shall make no further contracts or policies of title insurance

Section 689 Prohibition Upon Guaranteeing Mortgages A title insurance company shall not in any manner whatsoever guarantee the payment of the principal of the interest of bonds or other obligations secured by mortgages upon real property This section shall not however be construed to affect contracts and policies guaranteeing the payment of the principal or the interest of bonds or other obligations secured by mortgages upon real property when such contracts and policies have been lawfully executed by a title insurance company and are valid and outstanding upon the effective date of this act or any continuation extension or renewal thereof

Section 690 Establishment and Maintenance of Reinsurance Reserve Fund Each company shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances shall establish and maintain a reinsurance reserve fund by setting aside a sum equal to ten per centum of the premium (that is the sum charged for insurance over and above examination and settlement fee) paid on each policy which such company may hereafter issue until the total amount set aside (including any reserve heretofore set up under any prior Act of Assembly) shall equal the sum of two hundred fifty thousand dollars and thereafter shall set aside a sum equal to five per centum of such premiums until the total amount shall equal a sum not less than five hundred thousand dollars and thereafter shall set aside a sum equal to two and one-half per centum of such premiums provided that such premiums shall not be less than one-quarter of one per centum on the amount of insurance as issued or if less than one-quarter of one per centum the amount set aside shall be equal to two and one-half per centum of said one-quarter of one per centum provided that the total reserve fund or amounts in excess of that required by the foregoing provisions may be set aside at any time or from time to time out of such surplus or undivided profits as may be available for that purpose in accordance with existing law or the regulations of the Department of Banking and provided further that any company which at the time of the effective date of this act has set aside and is maintaining an insurance reserve fund as required by the Act of April 26 1929 Pamphlet Laws 834 is hereby empowered to use the same as part of the reserve required to be set up and maintained by this act The reserve fund set up by any company shall be maintained as herein provided so long as any policies shall be outstanding

Section 691 Cancellation of Policy Whenever any policy of title insurance hereafter issued is surrendered or cancelled by the holder or liability thereon is completely discharged the company which shall have issued such policy of title insurance may withdraw the reserve of such policy or credit such reserve against any reserve that may be due

Section 692 Establishment and Maintenance of Reserve Fund for Unpaid Losses Each company which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances shall at all times maintain reserve funds for unpaid losses in addition to funds for other reserves and liabilities and shall calculate said reserves by making a careful estimate in each case of the loss likely to be incurred by reason of every claim presented or that may be presented pursuant to notice from or on behalf of the insured of the occurrence of an event that may result in a loss The sum of the items so estimated shall be the total amount of the reserves for unpaid losses of said insurer

Section 693 Custody of Reserve Funds A The custody of funds equal in amount to the sum of the reinsurance reserve liability and the reserve for unpaid losses shall be retained by each company which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances and the said funds shall be earmarked and kept separate and apart from other assets of the company in the manner hereinafter provided The supervision of said funds shall be under the Insurance Commissioner whether the business of the company be confined exclusively to the title insurance business or whether the business of the company shall include in addition to the title insurance business a banking business or the business of acting in a fiduciary capacity

B Said reserve funds of each such company shall be invested by each such company in those investments authorized by law for the investment of the reserve funds of life insurance companies

C The income from funds shall become a part of the general assets of the company

Section 694 Trust Funds Depletion of Reserve Funds A The principal of such reserve funds shall be a trust for the protection of the policyholders and shall be applied only for the benefit of the holders of policies of title insurance

B If by reason of losses depreciation in the market price of any investments or other cause the reserve funds of any such company should on any date be less than the minimum amount herein required to be maintained in such reserve funds on such date such company shall forthwith give written notice thereof to the Insurance Commissioner and shall make no further contracts or policies of title insurance until the reserve funds have been restored and until it shall have received a certificate from the Insurance Commissioner authorizing it to issue such policies

Section 695 Limit of Net Retention No such company shall issue a policy of title insurance for a single transaction the liability under which shall exceed an amount which is ten times the capital and surplus of such company but nothing herein contained shall prevent any one or more of such companies from assuming the liability on a single policy jointly with another such company or companies in excess of ten times its capital and surplus provided that the total amount of such insurance shall not exceed ten times the total combined capital and surplus of all such companies liable under such insurance and provided that each such company shall not assume more than its proportionate share of the total amount at risk

Sections 696 Additional Requirements Except for the requirements of this article all of the laws rules and regulations pertaining to stock casualty insurance companies shall apply and shall be applied to tite insurance companies.

On the question,

Will the Senate agree to the section?

Mr. PYTKO. Mr. President, I ask unanimous consent to amend Sec. 1 (685), page 3, lines 3 and 4 by striking out the words "In addition to the general power of com-

panies to receive and hold real estate;" amend Sec. 1 (685), page 3, line 11 by adding thereto "Provided: That no title insurance company shall continue to hold such real estate for more than five years from the date of the acquisition thereof unless it shall obtain the written approval of the Insurance Commissioner to hold such real estate for a longer period of time;" amend page 6, line 6 by deleting the words "and thereafter shall;" and by deleting line 7 in its entirety and by deleting on line 8 the words "of such premiums."

Mr. KUNKEL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to further amend Article VI of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by adding thereto sub-article VI (h) consisting of Sections 685 (six hundred and eighty-five) to 696 (six hundred and ninety-six) inclusive defining the specific powers and financial requirements of title insurance companies and providing for the regulation and supervision thereof and prohibiting the guaranteeing of mortgages by such companies.

On the question,

Will the Senate agree to the title?

Mr. PYTKO. Mr. President, I ask unanimous consent to amend title, page 1, line 14 by striking out the words "sub-article VI" and inserting in lieu thereof "a new subdivision;" amend title, page 2, line 16 by striking out the words "sub-article VI" and inserting in lieu thereof "a subdivision;" amend title, page 2, line 17 by inserting after the word "to" the word "section"

Mr. KUNKEL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1282 (House Bill No. 1499), entitled:

An Act prohibiting certain persons from selling taking orders for delivering or being interested in the manufacture or sale of machinery equipment materials feed supplies or other things used by milk producers and prescribing penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1288 (House Bill No. 1792), entitled:

An Act concerning elections, including general, municipal, special and primary elections, the nomination of candidates, primary and election expenses and election contests; creating and defining membership of county boards of elections; imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners; imposing penalties for violation of the act, and codifying, revising and consolidating the laws relating thereto; and repealing certain acts and parts of acts relating to elections.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. RICE. Mr. President, I move that Senate Bill No. 1288 (House Bill No. 1792), the bill just read:

be recommitted to the Committee on Elections.

Mr. HUFFMAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1289 (House Bill No. 1820), entitled:

An Act to amend section three of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred ninety-five) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" reducing the number of days during which exhibitions need be held.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1300, on second reading, entitled:

An Act to amend section eleven of the act approved the tenth day of June one thousand nine hundred and thirty-one (P. L. 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" authorizing the examination of certain persons who presumed they were registered as apprentices

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1301, as follows:

An Act providing for the erection construction and equipment of armories for the use of the Pennsylvania National Guard designating the manner of acquiring or setting aside of land for the erection and construction of armories thereon by The General State Authority authorizing the Commonwealth to lease such armories and their grounds from The General State Authority upon their completion and the Armory Board of the State of Pennsylvania to manage and operate the same and conferring powers and imposing duties upon certain State departments and boards

Whereas It is the desire of the Commonwealth of Pennsylvania that The General State Authority construct armories for the use of the Pennsylvania National Guard and lease the same to the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Armory Board of the State of Pennsylvania with the approval of the Governor may select for acquisition either by the Department of Property and Supplies in the name of the Commonwealth or by The General State Authority with funds of the Authority lands for the erection and construction thereon by The General State Authority of armories for the use of the Pennsylvania National Guard The title to the lands so acquired shall be approved by the Attorney General If it shall be found that the Commonwealth owns land suitable in whole or in part for such use such lands may be designated by the Armory Board of the State of Pennsylvania with the approval of the Governor and the department board or commission of the Commonwealth having possession and control of the same and any additional lands necessary may be selected and acquired as aforesaid

Section 2 The Department of Property and Supplies shall have authority to convey any lands so acquired or any lands now owned to The General State Authority for the purpose of having such Authority erect and construct thereon and equip armories for the use of the Pennsylvania National Guard The plans and specifications of any armory whether erected on land acquired directly by The General State Authority or by conveyance to it from the Commonwealth shall be subject to the approval of the Armory Board of the State of Pennsylvania and shall provide for suitable buildings of modern design plain and substantial

Section 3 The Department of Property and Supplies with the approval of the Governor is hereby authorized on behalf of the Commonwealth to enter into a lease for a term of not more than thirty (30) years with The General State Authority to acquire the use of such armories and any lands connected therewith for the purpose of operation and management In such case the management and operation of the armories shall be the function of the Armory Board of the State of Pennsylvania

Section 4 In the management and operation of such armories the Armory Board of the State of Pennsylvania shall have all the powers conferred and perform all the duties imposed by the laws of this Commonwealth on it in respect to existing armories owned by the Commonwealth

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1302, on second reading, entitled:

An Act providing that in all cases where writs of habeas corpus are granted the judge may inquire into the facts of the case, including an examination into the record proceedings and evidence produced against the person committed or detained before the committing judge, officer or magistrate, and making such records, proceedings and and evidence available for inspection by the petitioner or his counsel.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1311, as follows:

An Act providing for the erection construction and equipment of buildings for a new State sanatorium or new buildings at existing sanatoria designating the manner of acquiring or setting aside of land for the erection and construction of such buildings by The General State Authority authorizing the Commonwealth to lease such new sanatorium or building or buildings and the grounds connected therewith from The General State Authority upon their completion and the Department of Health to manage and operate the same and conferring powers and imposing duties upon certain State departments

Whereas It is the desire of the Commonwealth of Pennsylvania that The General State Authority construct a new sanatorium or erect additional buildings to existing sanatoria and lease the same to the Commonwealth therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Health with the approval of the Governor may select for acquisition either by the Department of Property and Supplies in the name of the Commonwealth or by The General State Authority with funds of the authority a tract of land well supplied with water and capable of being sewered and drained for the erection and construction thereon by The General State Authority of an additional sanatorium for the treatment of persons afflicted with tuberculosis The title to the lands so acquired shall be approved by the Attorney General If it shall be found that the Commonwealth owns State forest lands or other lands suitable in whole or in part for such use such lands may be designated by the Department of Health with the approval of the Governor and the department board or commission of the Commonwealth having possession and control of the same and any additional lands necessary may be selected and acquired as aforesaid

Section 2 The Department of Property and Supplies shall have authority to convey any land so acquired or selected or any lands now owned in connection with any State sanatorium to The General State Authority for the purpose of having such authority erect and construct thereon and equip buildings for a new sanatorium or a new building or buildings to any existing sanatorium The plans and specifications of any such sanatorium building or buildings whether erected on land acquired directly by The General State Authority or by conveyance to it from the Commonwealth shall be subject to the approval of the Department of Health and shall provide for suitable buildings and an adequate water supply system sewage treatment works heat and electric power plant or

plants service lines and other necessary equipment structures and improvements The buildings shall be of modern design plain and substantial and capable of extension as the needs of the sanatorium may require.

Section 3 The Department of Property and Supplies with the approval of the Governor is hereby authoried on behalf of the Commonwealth to enter into a lease for a term of not more than thirty (30) years with The General State Authority to acquire the use of the new sanatorium building or buildings so erected constructed and equipped and any lands or farms connected therewith for the purpose of operation and management In such case the management and operation of the sanatorium building or buildings and the care treatment and maintenance of patients therein shall be the function of the Department of Health Subject to and in the manner provided in the Administrative Code of 1929 and its amendments the Department of Health shall have power to employ and fix the compensation of a director physicians mechanics nurses clerks stenographers and other employes as may be deemed necessary for the proper maintenance and management of the sanatorium and patients therein and the land connceted therewith The compensation of all persons so appointed and all other expenses in connection with such care and maintenance of patients therein shall be paid from the appropriation made to the Department of Health for such purposes

Section 4 In the management and operation of the new sanatorium building or buildings the Department of Health shall have all the powers conferred and perform all the duties imposed by the laws of this Commonwealth on it in respect to the existing sanatoria for tubercular patients

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1313, as follows:

An Act to add section five hundred and fifty-three to the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing additional penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article five of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended by adding at the end thereof a new section to read as follows

Section 553 Penalty for Failure to Comply with Provisions Relating to Fire Insurance Rates and Rating Bureaus Upon satisfactory evidence that any insurer or bureau has violated or failed or refused to comply with any of the provisions of subdivision (d) of this article the Insurance Commissioner may in his discretion take against the offending party any one or more of the following courses of action (1) Suspend or revoke the license of such offending insurer (2) refuse for a period of not to exceed one year thereafter to issue a new license to such offending insurer (3) impose a penalty of not more than one thousand dollars ($1,000) for each act of violation of any of the provisions of said subdivision When the Insurance Commissioner shall have taken any action as above set forth the party aggrieved may appeal to the Court of Common Pleas of Dauphin County Any insurer or bureau that shall violate or fail or refuse to comply with any of the provisions of subsection (d) of this article shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1514, as follows:

An Act to amend sections two hundred fifteen and two hundred seventeen of the act approved the seventeenth day of May on thousand nine hundred and twenty-one (Pamphlet Laws 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by providing for supervision over fire rating bureaus and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections two hundred fifteen and two hundred seventeen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" are hereby amended to read as follows

Section 215 Examination and Supervision of Fire Rating Bureaus The Insurance Commission shall have power to examine and supervise any fire rating bureau as often as he deems it expedient to do so and shall do so not less than once every three years A report thereof shall be filed in his office The Insurance Commissioner may waive such examination upon the filing with him of a report of such examination made by some other insurance department or proper supervising officers within such three years

Section 217 Information from Fire Rating Bureaus Penalty The Insurance Commissioner may address inquiries to any individual association or bureau which is or has been engaged in making rates or estimates for rates for fire insurance upon property in this Commonwealth in relation to the organization maintenance or operation or any other matter connected with its transactions and may require the filing of schedules rates forms rules regulations and such other information as may be required Every such individual association or bureau or some officer thereof shall promptly make such filing or reply to such inquiries in writing Provided however That surveys and completed schedules on specific risks may be required only upon specific complaint being registered by the policyholder or applicant for insurance with the Insurance Commissioner

Upon failure or refusal of any individual association or bureau to make any such filing or to reply to such inquiries in writing the Insurance Commissioner may in his discretion impose a penalty of not more than one thousand dollars ($1,000) for each such neglect or refusal From any such action of the Insurance Commissioner the party aggrieved may appeal to the Court of Common Pleas of Dauphin County

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1315, as follows:

An Act requiring collectors of city county borough town township school and poor district taxes to file certain reports with the Quarter Sessions Court and the Department of Internal Affairs directing such Department to prepare and furnish forms for such reports making such reports available for public inspection requiring all payments to such collectors for compensation and expenses to be by warrant or order prohibiting such collectors from deducting their compensation and expenses from public funds in their possession and making violation of the act a misdemeanor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each collector of city county borough town township school and poor district taxes shall within sixty (60) days after the close of each calendar year file with the State Department of Internal Affairs and with the Clerk of the Court of Quarter Sessions of the county a report verified by oath for the preceding calendar year showing the following information for each city county borough town township school and poor district whose taxes he has collected the number of taxables against whom such taxes have been levied the total amount of taxes of the various types appearing on the tax duplicate or duplicates delivered to him for collection during such preceding calendar year the amount of taxes of the various types collected by him during such year showing which of such taxes were current and which delinquent if such tax collector also serves as treasurer of the city county borough town township school or poor district the amount of money handled by him as such treasurer the salary if any received by him as collector of such taxes and the salary if any received by him as treasurer the percentage or percentages if any of the commission received by him as compensation for his collecting such taxes or acting as treasurer the compensation expressed in dollars received by him in commissions for collecting such taxes or acting as treasurer the total gross amount of compensation received by him as collector of taxes and treasurer an itemized list of expenses which were incident to the collection of the taxes or to his services as treasurer and which under the law were or are to be paid by him from his compensation as collector of taxes or treasurer in itemized list of expenses which were incident to the collection of the taxes or to his serving as treasurer and which under the law were or are to be paid by the city county borough town township school or poor district The reports shall be made on forms to be prepared and furnished as herein provided

Section 2 The Department of Internal Affairs shall annually prepare and furnish to such tax collectors the forms to be used in the making of the reports herein required and shall have power to revise such forms from time to time as it deems proper Such Department shall within sixty (60) days after enactment of this act send to each such tax collector a copy of this act and forms to be used by him in making such reports covering the calendar year one thousand nine hundred and thirty-seven (1937)

Section 3 All payments made by any city county borough town township school or poor district to any such tax collector for compensation or expenses incident to his serving as tax collector or treasurer shall be made by proper warrants or orders drawn upon the treasurer It shall be unlawful for any such tax collector to deduct funds for his compensation or expenses as tax collector or treasurer from any city county borough town township school or poor district fund in his possession

Section 4 Each such tax collector shall keep a copy of each such report available for public inspection at his office or residence

Section 5 Any person who fails to comply with any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to an imprisonment not exceeding three (3) months or to pay a fine not exceeding five hundred ($500) dollars or both at the discretion of the court

Section 6 This Act shall become effective immediately upon its enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1317, on second reading, entitled:

An Act to amend section two of the act approved the seventh day of July one thousand nine hundred and thirty-six (Pamphlet Laws thirty-seven) entitled "An act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof" by limiting appropriations to amounts realized by the sale of such certificates

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1322, on second reading, entitled:

An Act to further amend section one of the act approved the eleventh day of May one thousand nine hundred eleven (Pamphlet Laws two hundred seventy-five) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by eliminating certain conditions of removal of inspectors and providing for certain conditions of removal of inspectors and providing for their appointment in counties of the first class

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1324, on second reading, entitled:

An Act to amend section five of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred forty-two) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by providing for limited certificates of registration for operators and managers engaged in particular types of beauty culture subject to rules of the Department of Public Instruction

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. REED. Mr. President, I move that Senate Bill No. 1353 (House Bill No. 1214), on second reading, entitled:

An Act to further amend the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred forty-two) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by further defining beauty culture making certain changes regarding the examination and registration of those who desire to engage in the occupation of beauty culture modifying and increasing the regulations and requirements to be met and complied with by beauty culture schools shops students apprentices teachers managers operators manicurists and demonstrators prescribing certain qualifications for examiners inspectors investigators and supervisors making certain changes in the power and duties of the Department of Public Instruction and in the procedures to be followed in the enforcement of the act

be recommitted to the Committee on State Boards

Mr. KUNKEL. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 298, as follows:

An Act regulating proceedings against attorneys-at-law for disbarment and contempt of court

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every proceeding before any court of record of this Commonwealth except an appellate court for the disbarment of an attorney-at-law or wherein an attorney-at-law shall be charged with contempt of court such attorney-at-law shall have the right to demand a trial by an impartial jury which in the case of disbarment proceedings shall be a jury of the county wherein the attorney-at-law regularly practices and which in the case of contempt proceedings shall be a jury of the county wherein the alleged contempt was committed

In such proceedings for disbarment and contempt of court no change of venue shall be granted by the court except upon the written request of the attorney-at-law against whom the proceedings are had

In contempt proceedings the attorney-at-law shall have the right to file with the court at any time prior to the hearing a demand for the retirement from said proceedings of any judge if the alleged contempt arises from an attack upon the character or conduct of such judge Upon the filing of such demand the presiding judge shall designate some other judge to preside in such contempt proceeding

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1267, (House Bill No. 1282), entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by changing the preliminary educational requirements for licenses to practice osteopathy and operative surgery further defining osteopathy providing for issuing licenses to perform operative surgery to licensees of other states requiring annual renewals of osteopathic surgeons' licenses fixing fees extending the functions and authority of osteopathic physicians and surgeons and prescribing additional penal provisions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" as last amended by section one of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws 795) is hereby further amended to read as follows

Section 10 Applicants examined and licensed by the State Boards of Osteopathic Examiners of other States on the payment of a fee of fifty dollars to the State Board of Osteopathic Examiners and filing in the office of the State Board of Osteopathic Examiners a copy of said license certified by the affidavit of the president or secretary of such board showing also that the standard of requirements adopted by said board of examiners is substantially the same as is provided by section eight of this act shall without further examination receive a license conferring on the holder thereof all the rights and privileges provided by section eleven of this act

[Candidates for license to practice osteopathy in this State who present their applications and undergo examination after the first day of January Anno Domini one thousand nine hundred and twelve shall be obliged to present to the State Board of Osteopathic Examiners one

of the following credentials satisfactory to the said board covering their preliminary education prior to their beginning the study of osteopathy in some legally incorporated reputable osteopathic college to wit A diploma of graduation from a reputable college or university granting the degree of bachelor of arts or science or equivalent degree or a diploma of graduation from an educational institution maintaining a four years' course of study equivalent to a standard four year high school course that is a State Normal School or a high school a seminary an academy or a college preparatory school or a certificate of having passed examination for admission to the freshman class of a reputable literary or scientific college or university or a certificate of having passed an equivalent examination conducted by the Bureau of Professional Education Nothing herein shall be construed as being incompatible with the following additional requirements namely that the preliminary education shall include one years' credits in physics chemistry and biology as approved by the Bureau of Professional Education]

After the first day of July one thousand nine hundred and twenty-eight applicants for licensure under the provisions of this act shall furnish prior to any examination by the State Board of Osteopathic Examiners satisfactory proof that he or she has had a general education of not less than a standard four years' high school course or its equivalent and not less than one year of college credits in chemistry biology and physics all of which have been received before admission to osteopathic study [On said date the provisions of the foregoing paragraph of this section are hereby repealed] After the first day of July one thousand nine hundred and forty-one such applicants shall have had not less than two years of college credits including one year in each of the subjects chemistry biology and physics all of which have been received before admission to osteopathic study

Section 2 Section eleven of said act as amended by section two of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws 795) is hereby further amended to read as follows

Section 11 Every license to practice as an osteopathic physician issued by the State Board of Osteopathic Examiners shall authorize the holder thereof to practice osteopathy in all its branches including minor surgery and obstetrics without restriction as the same is herein defined and taught and practiced in the legally incorporated reputable colleges of osteopathy but it shall not authorize the holder thereof to practice operative surgery without obtaining an additional license to practice such surgery as provided in section eleven (b) of this act Any use or practice by osteopathic physicians of the agencies or means hereinafter named as embraced within the fundamentals of the principles and practice of the system of osteopathy when used for the purposes in the manner and to the extent as taught and practiced in the legally incorporated reputable colleges of osteopathy shall not be construed the practice of medicine or deemed to be in violation of or contrary to any of the laws of this Commonwealth relating to the practice of medicine or regulating the public health

The word "osteopathy' as used in this act means a complete and independent scientific system for the preservation of health and the relief and cure of bodily disorders embracing a distinct etiology prophylaxis and therapeutics applicable to all types and conditions of disease which in its practice deals with the human body as an intricate machine holding as its foremost fundamental (a) that the body when in perfect structural alignment will function correctly and health ensue (b) that disease is the effect of anatomical abnormalities producing physiological discord emphasizing malposed part or parts of the spinal column its appendages and attachments as the chief pre-disposing and producing cause of disease to cure which the abnormal part or parts must be adjusted to the normal that [pathogenis] pathogenic bacteria are secondary to the predisposing anatomical cause and (c) which regards and uses non-drug adjunctive measures as palliatives (d) embraces obstetrics ophthalmology subject however to the provisions herein as to surgery subscribes to sanitation and hygiene and to surgery when indicated and practiced from an osteopathic viewpoint (e) employs antiseptics anaesthetics and germicides in case of necessity and antidotes in case of poisoning and (f) opposes the introduction or drugs into the body organism as curative agencies

Section 3 Section eleven (b) of said act as amended by section one of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-five (Pamphlet Laws 316) is hereby further amended to read as follows

Section 11 (b) Any person licensed to practice osteopathy in this State and desiring to enter upon the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy may deliver to the superintendent of Public Instruction upon the payment of a fee of [twenty-five] one hundred dollars or such fee as shall be fixed by the Superintendent of Public Instruction a written application for license together with satisfactory proof in such form as may be required by the Osteopathy Surgeons' Examining Board that the applicant has served for a period of not less than two years as an interne or assistant surgeon in an approved osteopathic hospital which shall have at least ten beds per interne devoted to the treatment of diseases shall maintain a thoroughly equipped modern pathological and clinical laboratory proportionate to the necessities of the hospital and shall maintain a department of anaesthetics consisting of one or more anaesthetists who shall have supervision over the anaesthesia given in the institution and whose duty it shall be to instruct all internes in the administration of anaesthetics After the first day of July one thousand nine hundred and forty-one all applicants shall in addition to the requirements hereinabove set forth have successfully completed one year of surgical training in some legally incorporated reputable osteopathic college or in lieu of such qualifications the applicant may submit proof as hereinbefore required that he has served for a period of not less than five years as an interne or assistant surgeon in any hospital approved by the Osteopathic Surgeons' Examining Board which shall meet the requirements hereinbefore set forth All applicants while serving as interne or assistant surgeon shall be registered with both the State Board of Osteopathic Examiners and the Osteopathic Surgeons' Examining Board The Osteopathic Surgeons' Examining Board shall examine and fix the rating of all osteopathic colleges an dhospitals for graduate students and provide interne positions as hereinbefore provided for this inspection and rating as it relates to surgery only The same standard for graduates in medicine shall be used for examination by the Osteopathic Surgeons' Examining Board in the examination of the osteopathic graduates for licenses to practice surgery Provided That [The same standard for graduates in medicine shall be used for examination by the Osteopathic Surgeons' Examining Board in the examination of the osteopathic graduates for licenses to practice surgery Provided That any] Any person duly licensed as an osteopath who has had at least five years of actual practice as a surgeon may be examined by the board without being required to prove that he has had two years' experience as an interne or assistant surgeon in a hospital as hereinbefore provided

Thereupon the Osteopathic Surgeons' Examining Board if satisfied with said proof shall admit said applicant to examination as to his or her qualifications for practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy Such examination shall include the subjects of surgical diagnosis and operative surgery and such other subjects as the said board may deem necessary to test the qualifications of the applicants The Osteopathic Surgeons' Examining Board shall cause the Department of Public Instruction to issue forthwith to each applicant who shall have obtained a general average of not less than seventy-five per centum and who shall have been adjudged by the said board of examiners to be duly qualified for the practice of operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy a license to

practice such operative surgery in the State of Pennsylvania Such license shall be issued and recorded in the same manner as licenses to practice osteopathy are now issued by the State Board of Osteopathic Examiners under the provisions of this act Provided however That no such license shall be issued if any objection thereto is filed by the State Board of Osteopathic Examiners

[Each person to whom a license is issued to practice operative surgery by the Osteophatic Surgeons' Examining Board shall likewise register in the office of the prothonotary of the Court of Common Pleas of the county or counties in which he or she desires to practice by exhibiting to the prothonotary of said county or counties a license duly granted to him or her as hereinbefore provided whereupon he or her shall be entitled upon the payment of one dollar to be duly registered in the office of the prothonotary of the Court of Common Pleas of said county or counties as an osteophatic surgeon]

Every license issued by said board to practice surgery shall authorize the holder thereof to practice major or operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy and the use of anaesthetics antiseptics narcotics and germicides when used for the purposes in the manner and to the extent only as taught and practiced under surgical procedure in the legally incorporated reputable colleges of osteopathy shall not be considered the practice of medicine or in violation of any of the laws relating to the practice of medicine or regulating public health

Any osteopathic physician who has been practicing operative surgery for a period of not less than seven years prior to the passage of this act shall not be required to take the examinations required by this section and shall be eligible to appointment as a member of the Osteopathic Surgeons' Examining Board

Applicants examined and licensed by the osteopathic surgeons' examiners of any other state where such examiners exist separate from the osteopathic physicians' examiners on the payment of a fee of two hundred dollars ($200.00) and the filing with the Osteopathic Surgeons' Examining Board of this Commonwealth a copy of such license certified by the president or secretary of the examiners of such other state showing that the standard or requirements adopted by such examiners is substantially the same as is provided by this act shall without further examination receive a license conferring on the holder thereof the right to practice operative surgery as taught and practiced in the legally incorporated reputable colleges of osteopathy

Every person now or hereafter licensed under the provisions of this act to practice operative surgery shall register as such practitioners with the Osteopathic Surgeons' Examining Board on or before the first day of January one thousand nine hundred and thirty-eight and annually thereafter on or before the first day of January of each succeeding year The form for such registration shall be prescribed and furnished by the board The annual registration fee shall be ten dollars ($10.00) or such other sum as shall be fixed by the Department of Public Instruction under authority of law The fee shall in all cases accompany the application for such registration

Section 4 Section twelve of said act as amended by section four of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws 795) is hereby further amended to read as follows

Section 12 Osteopathic physicians and osteopathic surgeons shall observe and be subject to all State and municipal regulations relating to the control of contagious diseases the reporting and certifying of births and deaths and all matters pertaining to public health the same as physicians of other schools and all such reports and certificates when made or issued by osteopathic physicians licened under the laws of the Commonwealth shall be accepted by the persons partnerships corporations or by the officers boards bureaus or departments of the State or of any of its political subdivisions to whom the same are made with the same force and effect as reports or certificates issued by physicians of other schools and such osteopathic physicians shall be entitled to the same fees and compensation as is provided by law for physicians of any other school [Provided That no report or certificate made under the provisions of this section in connection with a case involving operative surgery shall be valid unless the same is made by an osteopathic surgeon duly licensed to practice operative surgery under the provisions of this act]

Section 5 Section fourteen of said act as amended by section five of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws 795) is hereby further amended to read as follows

Section 14 On and after the approval of this act the State Board of Osteopathic Examiners shall refuse to grant a license to an applicant to practice osteopathy in this State and is empowered to revoke a license conferring on a person the right to practice osteopathy upon the presentation to said State Board of Osteopathic Examiners of a court record showing the conviction in due course of law of said person for procuring aiding or abetting in producing a criminal abortion or miscarriage by any means whatsoever The State Board of Osteopathic Examiners upon such evidence and proof shall cause the name of said convicted licentiate to be removed from the record in the office of any prothonotary in the State The State Board of Osteopathic Examiners may refuse revoke or suspend the right to practice osteopathy in this State upon any or all of the following reasons to wit The conviction of a crime involving moral turpitude habitual intemperance in the use of ardent spirits or stimulants narcotics or any other substance which impairs intellection and judgment to such an extent as to incapacitate the performance of professional duties the violation of the practice of the principles of the system of osteopathy as defined in this act misrepresentation unethical conduct or misleading or fraudulent advertising in the practice as determined by the board Any person who is a licentiate under this act or who is an applicant for examination for licensure to practice osteopathy in this State against whom any of the foregoing charges are preferred for causing the revocation or suspension of license or for causing the refusal of the right to be examined for licensure shall be furnished by the State Board of Osteopathic Examiners with a copy of the complaint and shall have a hearing before said board in person or by attorney and witnesses may be examined by said board respecting the guilt or innocence of said accused The suspension of license of any licentiate under this act shall be removed when said narcotic or vicious habit hereinbefore specified shall have been adjudged b ythe proper authorities to be cured or overcome and said suspended licentiate deemed again capable of practicing the healing art

Section 15 All acts or parts of acts inconsistent with this act are hereby repealed

Section 16 This act shall become effective upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. KAHLE. Mr. President, I move that Senate Bill No. 1267 (House Bill No. 1282), the bill just read, be recommitted to the Committee on Public Health, for the purpose of a public hearing, to be held next Tuesday.

Mr. CHAPMAN. Mr. President, I second the motion.

The motion was agreed to.

REPORT FROM COMMITTEE

Mr. THOMPSON. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON from the Committee on State Boards re-reported as amended, Senate Bill No. 341 entitled:

An Act to re-enact and further amend the title and the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (Pamphlet Laws fifteen, 1933-34), entitled as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; making disposition of the receipts from State stores and of fees; and imposing penalties"; further regulating the manufacture sale, importation, use and traffic in liquors, alcohol and malt and brewed beverages, conferring additional powers and imposing additional duties on the Pennsylvania Liquor Control Board; further regulating those licensed under this act; imposing additional filing fees and increasing fees for certain permits, and providing for the disposition thereof; further regulating the establishment of State liquor stores and the employment and use of personnel by the board; regulating and providing the procedure for the granting, transfer, revocation and suspension of licenses and for compromises in certain cases and the disposition of moneys arising therefrom; providing for the forfeiture of certain property; regulating the jurisdiction of courts and local option procedure; prohibiting certain interlocking business; and providing penalties.

He also from the Committee on State Boards re-reported as amended, Senate Bill No. 342, entitled:

An Act to re-enact and amend the act, approved the nineteenth day of February, one thousand nine hundred twenty-six (Pamphlet Laws, sixteen), entitled, as amended, "An act regulating, under permit, through the Pennsylvania Liquor Control Board, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, rectification, blending, recovery, reuse, holding in bond, holding in storage by bailees for hire, and transportation for hire, of any alcohol, alcoholic liquid or alcoholic beverage, by certain persons; requiring the registration of Federal permits; also providing for fees and the disposition thereof, and for appeals to the courts; also authorizing the inspection of the records of permittees and purchasers of said alcohol, alcoholic liquid, and alcoholic beverages; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act;" further regulating the manufacture, sale, use and traffic in alcohol and alcoholic liquids; conferring additional powers and imposing additional duties upon the Pennsylvania Liquor Control Board; further regulating those licensed under this act; imposing filing fees; changing the method of calculating certain license fees; providing for the use of the word "license" instead of "permit"; regulating and providing the procedure for the granting, suspension and revocation of licenses, and for compromises in certain cases; providing for the disposition of fees, compromise penalties and forfeitures; regulating the jurisdiction of courts; and providing penalties.

Also from the Committee on State Boards re-reported as amended, Senate Bill No. 343, entitled:

An Act to re-enact and further amend the title and the act, approved the third day of May one thousand nine hundred and thiry-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Pennsylvania Liquor Control Board, quarter sessions courts district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts;" defining and further defining and regulating licensees, application for licenses and sales by licensees; and fixing fees for amusement permits; regulating the granting, suspension, revocation and transfer of licenses and the procedure therefor; and conferring jurisdiction on certain courts; providing for the granting of licenses by the Pennsylvania Liquor Control Board instead of the county treasurer, and prescribing the powers and duties of said board; providing for compromises where licenses are suspended and for the disposition of application, license, permit fees, forfeitures and penalties; and providing penalties.

Also from the Committee on Welfare re-reported as amended, Senate Bill No. 878, entitled:

An Act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons, providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure.

Mr. OWLETT. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. OWLETT from the Committee on Insurance reported as amended, Senate Bill No. 778, entitled:

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies. Lloyds associations, reciprocal and interinsurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," by amending subsection (e) of section 206 by reducing the maximum single risk permitted and increasing the cash premium to be held in cash or securities.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 1086, (Senate Bill No. 1398), entitled:

An Act to fix the compensation of the assistant custodians of the Senate chamber and the hall of the House of Representatives.

Which was committed to the Committee on State Boards.

House Bill No. 1194, (Senate Bill No. 1399), entitled:

An Act creating a joint legislative committee to be known as the Joint State Government Committee, providing for the appointment of its members, and defining its powers and duties.

Which was committed to the Committee on State Government.

House Bill No. 1336, (Senate Bill No. 1400), entitled:

An Act to provide for a third additional law judge of the several courts of the forty-fifth judicial district.

Which was committed to the Committee on Judiciary General.

House Bill No. 2242, (Senate Bill No. 1401), entitled:

An Act to amend section six of the act approved the twenty-first day of May, one thousand nine hundred thirty-one, (Pamphlet Laws 149) entitled "Liquid Fuels Tax Law," by making further provision regarding the discount allowed to distributors if reports are filed and taxes paid on time.

Which was committed to the Committee on Finance.

House Bill No. 1155, (Senate Bill No. 1402), entitled:

An Act to amend paragraph one of clause (a) of section forty-one of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "Fiduciaries Act of 1917" as amended, by further providing with respect to investments of trust funds by fiduciaries.

Which was committed to the Committee on Judiciary General.

AMENDMENTS TO HOUSE BILL No. 1159 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1159, entitled:

An Act to amend section one thousand six of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws six hundred and twenty-four), entitled "Banking Code," as amended, by providing further with regard to limitations upon loans to one corporation or person.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

AMENDMENT TO HOUSE BILL No. 1642 RECALLED FROM THE GOVERNOR

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1642, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors or registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading were reconsidered in the House and the bill amended, in which amendments the concurrence of the Senate is requested.

HOUSE CONCURS IN SENATE BILL No. 337

He also returned to the Senate, Senate Bill No. 337, entitled:

An Act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War and providing for the use, upkeep and management and control of such halls.

with the information that the House had passed the same without amendment.

BILL SIGNED

The PRESIDENT (Lieutenant Governor, Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 337, entitled:

An Act relating to memorial halls in counties of the second class, erected in memory of the soldiers, sailors and marines who served in the Civil War and providing for the use, upkeep and management and control of such halls.

Whereupon,

The PRESIDENT (Lieutenant Governor, Thomas Kennedy) in the presence of the Senate Signed the same.

MOTION TO READ BILLS THE FIRST TIME

Mr. RICE. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. EROE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 117, entitled:

An Act to amend section one thousand three hundred and one of the act approved the fourth day of May, one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled, "An act concerning boroughs and revising, amending, and consolidating the law relating to boroughs," as amended, establishing a compulsory tax levy for fire protection.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 118, entitled:

An Act to amend clause five of section nine hundred five of the act approved the first day of May, one thousand nine hundred and thirty-three, (Pamphlet Laws one hundred three) entitled, "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," requiring the levy of a tax for fire protection.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideraton of Senate Bill No. 201, entitled:

An Act to amend clause C of section three hundred fifteen of the act approved the fifth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws, two hundred eighty-nine) entitled, "An act relating to nonprofit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the Courts of Common Pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations;" by changing the rule for the investment of certain funds by burial and cemetery companies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 292, (House Bill No. 634), entitled:

An Act to amend the act approved the thirteenth day of April, one thousand nine hundred and twenty-seven (Pamphlet Laws two hundred seventy-three) entitled, "An act for the registration and regulation of certain individuals and entities, selling, offering for sale or delivery, soliciting, subscriptions to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein, including securities issued by them, conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania, prescribing penalties and making appropriations," by extending the provisions thereof to employes of companies subject to the Public Service Company Law.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 446, entitled:

An Act requiring inspectors of weights and measures to test and read all water, gas and electric meters; imposing the cost of apparatus therefor on counties and cities; and imposing duties on the Public Service Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 521, (House Bill No. 723), entitled:

An Act to amend section five hundred and eighty of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending, and consolidating the laws relating thereto," as amended; extending the powers of the county commissioners in the construction and maintenance of comfort stations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 613, (House Bill No. 749), entitled:

An Act requiring county commissioners to provide at the expense of the county, telephone, typewriter and stenographic services for the county superintendent of schools.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 668, entitled:

An Act to amend route 15176 of the act approved the twenty-second day of June, one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ninety-four) entitled, "An act establishing certain township roads as State highways; authorizing their construction, maintenance, and improvement under certain conditions and restrictions; limiting the obligation of the Commonwealth in the construction of certain structures, located on such highways; conferring certain powers upon the Department of Highways and local authorities, persons, associations and corporations for sharing the cost of the maintenance and construction of such highways; and making an appropriation to carry out the provisions of said act," as amended, by changing certain routes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 683, entitled:

An Act to further amend sections six, ten and twenty-nine of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws, four hundred sixty-eight), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the

expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway, and procedure therein, providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of townships, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties, townships, boroughs, and incorporated towns with Commonwealth governing same, providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by amending Route Fifty-two, by adding thereto borough bridges over mill races as the responsibility of the Department of Highways by providing that no assessment shall be made against the Commonwealth to assist in the reconstruction of any structure eliminating grade crossings; and by further authorizing the Attorney General, under certain conditions, to enter into agreements with townships for the payment, in installments, of certain claims of the Department of Highways against such townships for construction, reconstruction or maintenance of State highways.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 752, entitled:

An Act to further amend section 624 of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled, "An act relating to insurance; establishing an Insurance Department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties, and repealing existing laws," so as to permit excess brokers to procure policies of casualty insurance from companies, associations or exchanges not authorized to do business in this Commonwealth when such insurance is not procurable from companies duly authorized to do business in this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 778, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled, "An act relating to insurance, amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund, providing penalties and repealing existing laws," by amending, sub-section (e) of section 206 by reducing the maximum single risk permitted and increasing the cash premium to be held in cash or securities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 930, entitled:

An Act to repeal the laws relating to the Lancaster County Prison, and relating to the election of a board of inspectors to manage said prison.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1159, entitled:

An Act to amend subsection (e) of section two hundred six of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled, "An act relating to insurance, amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws," by providing minimum capital and financial requirements to do business for title insurance companies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1160, entitled:

An Act to further amend article VI of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled, "An act relating to insurance, amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges including insurance carried by the State Workmen's Insurance Fund, providing penalties and repealing existing laws," by adding thereto sub-article VI(h) consisting of Sections 685 (six hundred and eighty-five to 696 (six hundred and ninety-six) inclusive, defining the specific powers and financial requirements of title insurance companies and providing for the

regulation and supervision thereof and prohibiting the guaranteeing of mortgages by such companies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1161, entitled:

An Act to amend section one hundred one of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled, "An act relating to insurance amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges including insurance carried by the State Workmen's Insurance Fund, providing penalties and repealing existing laws," by including title insurance companies within the definition of the word "company" as used in the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1214, entitled:

An Act to repeal section two of the act approved the first day of April, one thousand seven hundred and ninety-seven, (3 Smith's Laws 294) entitled, "An act to regulate the manner of selling loaf bread, and to repeal certain existing laws respecting the same."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1263, entitled:

An Act to amend route two hundred and ninety-eight of section one of an act approved the twenty-second day of July, one thousand nine hundred and thirteen (Pamphlet Laws nine hundred forty-eight) entitled, "An act establishing certain public roads as State highways, and providing for certain construction and maintenance at the expense of the Commonwealth."

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1297 (House Bill No. 1000), entitled:

An Act concerning game and other wild birds and wild animals and amending, revising, consolidating and changing the law relating thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1298, entitled:

An Act to amend sections one and two of the act approved the seventh day of August, one thousand nine hundred thirty-six (Pamphlet Laws one hundred twenty-six) entitled, "An act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions; eliminating fire and other hazards to safety at State institutions; providing for the purchase of safety and other equipment; the erection and construction of new buildings and repairs, alterations and additions to and replacement of existing buildings and equipment," authorizing the use of said appropriation to remove hazards to health.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1299, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction of a sewer at the East Stroudsburg State Teachers' College.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1320, (House Bill No. 851), entitled:

An Act relating to the regulation of public utilities defining as public utilities certain corporations, companies, associations, and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribing, defining and limiting their duties, powers and liabilities and regulating the exercise, surrender or abandonment of their powers, privileges and franchises, defining and regulating contract carriers by motor vehicle and brokers in order to regulate effectively common carriers by motor vehicle, conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons, associations, companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates, placing the burden of proof on public utilities to sustain their rates and certain other matters, authorizing a permissive or mandatory sliding scale method of regulating rates, providing for the supervision of financial and contractural relations between public utilities and affiliated interest and supervision and regulation of accounts and securities or obligations issued, assumed or kept by persons associations, companies, corporations or municipal corporations subject to this act, conferring upon the commission power to vary reform or revise certain contracts, conferring upon the commission the exclusive power to regulate or order the construction, alteration, relocation, protection or abolition of crossings of facilities of public utilities and of such facilities by or over crossings and to award or apportion resultant costs and damages, authorizing owners of such property to sue the Commonwealth for such damages, providing for ejectment proceedings in connection with the appropriation of property for crossings, conferring upon the commission power to control and regulate budgets of public utilities, imposing upon person, associations, companies and corporations (except municipal corporations) subject to regulation the cost of administering this act, prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the Court of Common Pleas of Dauphin County exclusive original jurisdiction over certain proceedings, prescribing penalties, fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1321, entitled:

An Act to amend section two hundred one as re-enacted, section two hundred six, section two hundred seven as amended, and sections two hundred eight and two hundred nine of, and to add article twenty-five A to, the act aproved the ninth day of April, one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled, "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating a new administrative department to be known as the Department of the Unemployed, prescribing its powers and duties and providing for the appointment of the Secretary of the Unemployed by the Governor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1326, entitled:

An Act to amend section one thousand five hundred eleven of the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled, "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as added; requiring school districts of the first, second and third classes to employ hygienists.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1328, entitled:

An Act prohibiting the wearing or imitation of the uniform of the Pennsylvania Motor Police; prescribing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1326, (House Bill No. 362), entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania located at East Falls, Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1337, (House Bill No. 611), entitled:

An Act making an appropriation to the National Farm School at Doylestown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1339, (House Bill No. 1020), entitled:

An Act to amend the act approved the fifteenth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled, "An act relating to the business of banking and to the exercise of fiduciary powers by corporations, providing for the organizations of corporations with fiduciary powers and of banking corporations with or without fiduciary powers, including the conversion of National Banks into State banks and for the licensing of private bankers, defining the rights, powers, duties, liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers, directors, trustees, share holders, attorneys and other employes of all such corporations or private bankers or of affiliated corporations, associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation, conferring powers and imposing duties upon the courts, prothonotaries, recorders of deeds and certain State departments, commissions and officers, imposing penalties and repealing certain acts and parts of acts," by further providing for the powers and limitations upon powers of corporations with fiduciary powers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1340, (House Bill No. 1147), entitled:

An Act making an appropriation to the Navigation Commission for the Delaware River and its navigable tributaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1342, (House Bill No. 1434), entitled:

An Act making a deficiency appropriation to the Department of Agriculture for reimbursing certain incorporated agricultural associations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1343, (House Bill No. 1563), entitled:

An Act making an appropriation to the Department of Revenue to defray the expenses of investigation and litigation in the Estate of Henrietta E. Garrett, Deceased.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1344, (House Bill No. 1566), entitled:

An Act making an appropriation to the Department of Welfare for the purchase of materials to be used in making articles required at the State institutions in connection with sewing projects, established in Pennsylvania by the Federal Works Progress Administration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1349, (House Bill No. 1983), entitled:

An Act making an appropriation to the Department of Health to carry on the work of sealing abandoned coal mine openings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1350, (House Bill No. 2038), entitled:

An Act to further amend the second paragraph of section one of article one of the act approved the seventh day of March, one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class," by providing that the mayor shall receive no compensation other than his salary for acting as justice of the peace.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1351 (House Bill No. 2119), entitled:

An Act making an appropriation to the Department of Welfare for the payment of claims, charges, court costs and other expenses against the Commonwealth for the erection and construction of a reservoir at the State Industrial Home for Women at Muncy, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1352 (House Bill No. 2136), entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws, general special or local or any parts thereof that are or may be inconsistent therewith," requiring medical inspectors to make eye and ear tests annually, providing for the use of scientific apparatus furnished by school districts and providing for certain instruction in State teachers' colleges for the appointment of certain experts in the Department of Public Instruction and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1355, entitled:

An Act to amend section twenty-seven of the act approved the twentieth day of July, one thousand nine hundred seventeen (Pamphlet Laws one thousand one hundred forty-three) entitled "An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance, and regulation, and for the maintenance and regulation of such free, public, non-sectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and townships may levy taxes, condemn private property and borrow money for library purposes; and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects," by exempting from collateral inheritance tax all gifts, devises, grants or endowments made to national libraries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1360 (House Bill No. 1984), entitled:

An Act to amend the act approved the first day of May, one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety, regulating the use of highways and the operation of vehicles tractors street cars, trackless trolley omnibuses, bicycles, pedestrians and the riding of animals upon the highways of this Commonwealth, providing for the titling, including liens, encumbrances, and legal claims, registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees, prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles and garage keepers, providing that records are admissible as evidence, imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles, imposing penalties, imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees and miscellaneous receipts, making an appropriation and providing for refunds," as amended by adding new sections, further regulating the use of highways and the operation of and the equipment used in connection with vehicles, including trailers and semi-trailers, street cars, trackless trolley omnibuses, school buses and commercial motorcycles upon the highways of this Commonwealth, providing exemptions, extending certain provisions of the act to trailers and semi-trailers, providing for the renewal and automatic satisfaction of encumbrances and liens and further amending the procedure, relating thereto, providing for the further registration of certain vehicles and the licensing of the operators thereof; including additional requirements, reciprocity agreements and additional reasons for suspension and revocation, conferring additional powers

and imposing additional duties upon the Department of Revenue and the Department of Highways, further imposing upon municipalities within the Commonwealth liability for damages caused by the negligent operation of fire department equipment, changing the procedure, disposition of fines and penalties for certain violations of the act and making the fines thereunder mandatory and extending existing penalties and providing additional penalties.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

ANNOUNCEMENTS BY THE SECRETARY

The Committee on Public Health will hold a Public Hearing on Senate Bill No. 1267 on Tuesday, May 25, 1937, at 11:00 a. m. in the Senate Caucus Room.

A caucus of the Democratic Senators will be held tonight in the Senate Caucus Room at 9:00 p. m.

The Committee on City Government will meet on Friday, May 21, at 11:30 a. m. in Room 265.

The Committee on Municipal Government will meet tomorrow at 10:00 a. m. in Room 402.

The Committee on Municipal Government will hold a hearing tonight, in Room 402, for the purpose of considering House Bills No. 1320, 1321 and 1322.

The Committee on Judiciary General will meet on May 21, at 11:45 a. m. in Room 302.

The Committee on Appropriations will meet on May 21, in Room 265, at 11:00 p. m.

ADJOURNMENT

Mr. RICE. Mr. President, I move that the Senate do now adjourn, until 12:00 o'clock noon, tomorrow.

Mr. EROE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 7:47 p. m. until twelve o'clock noon, Friday, May 21, 1937.

HOUSE OF REPRESENTATIVES

THURSDAY, MAY 20, 1937

The House met at 1:00 p. m.
The SPEAKER. (Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. EPHRAIM Z. GALLAHER offered the following prayer:

Our Heavenly Father, we would pray that Thou wouldst brand upon our heart Thy mandate of old: "Thou shalt love the Lord, Thy God, with all thy heart, with all thy soul, with all thy mind, with all thy strength and thy neighbor as thyself."

In His name. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of REUBEN E. COHEN, the further reading was dispensed with and the Journal approved.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, April 20, 1937.

Whereas, There is now before Congress a resolution for a constitutional amendment requiring all Federal employes and officials, appointed or elected, to pay State and Federal income taxes; requiring state employes and officials to pay Federal income taxes; and requiring employes and officials of National and state banks that are members of the Federal Reserve System to pay state income taxes, and

Whereas, Abolition of the exemptions on such salaries would result in a great increase of revenue to the federal government, thereby reducing the ever-increasing burden upon the taxpayers who can claim no official exemption, and would enable this Commonwealth in the event an income tax is adopted to secure large revenues from these sources, and

Whereas, Certain other reforms of the Federal tax system are necessary to effect the consolidation of the gains which have been made in the national economic recovery, and

Whereas, Repeal of the capital gains and losses section of the Federal income tax law would result in acceleration of the movement to economic recovery; would cause an estimated increase of the Federal government's income by two hundred fifty million dollars as a direct result of increases in the turn over tax on securities and as an indirect result of widespread business improvement and reemployment of workers; would result in an estimated increase of the tax receipts of this Commonwealth for similar reasons; would prevent the exodus of hundreds of millions of dollars of American capital into foreign security markets; would cause a pronounced improvement in the real estate business and the entire construction industry, with corresponding gains in re-employment of persons engaged in said industries; would cause a great increase in the amount of money in circulation and in the amount of new investments, because of the resultant "freezing" of potential profits; and would cause a decrease in the number of investments in tax-exempt securities, and

Whereas, Comptroller Morris S. Tremaine of the State of New York, and many other men of experienced financial judgment, have advocated repeal of the capital gains and losses section of the Federal income tax law, and

Whereas, The Federal income tax law provides for a great number of exemptions from payment of taxes on various securities, whereby many persons escape taxation and, contrary to the best interests of the economic welfare of the people, deprive the government of a substantial source of revenue while other persons find inescapable taxs more burdensome because of such exemptions, and

Whereas, The personal exemptions provided in the Federal income tax law are placed at a rate so high the great majority of persons who fall within the low-income brackets do not directly participate in the financial activities of the Federal government, and

Whereas, Such participation would serve better to acquaint the great majority of our people with the facts involving the fiscal activities of the Federal government and would thus heighten public interest in the financial problems of the nation, and

Whereas, It is necessary to effect the foregoing reforms in order to safeguard the gains in the National economic recovery against the possibilities of inflation, an increase in the amount of our National debt, an increase in the amount of capital invested in tax-exempt securities or in foreign countries, an increase in the number of unemployed or a static condition of the unemployed problem, a restraint upon home construction and building operations, a decrease in the amount of money in circulation, and obstructions to industrial and commercial activity; now, therefore, be it

Resolved (if the House of Representative concur), That the Congress of the United States be and it is hereby respectfully memorialized to enact with all convenient speed legislation providing for a constitutional amendment which will abolish existing exemptions on payment of income taxes by all governmental employes and officials, legislation which will repeal the capital gains and losses section of the Federal income tax law, legislation which will abolish the existing exceptions of certain securities, and legislation which will lower the personal income tax exemption to such a figure as to include millions of people who now escape the provisions of the Federal income tax law, and be it further

Resolved (if the House of Representatives concur), That copies of this resolution be transmitted to the President of the United States, the President of the United States Senate, the Speaker of the House of Representatives, and the Senators and Representatives in Congress from the State of Pennsylvania

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. The resolution is referred to the Committee on Federal Relations.

LEAVES OF ABSENCE

Mr. McFall asked and obtained leave of absence for Mr. VAN SICKLE for this day's session.

Mr. Ominsky asked and obtained leave of absence for Mr. FINNERTY for the remainder of the week on account of illness in the family.

Mr. READINGER asked and obtained leave of absence for himself for the remainder of today's session on account of illness in the family.

Mr. RUFFENNACH asked and obtained leave of absence for himself for the remainder of the week after today's session.

Mr. HUNTLEY asked and obtained leave of absence for himself after today's session for the remainder of the week.

Mr. Shepard asked and obtained leave of absence for Mr. ALMOND for the remainder of the week.

Mr. Longaker asked and obtained leave of absence for Mr. WINNER for today's session.

Mr. Longaker asked and obtained leave of absence for Mr. SIMPSON for today's session.

REPORTS FROM COMMITTEES

Mr. BLANK, from the Committee on Judiciary General, reported as amended, House Bill No. 1781, entitled:

An Act to amend sections two and three of the act approved the fourteenth day of May, one thousand nine hundred twenty-nine (P. L. 1721), entitled "An act providing for the service of process in civil suits on non-resident operators, or non-resident owners, of motor vehicles operated within the Commonwealth of Pennsylvania, and making the operation of such a motor vehicle on the public highways of the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of Revenue of the Commonwealth of Pennsylvania as the agent of the said non-resident, upon whom civil process may be served; and providing for further notice to the defendant in any such suit," as amended, by providing further for the return of, and fees for, service.

Mr. JOHN A. SMITH, from the Committee on State Government reported as amended, House Bill No. 2262, entitled:

An Act to amend the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An Act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," prohibiting employes of certain agencies after leaving employment from practicing before such agencies for a certain period.

Mr. MURRIN, from the Committee on Military Affairs, reported as amended, House Bill No. 1495, entitled:

An Act to amend clause (b) of section four hundred forty-eight of the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined;" as amended, changing the personnel of the State Veterans Commission.

Mr. VALIBUS, from the Committee on State Government, reported as committed, House Bill No. 1034, entitled:

An Act to amend section five hundred and twenty-two of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine, (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards, and commissions shall be determined," as added, requiring contracts for public works and improvements to

stipulate minimum wages to be paid to foremen, timekeepers, engineers, laborers and mechanics and requiring the Commonwealth to pay minimum wages for such work where no contract is let; and providing for county wage boards representing labor, business and the Commonwealth, to determine such minimum wages.

Mr. SCHOR, from the Committee on State Government, reported as amended, House Bill No. 2019, entitled:

An Act fixing the minimum compensation and salary of certain employes of the Department of Highways, and minimum weekly working hours.

Mr. McDEVITT, from the Committee on Judiciary General, reported as committed, House Bill No. 189, entitled:

An Act to provide for an additional law judge of the Court of Common Pleas in the thirty-second judicial district

Mr. GILLETTE, from the Committee on Motor Vehicles, reported as amended, House Bill No. 1853, entitled.

An Act to amend section seven hundred three and subsection (a) of section nine hundred three of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the titling, including liens, encumbrances, and legal claims; registration of certain vehicles and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation; and providing for refunds," as amended; changing the chassis weight authorized by the act for certain classes of commercial motor vehicles and truck tractors.

Mr. COAKLEY, from the Committee on Education, reported as committed, House Bill No. 1749, entitled:

An Act to further amend clause eight of section one thousand two hundred and ten of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may inconsistent therewith," by changing the minimum salary of county superintendents.

Mr. SHEPARD, from the Committee on Education, reported as committed, House Bill No. 2315, (Senate Bill No. 1020), entitled:

An Act to amend section two thousand six hundred sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the employment by school auditors and for the compensation of an attorney.

Mr. SHEPARD, from the Committee on Education, reported as amended, House Bill No. 2338, (Senate Bill No. 606), entitled:

An Act to amend the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," providing for sabbatical leaves of absence for certain employes of school districts.

Mr. OMINSKY, from the Committee on Public Utilities, reported as amended, House Bill No. 2254, (Senate Bill No. 771), entitled:

An Act relating to non-profit cooperative corporations organized to engage in rural electrification; providing for the organization, consolidation and dissolution of such corporations, prescribing the qualification for membership therein; conferring certain rights, powers, duties and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing cooperative or non-profit corporations and associations within the provisions of this act; conferring powers and imposing duties on certain State departments, commissions and officers; fixing fees; conferring the right of eminent domain; prohibiting the use of certain terms in the corporate names of other corporations; exempting such corporations from excise taxes; imposing on them a license fee; and exempting such corporations from the jurisdiction of the Pennsylvania Public Utility Commission and from the provisions of the Securities Act.

Mr. HARKINS, from the Committee on Education, reported as amended, House Bill No. 2342, (Senate Bill No. 855), entitled:

An Act supplementing the act approved the twenty-eighth day of July one thousand nine hundred and thirty-six (P. L. 79) and authorizing the Pennsylvania Historical Commission of the Department of Public Instruction to provide plan prepare supervise and carry out a suitable program within and without Pennsylvania for the commemoration by the Commonwealth of Pennsylvania of the three hundredth anniversary of the earliest settlement the first courts of law and the first capital within what is now Pennsylvania and making an appropriation therefor out of the General Fund.

Mr. DECKER, from the Committee on Education, reported as committed, House Bill No. 2345, (Senate Bill No. 1041), entitled:

An Act to amend section one thousand two hundred and two of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring teachers to be citizens except in certain cases.

Mr. LONGAKER, from the Committee on Municipal Corporations, reported as committed, House Bill No. 2283, (Senate Bill No. 785), entitled:

An Act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes and municipal claims and penalties interest and cost due thereon against claims and accounts due by such political subdivisions.

Mr. WILSON, from the Committee on Judiciary General, reported as committed, House Bill No. 2182, (Senate Bill No. 435), entitled:

An Act to amend section five of the act, approved the nineteenth day of April, one thousand nine hundred and one (P. L. 88) entitled, "An act relating to replevin, and regulating the practice in cases where the writ of replevin is issued" as amended; fixing the time when judgment by default for want of an appearance may be taken in replevin proceedings.

Mr. McKINNEY, from the Committee on State Government, reported as committed, House Bill No. 2328, (Senate Bill No. 1166), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the California State Teachers College to acquire a certain tract of land for the use of said college and making an appropriation.

Mr. PERSHING, from the Committee on Education, reported as committed, House Bill No. 2344, (Senate Bill No. 998), entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by further regulating the incurring or refunding of indebtedness the issuing of bonds by school districts and the retiring of indebtedness making payroll obligations preferential claims against the district providing for penalties for failure to comply with any part of the act and repealing provisions of State laws inconsistent with this act.

Mr. HOLLAND, from the Committee on Military Affairs, reported as amended, House Bill No. 2255, (Senate Bill No. 875), entitled:

An Act to cede jurisdiction to the United States over that portion of the Carlisle Barracks known as the "Main Reservation" located in Cumberland County and over the tract of land and buildings occupied by the New Cumberland Depot located in York County.

Mr. ACHTERMAN, from the Committee on State Government, re-reported as amended, House Bill No. 2232, (Senate Bill No. 708), entitled:

An Act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties .

Mr. LEVY, from the Committee on Counties, reported as amended, House Bill No. 2099, entitled:

An Act to further amend sections two hundred forty-six two hundred fifty-six and two hundred sixty-two of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" fixing the salary and qualifications of the district attorney and providing for the appointment and compensation of assistant district attorneys stenographers and clerks in counties of the sixth seventh and eighth classes.

Mr. SNYDER, from the Committee on Motor Vehicles, reported as committed, House Bill No. 2370, (Senate Bill No. 758), entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (P. L. 553) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicles registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility and further regulating insurance policies which may be accepted as proof of financial responsibility imposing further duties upon the Secretary of Revenue and the prothonotaries and clerks of the various courts of this Commonwealth imposing further duties upon owners and operators of vehicles providing exceptions imposing duties upon insurers and upon brokers agents or representatives of insurers providing for the payment of judgments in installments prescribing additional penalties and adding new sections.

Mr. BROWN, from the Committee on Judiciary General, reported as committed, House Bill No. 2109, entitled

An Act to further amend section one of the act, approved the twenty-sixth day of April, one thousand eight hundred fifty-five (P. L. 309), entitled "An act relating to damages for injuries producing death," by making any amount recovered liable for the payment of expenses of last illness and funeral expenses; and authorizing executors and administrators to sue in certain cases.

BILL RE-REFERRED

Mr. SARRAF, returned from the Committee on Constitutional Amendments with the recommendation that it be re-referred to the Committee on Forestry, House Bill No. 2357, (Senate Bill No. 1137), entitled:

A Joint Resolution proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania by adding section eighteen.

The SPEAKER. The bill is now re-referred to the Committee on Forestry.

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 177

Mr. MOOMAW. Mr. Speaker, I desire to offer the report of the Committee of Conference on Senate Bill No. 177.

The SPEAKER. The report will be filed with the Clerk.

BILL INTRODUCED

Mr. HARKINS asked and obtained the unanimous consent to introduce a bill, the title of which was read as follows:

An Act validating certain sheriff's sales of real estate and the title to such real estate in the hands of purchasers, their heirs, grantees and assigns.

Mr. TURNER asked and obtained unanimous consent to make the following statement:

Mr. SPEAKER and members of the House, for some time, as you know, I have been receiving letters asking that we give the Governor some assistance in carrying out his duties. This is one which came to me and I would like to read it to the House:

"Dear Governor:

Governor you got my sincere sympathy, on account of the lousey way these here New Dealers down in Washington have been givin' you the double-cross. Nobody can ever say you was tight with your wad when the New Deal needed financin' in Pennsylvania, and it kinda makes me sore the way these New Dealers turn you down every time you go to Washington to ask F. D. R. for a little jack to help out here in Pennsylvania.

"Of course, it's nice to have the President pat you on the back and call you his fair-haired boy, but that don't help none when you get back home and the boys give you a dirty look when you shake your head and they see you been stung again.

"Yesterday I heard you was gettin' ready to go down and try to get another hatful of promissory notes like they give you last year. The papers say the President has laid down on his promise to give you money for the State Authority to go ahead an' build hospitals, colleges, prisons, and so forth. It seems like the President has a poor memory about things up in Pennsylvania. I ain't forgot how I felt when he promised to give us five millions a month for relief and then short-changed us fifteen million dollars. Of course, them millions is mere chicken feed to a New Dealer, but I feel sore every time I go to a movie, or buy a pack of cigarettes or put a gallon of gas into the old car to think that if it hadn't been for the President's bad memory I could keep the change. Now as you ain't gettin' nowhere askin' for money for Pennsylvania, mebbe you'd better let me write a letter for you to take along.

"Here she is:—

'Dear Mr. President, "I would say.

'Dear Mr. President: I take my pen in hand to say unless you can keep some of your promises to me in the future, better than you have in the past, you better get ready to give me my old job back as Ambassador to Austria, because the boys are beginning to whisper that if I can't get anything out of you as Governor, how am I goin' to get anything as Senator, which if you ask me, unless you do something to help pretty quick, I ain't going to be. Which you can take or leave, as either a promise or a threat.

'You remember how you promised me if Pennsylvania would do her part on relief, you would give us $5,000,000 a month for two years, and then went and forgot all about how you owed us fifteen millions more than you paid us. I felt pretty bad about that, but I thought up a good excuse for you. I told the boys it was just because, mebbe, you had a bad memory. Then when we had to call a special session of the Legislature and put on more taxes, I asked you how about the ten million you owed us, for money paid the WPA workers you forgot to send checks to, and unless I was hard of hearing, I got the impression you said all O.K. but you went and forgot that, too.

'So we had to levy a lot more taxes and the wicked corporations have begun to leave the State and the people are gettin' hot under the collar, and we don't have no money to build hospitals and colleges, et cetera, which I have promised. So I take a lot of last year's election returns in my pocket and me and Cammey Vinnet, we fly down to Washington once more, and unless I got a memory worse than yours, you promised me to come across with $20,000,000 PWA funds which I don't see how we can get along without. This ain't Washington,—the Legislature ain't all dumb like Congress. We got a whole raft of engineers and office help set up in a State Authority office, costing a lot of money. If we don't get that $20,000,000 we'll have to fire all these worthy Democrats, and the Legislature'll raise hell for spending all that money.

'Now, Mr. President, promises are grand things. I ought to know, on account of how I have made so many of them myself. But this ain't no Democratic Platform. This is honest injun playin' for keeps. All I've got to say is, if I don't get this cash I'm goin' to have a lot of spare time on my hands for polo after January 15, 1939, and Joe Guffey's goin' to get sore eyes lookin' for the word "Welcome" on the door-mat at the Executive Mansion.

'We're suckers for punishment up here in Pennsylvania, Mr. President, but the folks is gettin' pretty tired buyin' new airplanes to take the place of the ships me and Cammy Vinnet has wore out between here and Washington askin' for money we never get, and when they get their Dutch up, they go out and vote for the damn Republicans, which if you are not careful you may force me to be one again myself.

'Now, Mr. President quit foolin' an get down to brass tacks before you forget again. You know, I can't always sit in this game with rubber chips.

'Yours for more and better promises.

George.'

"Now, Governor, if that don't bring home the bacon you may as well come back and join us Republicans, but don't expect us to get out the band, on account of how we ain't got any money either.

Your friend,

Oswald."

Mr. BROWNFIELD in the Chair.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1390, entitled:

An Act making an appropriation to the General State Authority to defray the costs and expenses of the said Authority in connection with the organization, administration and operation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1618, entitled:

An Act providing for the establishment of a State Youth

Commission and local Youth Commissions prescribing their powers and duties

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1482, entitled:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Act No. 203) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" establishing an additional route in the Counties of Lackawanna and Wayne

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1916, entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such street providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" as amended by adding certain new routes changing certain routes and providing for the relocation of city streets which are State highway routes

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2333, (Senate Bill No. 148), entitled:

An Act to amend the act approved the fourteenth day of May one thousand nine hundred and twenty-five (P. L. 730) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" as amended by further regulating the manufacture and sale of carbonated beverages and still drinks changing the penalties prescribed and providing for injunctions in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2295, (Senate Bill No. 1007), entitled:

An Act to add section four hundred seven and one-tenth to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" authorizing and regulating the designation of certain banking institutions as deputy county tax collectors by the board for the selection of depositories in counties of the second class; and defining their powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2339, (Senate Bill No. 743), entitled:

An Act to amend sections five six and twelve of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its fund and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by providing for the secretary-treasurer in lieu of a secretary and a vice-president of the board and establishing a method for determining classification of beneficiaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2188, (Senate Bill No. 679), entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a certain lot of ground in the Township of North Annville Lebanon County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2290, (Senate Bill No. 871), entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by conferring on such counties the power to adopt ordinances and resolutions; providing for the zoning and the regulation of the location, height, bulk and use of buildings and other structures and of the uses of land, and the requirement of building permits, in the portions of counties lying outside of cities, boroughs and

townships of the first class; providing for the creation, organization, powers and duties of county zoning commissions and boards of adjustment; imposing duties on the State Planning Board and on State Officials, departments and agencies and prescribing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2356, (Senate Bill No. 1122), entitled:

An Act providing for the erection construction and equipment of a Maximum Security State Penitentiary for the detention care maintenance and employment of maximum security prisoners transferred thereto from the Eastern and Western State Penitentiaries designating the manner of acquiring or setting aside of land for the erection and construction thereon of the Penitentiary by The General State Authority authorizing the Commonwealth to lease the penitentiary and its grounds from The General State Authority upon its completion and the Department of Welfare to manage and operate the same providing that the cost of maintaining convicts therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of convicts in State penitentiaries and conferring powers boards commissions and officers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2291, (Senate Bill No. 872), entitled:

An Act to amend article six of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," providing for county and regional planning, and the creation, organization and powers of county and regional planning commissions, and imposing duties on certain city, borough, town and township authorities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2349, (Senate Bill No. 1076), entitled:

An Act to amend section one as amended and sections two and three of the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (Pamphlet Laws 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" requiring cities to make certain appropriations to the police retirement fund increasing the maximum payments by members and generally clarifying the provisions of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2326, (Senate Bill No. 1156), entitled:

An Act authorizing and regulating the issuing by cities of the second class of non-debt revenue bonds for the construction or acquisition of water-works and for extensions and improvements to water-works providing for the redemption of such bonds and the payment of interest thereon from rentals and charges imposed upon consumers and establishing the rights of bondholders.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2313, (Senate Bill No. 144), entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the powers and duties of district superintendents supervising principals and county superintendents changing the qualifications of county district assistant and associate superintendents and supervising principals increasing the terms of county and district superintendents and conferring powers and imposing duties on the State Council of Education.

And said bill having been read at length the first time, Ordered To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 993, (Senate Bill No. 85), entitled:

An Act to amend sections four thousand four hundred and one and four thousand four hundred and two of the act, approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" placing under civil service salaried positions in connection with the operation and maintenance of a water supply system.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2299, (Senate Bill No. 1046), entitled:

An Act imposing upon the Board of Revision of Taxes in cities of the first class the duty of reading water meters authorizing the employment of assistants for the performance of such duties fixing the salaries of such assistants and repealing inconsistent acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2148, (Senate Bill No. 571), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief

draughtman, superintendents of highways, and a staff of assistants and employes; defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same, requiring boroughs and incorporated towns to maintain certain State highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State highway, and procedure therein, providing for work of improvement of State highways to be done by contract, except where the State Highway Commissioner decides the work be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of townships, county, borough or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town, and requiring contracts by counties; townships, boroughs, and incorporated towns with Commonwealth governing same, providing for the minimum width of State highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing for injuring or destroying State highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," as amended, by empowering viewers appointed to ascertain and assess damages upon petition of the county commissioners or property owners to also assess any benefits.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2294, (Senate Bill No. 950), entitled :

An Act relating to the settlements of accounts of collectors of county taxes providing for procedure in such cases for appeals to Courts of Common Pleas.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2312, (Senate Bill No. 999), entitled:

An Act to amend section three hundred eleven, as amended, of the act approved the second day of May, one thousand nine hundred twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, and seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," further regulating the rights of persons elected by vote of the people who become members of the retirement system in counties of the second class.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2360, (Senate Bill No. 1167), entitled:

An Act to define and restrict the obligation of persons engaged on connected with or employed by certain newspapers or press associations in testifying as to the source of information procured or obtained by such persons.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2202, (Senate Bill No. 654), entitled:

An Act fixing the salary of the stenographer to the President of the Senate and the clerk of the President Pro Tempore of the Senate.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2321, (Senate Bill No. 1121), entitled:

An Act providing for the erection construction and equipment of a new Pennsylvania Industrial School to take the place of the present Pennsylvania Industrial School at Huntingdon designating the manner of acquiring or setting aside of land for the erection and construction of the new school by The General State Authority authorizing the Commonwealth to lease the new school and its grounds from The General State Authority upon its completion and the Department of Welfare to manage and operate the same providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon and conferring powers and imposing duties upon certain State departments boards commissions and officers.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2289, (Senate Bill No. 413), entitled:

An Act to amend section six as amended in part and section ten of an act approved the thirty-first day of May one thousand nine hundred and twenty-three (Pamphlet Laws four hundred eighty-one) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the Chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certificates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition

forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" further regulating the qualifications and examination of applicants for said certificates of qualification and the employment of foremen and assistant foremen in such mines.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2320, (Senate Bill No. 1120), entitled:

An Act to amend section ten and section fifteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under oath and prior acts of Assembly" by providing further procedure for preserving such liens and enforcing payment of such claim.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2367, (Senate Bill No. 365, entitled:

An Act to further amend the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal mines of Pennsylvania and for the protection and preservation of property connected therewith" and repealing inconsistent acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2368, (Senate Bill No. 485), entitled:

An Act to re-enact and amend the act approved the seventh day of June one thousand eight hundred and eighty-seven (Pamphlet Laws three hundred sixty-five) entitled "An act to encourage and authorize the formation of cooperative associations productive and distributive by farmers mechanics laborers or other persons" by extending and changing the provisions thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2246, (Senate Bill No. 874), entitled:

An Act to amend section forty of the act approved the twenty-ninth day of April one thousand eight hundred seventy-four (P. L. 73) entitled "An act to provide for the incorporation and regulation of certain corporations" providing for the renewal of charters of corporations the charters franchises and property of which have been purchased by another corporation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2275, (Senate Bill No. 415), entitled:

An Act providing for the examination and certification of and regulating the employment of shot-firers and mining machine runners employed in gaseous bituminous coal mines imposing duties upon the Secretary of Mines and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2358, (Senate Bill No. 1158), entitled:

An Act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2276, (Senate Bill No. 416), entitled:

An Act providing for the examination and certification of and regulating the employment of mine electricians in bituminous coal mines imposing duties upon the mine foremen's examining board and the Secretary of Mines and providing penalties

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2359, (Senate Bill No. 1162), entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 1199) entitled "An act for the acceptance of a site from the University of Pittsburgh and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital providing for the erection construction and equipment of said hospital when appropriations are made available and for its management by the Department of Welfare" providing for the conveyance of said tract to the General Authority for the construction of said hospital and for the leasing thereof by the Commonwealth after construction

And said bill having been read at length the first time, Ordered, To be laid aside for second reading,

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2343, (Senate Bill No. 911), entitled:

An Act providing for the payment into the State Treasury without escheat of certain moneys and property subject to escheat under existing law namely unclaimed dividends and profits debts and interest on debts proceeds of policies of insurance stock and customers deposits held by certain limited partnerships and unincorporated associations joint-stock associations companies and corporations doing business under the laws of this Commonwealth declaring the legislative intent with respect to such payments requiring reports of such money and property by and imposing other duties upon such partnerships associations and corporations conferring powers and imposing duties on certain State officers boards and departments providing for jurisdiction of courts and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue providing for refunds of such moneys and property and prescribing penalties

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2307, (Senate Bill No. 486), entitled:

An Act to further amend section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and redemption of the property therefrom for lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" making additional provision for the filing of tax claims

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading,

Agreeably to order,
The House proceeded to the first reading and consideration of House Bill No. 2140, (Senate Bill No. 481), entitled:

An Act to amend a part of section three of the act approved the twenty-ninth day of April one thousand eight hundred and seventy-four (Pamphlet Laws 73) entitled "An act to provide for the incorporation and regulation of certain corporations" vesting discretion in the Governor with respect to the approval of the charter of certain corporations.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading,

The SPEAKER (Roy E. Furman) in the Chair.

BILLS ON SECOND READING

Agreeably to order,
The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,
The House proceeding to the second reading and consideration of House Bill No. 2253, (Senate Bill No. 358), entitled:

An Act to amend section five hundred forty-seven as amended and sections eight hundred two and nine hundred two of and to add section nine hundred and two A to the act approved the first day of May one thousand nine hundred thirty-three (Pamphlet Laws one hundred three) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for and regulating the method of making appropriations expenditures contracts employments and purchases by the townships relating to the preparation of the annual budget on forms to be prepared by representatives of the State Association of Township Supervisors the Department of Highways and the Department of Internal Affairs providing for public notice of the preparation of such budget relating to the filing of such budget with the Department of Internal Affairs requiring auditors to file an annual report with such Department conferring jurisdiction of certain cases upon aldermen magistrates and justices of the peace and providing penalties

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (Pamphlet Laws one hundred three) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" which was last amended by section one of the act approved the eighteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws twelve hundred ninety-nine) is hereby further amended to read as follows

Section 547 Completion Publication and Filing of Auditors' Statement Filing of Report with Department of Internal Affairs The auditors shall complete their audit settlement and adjustment within as short a time as possible and in no case shall more than twenty days be expended on such audit They shall within ten days thereafter publish by advertisement in at least one newspaper of general circulation printed in the township or county or by posting at least five copies in public places in the township a concise itemized statement of the receipts and expenditures of the several officers for the preceding fiscal year They shall also within ten days hereafter file a copy of such statement with the secretary and another copy of such statement with the clerk of the Court of Quarter Sessions When any two offices are exercised by the same person only one statement shall be required

The auditors shall also annually make a report of the financial condition of the township to the Department of Internal Affairs within sixty days after the close of the fiscal year signed by each auditor and duly verified by the oath of one of the auditors Any auditor refusing or wilfully neglecting to file such report shall upon conviction thereof in a summary proceeding brought at the instance of the Department of Internal Affairs be sentenced to pay a fine of five dollars for each day's delay beyond said sixty days and costs All fines recovered shall be for the use of the Commonwealth

The report to the Department of Internal Affairs shall be presented on a uniform form prepared and furnished as herein provided

The second section was read as follows:

Section 2 That section eight hundred two of said act is hereby amended to read as follows

Section 802 Letting Contracts All purchases of materials equipment [and/or] and machinery for the construction reconstruction and improvement of roads and bridges involving an expenditure in excess of two hundred dollars shall be by contract in writing and shall be made only after competitive bidding The secretary of the board shall advertise once a week for two weeks in one or more newspapers of general circulation in the township for competitive bids It shall be unlawful for the supervisors to evade the provisions of this section by making two or more contracts for small amounts which should have been

in one If the auditors find there has been any such evasion they shall refuse to approve the same

On the question,

Will the House agree to the bill on third reading?

Mr. HERBERT B. COHEN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 3, line 28 by inserting at the end of the line after the word "shall" the following: "either";

Amend section 2, page 4, line 2 by inserting after the word "bids" and before the word "It" the following: "or shall obtain quotations from at least 3 responsible concerns."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third to the fifth sections inclusive and title were separately read and agreed to as follows:

Section 3 That section nine hundred two of said act is hereby amended to read as follows

Section 902 Annual Budget The board of township supervisors of townships of the second class shall annually before their organization meeting in January or as soon thereafter as practicable [make a written estimate of the] [amount of money required] and at least thirty days prior to the adoption of the annual budget prepare a proposed budget or annual estimate of revenue and expenditures for the [ensuing] fiscal year beginning on the first Monday of January which shall be filed with the treasurer In all townships in which the estimated expenditures in the budget exceed five thousand dollars ($5,000) the budget shall be prepared on a uniform form prepared and furnished as hereafte provided[Such] The estimates in the budget for the purpose of aiding the board in determining how much road [tax] and other taxes to levy shall specify

(a) The amount of money necessary for the maintenance repair and improvement of highways including sluices

(b) The amount of money necessary for the repair and construction of culverts and bridges

(c) The amount of money necessary for the purchase hire repair and custody of tools implements and machinery

(d) The amount of money necessary for each other governmental activity of the township for which a special tax levy may or may not be authorized

[(d)] (e) The amount of money necessary for the payment of debts or other miscellaneous purposes

Upon the preparation of a proposed budget in which the estimated expenditures exceed five thousand dollars ($5,000) the supervisors shall either give public notice of the detailed contents thereof or of the fact that the proposed budget will be available for public inspection at a designated place in the township After the expiration of twenty (20) days following the giving of public notice of the detailed contents of the budget or after the budget has been available for twenty (20) days as herein provided such supervisors shall after making such revisions therein as appear advisable adopt the budget and the necessary appropriation measures required to put it into effect In townships in which the estimated expenditures do not exceed five thousand dollars ($5,000) the supervisors shall as soon as possible after the expiration of thirty days following the preparation of the proposed budget adopt the budget and the necessary appropriation measures required to put it into effect.

The total appropriation shall not exceed the revenues estimated as available for the fiscal year In all townships in which the estimated expenditures in the budget exceed five thousand dollars ($5,000) the board of supervisors shall within fifteen days after the adoption of the budget file a copy of the same in the office of the Department of Internal Affairs

The supervisors may by resolution transfer unencumbered moneys from one [fund] road tax account to another but no moneys shall be transferred [except] from the fund allocated for the payment of debts or from any fund raised by a special tax levy for a particular purpose Such transfers shall not be made during the first three months of the fiscal year No money shall be paid out of the township treasurer except upon appropriation made according to law

Section 4 That said act is hereby amended by adding thereto the following section

Section 902A The uniform forms for the annual budget and for the annual report to the Department of Internal Affairs to be used as herein provided shall be prepared by a committee consisting of four representatives from the Pennsylvania State Association of Township Supervisors one representative from the State Department of Highways and the Secretary of Internal Affairs or his agent

Such representatives of the Association of Township Supervisors shall be appointed by the president of the organization within sixty days after the effective date of this act As far as possible such representatives shall be chosen to represent townships in the various population groups among the range of townships of the second class The president of the organization shall supply to the Secretary of Internal Affairs the names and addresses of such representatives immediately upon their appointment The representative of the Department of Highways shall be appointed by the Secretary of Highways

Such representatives of the townships shall serve without compensation but shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee The committee shall meet at th call of the Secretary of Internal Affairs or his agent who shall serve as Chairman of the Committee

In preparing the uniform forms for both budgets and annual reports the Committee shall give careful consideration to the fiscal needs and procedure of townships of the various population groups producing separate forms if necessary to meet the needs of townships of varying sizes In the preparation of forms for financial reports the same shall be so arranged that corresponding information required to be reported to the Department of Highways may be used for the information required to be furnished to the Department of Internal Affairs

It shall be the duty of the Secretary of Internal Affairs or his agent to see to it that the forms required by this act are prepared in co-operation with such committee In the event that such committee should for any reason fail to furnish such co-operation the Secretary of Internal Affairs or his agent shall prepare the forms After they are prepared he shall issue such forms and distribute them annually as needed to the proper township officers

Section 5 The provisions of this act shall become effective immediately upon its approval by the Governor They shall be first put into operation in connection with the preparation of budgets for the fiscal year nineteen hundred thirty-eight and the preparation of annual reports of financial transactions for the fiscal year nineteen hundred thirty-seven

An act to amend section five hundred forty-seven as amended, and sections eight hundred two and nine hundred two of, and to add section nine hundred and two A to the act, approved the first day of May, one thousand nine hundred thirty-three (Pamphlet Laws one hundred three) entitled, "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," providing for and regulating the method of making appropriations, expenditures, contracts, employment, and purchases by the townships; relating to the preparation of the annual budget on forms to be prepared by representatives of the State As-

sociation of Township Supervisors, the Department of Highways, and the Department of Internal Affairs; providing for public notice of the preparation of such budget; relating to the filing of such budget with the Department of Internal Affairs; requiring auditors to file an annual report with such Department; conferring jurisdiction of certain cases upon aldermen, magistrates and justices of the peace; and providing penalties.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 638, as follows:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the College of Lincoln University Chester County for the two fiscal years beginning June first one thousand nine hundred and thirty-seven for the general maintenance of the University and the purchase of such apparatus and equipment as the Trustees may deem for the best interests of the University

And said bill having been read at length the second time and agred to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1141, as follows:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifty thousand dollars ($50,000) or as much thereof as may be necessary is hereby specifically appropriated to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries for the two fiscal years beginning June first one thousand nine hundred and thirty-seven for the payment of the salaries or other compensation of such secretary statistician captains pilots engineers clerks stenographer harbor masters messengers firemen deckhands and cooks required for the proper conduct of the work of the commissioners including the operation of a steam tender for the cost of repairs maintenance supplies fuel insurance oil and equipment of such steam tender and for the payment of the rent and care of the offices stationery telephone services subscription to Maritime Exchange books charts and official and incidental expenses of the commission

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1153, as follows:

An Act making an appropriation to the Department of Property and Supplies for repairs alterations and additions to or replacements of existing buildings and equipment to eliminate fire and other hazards to safety at State institutions

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million five hundred thousand dollars ($1,500,000) is hereby appropriated to the Department of Property and Supplies for eliminating fire and other hazards to safety at State-owned institutions including repairs alterations additions to or replacement of existing buildings and equipment and the purchase of fire or other safety equipment

Section 2 Within the meaning of this act the erection and construction of or alterations or additions to buildings shall include the installation or replacement of fittings and equipment affixed to buildings and the installation or replacement of heating systems and heating sewage and other service lines within the grounds of an institution for the accommodation of a building or buildings and the foregoing appropriation is hereby made available for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering fees required for the purposes of this act

Section 3 The order of procedure in elimination of hazards in any institution for the purpose of applying the provisions of this act shall be the relative importance of existing hazards to the safety of occupants and employes of such institutions The amount of the foregoing appropriation to be expended for or upon any building or buildings for any particular institution shall be determined with the approval of the Governor by the Department of Labor and Industry the Department of Property and Supplies and the Department of the State government operating such institution or with which the board of trustees of such institution is connected

Section 4 Any balance of the foregoing appropriation which remains unexpended and unobligated on May thirty-first one thousand nine hundred forty-one shall lapse on that date

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1372, as follows:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other changes that may become due on leases and other contracts executed by such Department with the General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three million two hundred fifty thousand dollars ($3,250,000) or as much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the payment during the period ending May thirty-first one thousand nine hundred thirty-nine by the Commonwealth of annual rates rentals and other charges for the use and occupancy of or the right to use or occupy the projects structures buildings and facilities leased by the General State Authority to the Commonwealth or

for services rendered by the Authority or its projects Payment of such annual rates rentals and other charges shall be made in equal monthly or quarterly installments or otherwise as required by the respective leases

Section 2 The appropriation made by this act shall be budgeted and expended in accordance with the requirements and provisions of the leases referred to in section one and shall be allocated by the Governor to provide payment of the rentals reserved in such leases The Auditor General and the State Treasurer shall honor the requisitions of the Secretary of Property and Supplies in accordance with such allocations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 486, as follows:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million dollars ($1,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of Temple University at Philadelphia for the two fiscal years beginning June first one thousand nine hundred and thirty-seven for the general maintenance of the University and the purchase of such apparatus and equipment as the Trustees may deem necessary for the best interests of the University

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 865, entitled:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Chester Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an appropriation be made to the Elwyn Training School of Elwyn in the County of Delaware and Commonwealth of Pennsylvania for the maintenance of wards of the State at three hundred and fifty dollars per capita per annum and that the sum of four hundred and twenty thousand dollars ($420,000) or so much thereof as may be necessary is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred and thirty-seven

The second section was read as follows:

Section 2 The appropriation made by section one of this act is made on the condition that each and every mental delinquent admitted to the Elwyn Training School after the effective date of this act as a ward of the Commonwealth

1 Shall be selected by the Department of Welfare from a list submitted from time to time to the Department by the managers or trustees of the school

2 Shall in the opinion of the department be susceptible to the training afforded by the school

3 Shall have been previously investigated by the Department of Revenue for the purpose of determining the extent if any such mental delinquent or those legally liable for his or her support may be financially able to pay the cost of the maintenance of such person in the school

On the question,

Will the House agree to the section?

Mr. TURNER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 2, page 2, line 5, by striking out the word "delinquent" and inserting in lieu thereof: "defective"

Amend sec. 2, page 2, line 10, by striking out the words "managers or trustees" and inserting in lieu thereof: "board of directors"

Amend sec. 2, page 2, line 15, by striking out the word "delinquent" and inserting in lieu thereof: "defective"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2330, as follows:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital at Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred ten thousand dollars ($110,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-seven for the purpose of maintenance of a school of medicine

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 867, as follows:

An Act providing for the registration with the Secretary of the Commonwealth of names and marks branded on containers of milk cream and other dairy products provided that the names and marks branded identify the dairies and not the product in the containers and regulating the purchase sale possession use and destruction of containers so branded imposing penalties and prescribing what shall be prima facie evidence of a violation of this act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words and terms as used in this act shall be construed as defined in this section

(a) The word "person" means and includes natural persons associations partnerships and corporations

(b) The term "dairy products business" means and includes the business of bottling selling or delivery of milk and cream or other dairy products in containers as defined by this section

(c) The word "containers" means and includes bottles boxes cans and other dairy product containers

(d) The words "name or mark" means and includes name or names mark or marks or device or devices used to identify the dairies and not the product in the containers

(e) The word "branded" means and includes stamped engraved etched blown impressed or otherwise reproduced upon

Section 2 Any person engaged in the dairy products business with his name or mark branded upon containers used by him may file in the office of the Secretary of the Commonwealth of Pennsylvania a description of the name or mark so used by him and cause such description to be printed once a week for two successive weeks in a newspaper published in the county in which the principal office or place of business of the owner shall be located and upon proof of such publication being furnished a certificate shall be issued by the Secretary of the Commonwealth upon payment of a fee of one dollar ($1.00) Such certificate shall be competent evidence in any court of law of the Commonwealth of Pennsylvania of the right of such person to the absolute use of such containers with such name or mark branded thereon and of the publication and registration of the same Provided That where any name or mark has heretofore been filed and registered under and pursuant to any existing law the filing and registering by any person of such name or mark under and pursuant to such law shall be deemed a sufficient compliance with the provisions of section one of this act and shall constitute a filing and registration thereunder without any further action and the Secretary of the Commonwealth shall issue to any such person upon payment of one dollar ($1.00) the certificate of registration hereinbefore provided for

Section 3 It it unlawful for any person other than the owner or his agent or employes to fill with milk cream or other dairy products any container so branded with or by any name or mark which shall have been registered under the provisions of this act or to deface erase obliterate cover up or otherwise remove or conceal any such name or mark thereon or to sell buy give take retain or destroy or otherwise dispose of or traffic in the same without the written consent of the owner or owners hereof being first obtained

Section 4 Any person violating any of the provisions of this act or any person acting as the general manager superintendent agent or employe in charge of the work of any person violating any of the provisions of this act shall upon summary conviction before any justice of the peace alderman or magistrate for the first offense forfeit and pay a fine of one dollars ($1.00) for each container together with costs of prosecution and in the event of default in the payment thereof shall be imprisoned in the county jail for the proper county for a period not exceeding fifteen (15) days any such person shall for the second offense forfeit and pay a fine of not less than two dollars ($2.00) for each container together with costs of prosecution and in the event of default in the payment thereof shall be imprisoned in the county jail for the proper county for a period not exceeding thirty (30) days and any such person shall for the third offense be guilty of a misdemeanor and upon conviction thereof be sentenced to pay a fine in the sum of two hundred dollars ($200.00) or to undergo imprisonment in the county jail for a period of not more than ninety (90) days or both Provided That any person convicted for the first and second offenses shall have the right of appeal as in other cases of summary conviction On first and second offenses one-half of such penalties or fines so recovered shall be paid to the person informing and the other one-half for the use of the Commonwealth

Section 5 The use possession or control in any manner whatsoever by any person other than the person entitled thereto under the provisions of this act of any containers branded and registered as provided by this act without the written consent of the owner or owners thereof or the buying selling taking using disposing of destroying retaining receiving giving dealing trafficking in or possessing such containers by any person or persons other than the owner or owners thereof without such written consent is declared to be prima facie evidence of the unlawful use retention purchase of or traffic in such containers

Section 6 The requiring taking or accepting of any deposit upon the delivery of any containers the name or mark upon which has been registered as provided for in this act shall not be deemed to constitute a sale thereof either optional or otherwise

Section 7 All acts and parts of acts inconsistent herewith are hereby repealed

Section 8 Nothing contained in this act shall be construed to affect any proceedings of any nature whatsoever heretofore commenced or now pending under the provisions of existing laws

Section 9 This act shall take effect immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1841, as follows:

An Act to amend section three hundred and eighteen of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" further regulating financial reports of corporations to shareholders

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three hundred and eighteen of the act approved the fifth day of May one

thousand nine hundred and thirty-three (Pamphlet Laws 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business with the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

Section 318 Financial Report to Shareholders [Unless the by-laws expressly provide otherwise the] The directors of every business corporation shall cause to be sent to the shareholders within ninety days after the close of its fiscal year a financial report as of the closing date of the preceding fiscal year Such report shall give a summary of the assets and liabilities of the corporation the amount of dividends paid or declared during the past year the condition as to surplus or deficit and how acquired or created the number of shares issued and outstanding together with any such particulars as are necessary to disclose the general nature of the liabilities and assets of the corporation The report shall also set forth a balance sheet as of the closing date of the preceding fiscal or calendar year together with a statement of income and profit and loss for the year ended on that date The statement of income and profit and loss shall be prepared in the form ordinarily used by accountants for the particular kind of business carried on by the corporation [Unless the by-laws expressly provide otherwise all] All such reports shall be verified by a certified public accountant who is not a director or full-time employe of the corporation or by a firm of practicing public accountants at least one member of which is a certified public accountant The accountant or firm shall be elected by the shareholders of the corporation except that where twenty-five per centum (25%) of the shareholders shall petition the Court of Common Pleas of the county wherein the corporation has its registered office for the appointment of such accountant or firm the court shall make such appointment and shall assess the cost of such audit as in its discretion shall seem just and reasonable

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1934, entitled:

An Act for the public safety requiring and regulating the installation of gas shut-off valves and accessory appliances in and in connection with certain buildings and conferring powers and duties on the Department of Labor and Industry and cities of the first class

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every building hereafter erected and also every existing building (except buildings three stories or less in height in addition to the basement thereof when occupied exclusively for residential purposes) which may be supplied from some outside source with gas shall be equipped with a gas shut-off valve attached to the gas supply pipe or pipes on the inside of the building at a point where said pipes enter the building and before they reach the gas meter which valve shall be connected with a conspicuous and conveniently accessible control box at a place on the exterior of the building so arranged as to allow the gas supply to be shut off by any member of any fire department immediately wherever the necessity arises The fire department of any municipality shall have the exclusive use of gas shut-off valves and their operation in the event of fire or other emergency No person firm or corporation supplying gas to any building shall in any way prevent hinder or interfere with the installation or operation of the apparatus hereinbefore required to be installed Such shut-off valves and said control box for the shut-off valve shall be so marked as to indicate their respective purposes The gas shut-off valves shall be so constructed as to automatically shut-off the gas when subjected to sufficient heat.

All gas shut-off valves and accessory appliances shall be of types approved by the Federal Bureau of Standards or the Department of Labor and Industry of the Commonwealth

On the question,

Will the House agree to the section?

Mr. KILROY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 1, line 8 by inserting after the word "equipped" the following: "by the builder or owner of such building"

Amend section 1, page 2, line 19 by striking out the word "accessory" and inserting in lieu thereof: "necessary"

Amend section 1, page 2, line 19 by inserting after the word "shall" the following: "be designed to minimize the danger of explosion and to prevent or retard the escape of gas in case of fire and"

Amend section 1, page 2, lines 20 and 21 by striking out the following: 'Federal Bureau of Standards or the"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The section section was read as follows:

Section 2 The installation of gas shut-off valves shall be made in the case of existing buildings within one year after the effective date of this act or within such further time not exceeding six months as the Department of Labor and Industry or the authorities of the city having jurisdiction may upon application grant

On the question,

Will the House agree to the section?

Mr. KILROY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 2, lines 23 to 28 by striking out the following: "The installation of gas shut-off valves shall" in line 23, and all of lines 24 to 28, and inserting in lieu thereof: "All existing buildings and every building hereafter erected subject to the provisions of this act shall be equipped with such device and necessary appliances within six months after the effective date of this act.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 It shall be the duty of the Department of Labor and Industry except as to territory in cities of the first class and the bureau or agency in charge of building inspection in cities of the first class to enforce the provisions of this act and to adopt and promulgate rules and regulations for the installation of gas shut-off valves and accessory appliances Such rules and regulations shall provide for the inspection of the installation of the gas-shut-off valve after the same has been completed either by the agent of the department or city as the case may be or by any local board of fire underwriters or its agent Such rules and regulations shall provide for an annual inspection of such gas shut-off valves and appliances by such persons or agencies as may be provided therein

On the question,

Will the House agree to the section?

Mr. KILROY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk

The amendment was read by the Clerk as follows:

Amend section 3, page 3, line 8 by striking out the word "accessory" and inserting in lieu thereof: "necessary"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth section and title were separately read and agreed to as follows:

Section 4 This act shall become effective on the first day of June one thousand nine hundred and thirty-seven

An Act for the public safety requiring and regulating the installation of gas shut-off valves and accessory appliances in and in connection with certain buildings and conferring powers and duties on the Department of Labor and Industry and cities of the first class

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee ow the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1537, as follows:

An Act relating to Sunday music permitting musicians to receive compensation for services rendered on Sunday authorizing pay concerts to be given and broadcast on Sunday under certain circumstances and allowing school and certain public buildings and parks to be used therefor and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act it shall be lawful for any musicians within this Commonwealth to receive compensation for singing or playing on Sunday in connection with the rendering of any public concert but the compensation paid to any such musicians shall not exceed an amount computed at the rate of compensation received by such musicians for similar musical services rendered during week-days

Section 2 Public concerts may be rendered and broadcast anywhere within this Commonwealth on Sunday after twelve o'clock noon and it shall be lawful for the person or persons rendering any such concert to charge an admission fee thereto

Section 3 It shall be lawful to use any public school building or any building owned by the Commonwealth or by any county city borough incorporated town or township or any public park for rendering any concert if the board of school directors board of trustees councils or other agency having control of such building or park shall give permissin to make such use thereof

Section 4 It shall be unlawful at any concert rendered under the provisions of this act to provide any form of entertainment except music and any person who shall provide or furnish or assist in providing or furnishing any other form of entertainment at any such concert shall be guilty of a misdemeanor and upon conviction thereof in the proper court shall be punished by a fine of not less than twenty-five ($25.00) dollars nor more than one hundred ($100.00) dollars or imprisonment for not less than ten (10) days nor more than thirty (30) days or both in the discretion of the court

Section 5 The act approved the second day of June one thousand nine hundred and thirty-three (Pamphlet Laws 1423) entitled "An act relating to Sunday music permitting musicians to receive compensation for services rendered on Sunday authorizing pay concerts to be given and broadcast on Sunday under certain circumstances and allowing school and certain public buildings and parks to be used therefor conferring powers and imposing duties on the Department of Public Instruction and imposing penalties" is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

Section 6 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2252, (Senate Bill No. 357), entitled:

An Act to amend sections one thousand six and one thousand thirty-five, as amended, and section one thousand sixty-two of the act approved the fourth day of May, one thousand nine hundred twenty-seven (Pamphlet Laws, five hundred nineteen) entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing for and regulating the method of making appropriations, expenditures, employments, contracts and purchases by boroughs; relating to the preparation of the annual budget on forms to be prepared by representatives of the State Association of Boroughs and Department of Internal Affairs; providing for public notice of the preparation of such budget; relating to the filing of such budget with the Department of Internal Affairs regulating the preparation of the auditors' statement; requiring the controller or secretary to file an annual report with such department; conferring jurisdiction of certain cases upon aldermen, magistrates and justices of the peace; and providing penalties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2128, (Senate Bill No. 274), entitled:

An Act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2166, (Senate Bill No. 610), entitled:

An Act providing for the creation of a legal holiday on September 17, 1937 to be known and observed as "Constitution Day"

Whereas the Governor has issued an inspiring proclamation calling upon this Commonwealth and our entire Nation to observe on September 17 1937 the 150th Anniversary of the establishment of the Constitution of the United States on Pennsylvania soil and in order to impress upon our citizens the importance to be attached to this great foundation charter of American law and order

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1350, (Senate Bill No. 222), as follows:

An Act to amend sections five hundred and fifty-nine and five hundred and sixty-two of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for the collection of taxes for which collectors have been exonerated and other delinquent taxes and authorizing the appointment of collectors of delinquent taxes thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections five hundred and fifty-nine and five hundred and sixty-two of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith," are hereby amended to read as follows

Section 559 In every school district of the second third or fourth class in this Commonwealth every collector of school taxes shall proceed to collect the taxes set forth in the duplicates furnished to him and pay the same over at least once every month as hereinbefore required and every such collector of school taxes shall fully account for and pay over to the treasurer of the school district in which he is appointed or elected the total amount of such amount as he may be exonerated from by the board school taxes appearing upon the tax duplicate furnished to him on or before the first day of June in each year less of school directors and also less such an amount of unpaid taxes as is assessed and levied upon real property in said school district upon which there is no personal property out of which such school taxes might have been or could have been collected When a collector of school taxes has heretofore been or shall hereafter be exonerated from the collection of certain taxes such action by the board of school directors shall not in any way have the effect of discharging or limiting the liability of the taxable but all methods of enforcing collection of taxes shall continue as though no exception had been made

Section 562 In all school districts of the second third and fourth class in this Commonwealth all unpaid school taxes assessed and levied upon real property upon which there is no personal property out of which the same can be collected shall be certified by the tax collector to the secretary of the board of school directors together with a proper description of the property upon which the same is levied on or before the first day of June each year All delinquent school taxes so certified to the board of school directors in any school district of the second third or fourth class by any school tax collector shall be collected by said board as provided by law

The board of school directors in such districts may annually on or before the first Monday of July in each year appoint one or more suitable persons as delinquent tax collectors in said school district to collect any and all school taxes from the collection of which the original tax collector has been exonerated in accordance with the laws of this Commonwealth and which taxes still remain unpaid upon any of the school tax duplicates other than such unpaid school taxes as shall have been filed as liens in the office of the prothonotary or have been returned to the county commissioners for sale Such delinquent tax collector or collectors shall upon the certification over to him or them of such taxes so remaining unpaid proceed to collect the same from the persons respectively charged therewith for which purpose he or they shall have all the authority and power now vested by law in any collector of school taxes for the collection of such taxes The board of school directors issuing the original warrants shall issue an additional warrant to the collector or collectors of such delinquent taxes so appointed

Collectors of delinquent school taxes so appointed shall give bond in the same manner as required of the original tax collector and shall be paid such commissions or compensation as is paid the regular collector Such commissions or compensation shall be paid by proper orders drawn on the school treasurer as other accounts are paid by the school district

Every such collector of delinquent school taxes shall be responsible and account to the board of school directors for all such taxes collected by him in like manner and in accordance with existing laws pertaining to school tax collections

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2287, (Senate Bill No. 314), as follows:

An Act to amend the act approved the twenty-fourth day

of March one thousand eight hundred and sixty-five (Pamphlet Laws 49) entitled "An act supplementary to an act regulating railroad companies approved the nineteenth day of February Anno Domini one thousand eight hundred and forty-nine" so as to provide for merger as well as consolidation of railroad companies or corporations in certain cases and modifying limitations restrictions and conditions under which such consolidation or merger may be made the effect thereof and the rights of dissenting stockholders

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-fourth day of March one thousand eight hundred and sixty-five (Pamphlet Laws 49) entitled "An act supplementary to an act regulating railroad companies approved the nineteenth day of February Anno Domini one thousand eight hundred and forty-nine" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That subject to the approval of the Interstate Commerce Commission in any case as to which that commission has jurisdiction and in all other cases subject to the approval of the Public Utility Commission of the Commonwealth of Pennsylvania it shall [and may] be lawful for any railroad company or corporation organized under the laws of this Commonwealth or of this Commonwealth and any other state or states and owning or operating a railroad either in whole within or partly within and partly without this State under authority of this and any [adjoining] other state or states to [merge and] consolidate its capital stock franchises and property with the capital stock franchises and property of any other railroad company or companies or corporations organized [and operated] under the laws of this [or any other state] Commonwealth or of this Commonwealth and any other state or states or under the laws of any other state or states or to merge or to be merged into any such other railroad company or corporation whenever the two or more railroads of the companies or corporations so to be consolidated or merged shall or may form a continuous line of railroad with each other or by means of any intervening railroad Provided That railroads terminating on the banks of any river which are or may be connected by ferry or otherwise shall be deemed continuous under this act And provided further That nothing in this act contained shall be taken to authorize the consolidation or merger of any company or corporation of this Commonwealth with [that] any company or corporation of any other state whose laws shall not also authorize the [like] consolidation or merger nor to authorize any company or corporation organized under the laws of this Commonwealth or of this Commonwealth and any other state or states to be merged into any other company or corporation that is not so organized

Section 2 [Said] Such consolidation or merger shall be made under the conditions provisions restrictions and with the powers hereafter in this act mentioned and contained that is to say

First The directors of the several corporations proposing to consolidate or merge may enter into a joint agreement under the corporate seal of each [company] corporation for the consolidation or merger of said [companies and railroads] corporations and prescribing the terms and conditions thereof the mode of carrying the same into effect the name of the new corporation in the case of a consolidation or of the corporation that is to survive in the case of a merger the number and names of the directors and other officers thereof and in case of a consolidation who shall be the first directors and officers of the new corporation and their places of residence [the number of shares of the capital stock the amount or par value of each share] and either the amount of the authorized capital stock of the new or surviving corporation and the number and par value of the shares of which it is to consist or if the new or surviving corporation is to issue shares without par value or shares of more than one class the following statements so far as applicable

(a) The number of shares with nominal or par value and the number of shares without nominal or par value that may be issued by the corporation and the classes if any into which such shares are divided

(b) The nominal or par value of shares of stock other than shares which it is stated are to have no nominal or par value

(c) The amount of capital with which the corporation will begin business

(d) If there are to be shares of more than one class the designations terms relative rights privileges limitations preferences and voting powers or prohibitions restrictions or qualifications of the voting and other rights and powers of the shares of each class and the manner of converting [the] into capital stock [of each of said companies into that] of the new or surviving corporation or of otherwise disposing of the capital stock of each corporation the capital stock of which is to be so converted or disposed of and how and when directors and officers shall be chosen with such other details as they shall deem necessary to perfect such [new organization and the] such consolidation or merger [of said companies or railroads] including if desired provisions prescribing the consideration for which such new or surviving corporation may issue and sell its shares without nominal or par value or authorizing the board of directors to prescribe such consideration from time to time Provided however That in case of a merger it shall not be necessary for such a joint agreement to contain the provisions above specified with regard to the directors and officers capital and capital stock of the surviving corporation unless and then only to the extent that changes in respect to such matters are to be made by such merger agreement

Second Said joint agreement shall be submitted to the stockholders of each of the said [companies or] corporations at a meeting thereof called separately for the purpose of taking the same into consideration [due] Due notice of the time and place of holding each such meeting and the object thereof shall be given by written or printed notices addressed to each of the persons in whose names the capital stock of said [companies] corporations stands on the books thereof and delivered to such persons respectively or sent to them by mail [when] if their past office address is known to the [company] corporation at least thirty days before the time of holding such meeting and also by a general notice published at least thirty days before the time of holding such meeting in some newspaper in the city town or county where such [company] corporation has its principal office or place of business and at the said meeting of stockholders the agreement of the said directors shall be considered and a vote by ballot taken for the adoption or rejection of the same each share entitling the holder thereof to one vote except as may be otherwise provided in the certificate of incorporation or articles of consolidation or merger under which such corporation was formed and said ballot [shall] may be cast in person or by proxy and if the votes of the holders of outstanding shares of stock of such corporation representing at least-two-thirds (or such greater proportion as said certificate of incorporation or articles of consolidation or merger may require) of the voting power of all the [votes of all the stockholders] stock of such corporation entitled to vote thereon shall be for the adoption of said agreement then that fact shall be certified thereon by the secretary or assistant secretary of the respective [companies] corporations under the seal thereof and the agreement so adopted or a certified copy thereof shall be filed in the office of the Secretary of the Commonwealth and shall [from thence] thenceforth be deemed and taken to be the agreement [and act] of consolidation or merger of the said [companies] corporations and a copy of said agreement [and act] of consolidation or merger duly certified by the Secretary of the Commonwealth under the seal thereof shall be evidence of the existence of [said] the new corporation formed thereby or of the continued existence of the surviving corporation as the case may be

Section 3 Upon the making and perfecting of the agreement [and act] of consolidation or merger as provided in

the preceding section and the filing of the same or a copy with the Secretary of the Commonwealth as aforesaid the several corporations parties thereto shall be deemed and taken to be one corporation by the name provided in said agreement [and act] possessing within this Commonwealth all the rights privileges and franchises and subject to all the restrictions disabilities and duties of each of such corporations so consolidated or merged

Section 4 Upon the consummation of said [act of] consolidation or merger as aforesaid all and singular the rights privileges and franchises of each of said corporations parties to the same and all the property real personal and mixed and all debts due on whatever account as well as [of] all stock subscriptions and other things in action belonging to [each] any of such corporations shall be taken and deemed to be transferred to and vested in or to remain vested in such new or surviving corporation without further act or deed and all property all rights of way and all and every other interests shall be as effectually the property of the new or surviving corporation as they were formerly of the [former] corporations parties [by] to said agreement and the title to real estate acquired either by deed or otherwise under the laws of this Commonwealth vested in [either] any of such corporations shall not be deemed to revert or be in any way impaired by reason of this act or anything done by virtue hereof Provided That all rights of creditors and all liens upon the property of [either] any of said corporations shall be preserved unimpaired and the respective corporations may be deemed to continue in existence to preserve the same and all debts liabilities and duties of [either] any of said [companies] corporations shall thenceforth attach to said new or surviving corporation and be enforced against it to the same extent as if said debts liabilities and duties had been incurred or contracted by it

Section 5 Such new [company] or surviving corporation shall as soon as convenient after such consolidation establish or continue such offices as may be desirable one of which shall be at some point in this Commonwealth on the line of its road and may change the same at pleasure giving public notice thereof in some newspaper published on the line of said road

Section 6 Suits may be brought and maintained against such new [company] or surviving corporation in any of the courts of this Commonwealth for all causes of action in the same manner as against other railroad [companies] corporations therein

Section 7 That portion of the road of such [consolidated company] new or surviving corporation that is located in this Commonwealth and all its real estate and other property in this Commonwealth shall be subject to like taxation and be assessed in the same manner and with like effect as property of other railroad [companies] corporations within this Commonwealth

Section 8 Any stockholder of any [company] corporation hereby authorized to consolidate with or be merged into any other corporation who shall have voted against the consolidation or merger and who shall refuse to convert his stock into the stock of the [consolidated company] new or surviving corporation may at any time within thirty days after the adoption of the said agreement of consolidation or merger by the stockholders as in this act provided apply by petition to the Court of Common Pleas of the county in which the chief office of said [company] corporation may be kept or to a judge of said court in vacation if no such court sits within said period on reasonable notice to said [company] corporation to appoint three disinterested persons to estimate the damage if any done to such stockholder by said proposed consolidation or merger and whose award or that of a majority of them when confirmed by the said court shall be final and conclusive and the persons so appointed shall also appraise said stock of such stockholder at the full market value thereof without regard to any depreciation or appreciation in consequence of the said consolidation or merger and the said [company] corporation may at its election either pay to the said stockholder the amount of damages so found and awarded if any or the value of the stock so ascertained and determined and upon the payment of the value of the stock as aforesaid the said stockholder shall transfer the stock so held by him to said [company] corporation to be disposed of by the directors of said [company] corporation or be retained for the benefit of the remaining stockholders and in case the value of said stock as aforesaid is not so paid within thirty days from the filing of the said award and confirmation by said court and notice to said [company] corporation the damages so found and confirmed shall be a judgment against said [company] corporation and collected as other judgments in said court are by law recoverable Provided however That such award shall not be payable or become a judgment unless and until such consolidation or merger shall have been consummated

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2282, (Senate Bill No. 773), entitled:

An Act relating to the dissemination of information pertaining to affairs of the Commonwealth including information pertaining to civil rights and constitutional guarantees and conferring powers and duties with respect thereto upon the Department of State.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2211, (Senate Bill No. 643), entitled:

An Act regulating and prescribing the computation and running of sentences for criminal offenses.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2284, (Senate Bill No. 1105), as follows:

An Act concerning proxies authorizing representation and voting of capital stock of railroad corporations at meetings and elections thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That stockholders of railroad corporations organized under the laws of this State or under the laws of this State and any other state or states wherever residing who shall be entitled to vote at any corporate meeting or election thereof shall have and be possessed of the right and power to vote thereat by proxy duly executed by the stockholder and that one person may be constituted and act as proxy for any number of stockholders Every proxy shall be executed in writing by the stockholder or by his duly authorized attorney in fact either with or without notarial or other acknowledgment and filed with the secretary of the corporation

A proxy unless coupled with an interest shall be revocable at will notwithstanding any other agreement or any provision in the proxy to the contrary but the revocation of a proxy shall not be effective until notice thereof has been given to the secretary of the corporation No unrevoked proxy shall be valid after eleven months from the date of its execution unless a longer time is expressly provided therein but in no event shall a proxy unless coupled with an interest be voted on after three years from the date of its execution A proxy shall not be revoked by the death or incapacity of the maker unless before the vote is counted or the authority is exercised written notice of such death or incapacity is given to the secretary of the corporation A stockholder shall not sell his vote or execute a proxy to any person for any sum of money or anything of value

Section 2 That anything contained in any general or special law inconsistent with this act be and the same is hereby repealed in so far as it relates to railroad corporations

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2258, (Senate Bill No. 1086), entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled, "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections, and in case any bonds have been sold by a municipality and the publication of notices of the sale have been defective, to cure such defective publication of sale notices and validate the sale thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2199, (Senate Bill No. 359), entitled:

An Act authorizing any street railway company or any motor power company of this Commonwealth owning all of the capital stock of any company having power to transport persons in common carriage by trackless trolley car incorporated under the law of this Commonwealth to acquire the corporate powers franchises property rights and credits of such company.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2288 (Senate Bill No. 339), as follows:

An Act to amend the act approved the thirteenth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws 205) entitled "An act prescribing the amount of stock and bonds which may be issued by railroad companies heretofore or hereafter consolidated and merged" by making the same applicable to the surviving company in case of a merger and by modifying the limitations restrictions and conditions affecting the issue of stock and bonds

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the thirteenth day of May one thousand eight hundred and eighty-nine (Pamphlet Laws 205) entitled "An act prescribing the amount of stock and bonds which may be issued by railroad companies heretofore or hereafter consolidated and merged" is hereby amended to read as follows

Section 1 Be it enacted etc That whenever any [merger and] consolidation or merger of the corporate rights and franchises [between] of two or more railroad companies shall hereafter be made under the laws of this Commonwealth or of this Commonwealth and any other state or states such railroads being neither paralled or competing lines it shall [and may] be lawful for the said companies to specify in the joint agreement for such consolidation [and] or merger what amount of capital stock and bonds of the consolidated or surviving company shall be issued to the stock and bondholders or either of any one or more of said several railroad corporations parties to said joint agreement in lieu and exchange for the stock and bonds held by them in said last named corporations respectively The amount of stock and bonds or either of them so issued or to be issued by the consolidated or surviving company to the stock and bondholders or either of any or more of said [constituent] companies parties to said joint agreement may when necessary to equalize the interests of [the] said parties [to the said joint agreement] or otherwise be in excess of the amount of the authorized and outstanding issues of such company or companies but shall not be in excess of the actual value of the corporate property and franchises of such [constituent] company or companies vested in the consolidated or surviving corporation [pursuant to such merger and consolidation] under such joint agreement [nor shall the aggregate amount issued by said consolidated company exceed the sum of one hundred and fifty thousand dollars of stock and one hundred and fifty thousand dollars of bonds per mile of the railroad so that the sum total of stock and bonds of such company shall never exceed three hundred thousand dollars per mile] Provided That where the amount of stock and bonds or either to be issued by the consolidated or surviving company to the stock and bondholders or either of any one or more of such [constituent] companies shall be in excess of the aggregate amount of authorized and outstanding stock and bonds or either of such company or companies the said agreement shall be accompanied by the affidavit of the president or a vice president and of the principal engineer of such [constituent] company or companies that the [actual cash] value of the property of such [constituent] company or companies is in their judgment [equal to] not less than the amount of stock and bonds or either to be issued to its or their stock and bondholders or either

Section 2 That whenever any [merger or] consolidation or merger of two or more railroad companies shall have heretofore been made the consolidated or surviving company [so formed] shall have the same power to increase from time to time its capital stock and indebtedness but not exceeding the [amounts specified in the first section of this act nor the actual] value of its property and franchises upon filing with the returns of the increase of said capital stock or indebtedness the affidavits prescribed in the first section of this act Provided That no company [or companies] shall have the benefits conferred by the provisions of this act unless [they accept] it accepts in writing filed in the office of the Secretary of the Commonwealth the provisions of the Constitution of one thousand eight hundred and seventy-four

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2304, (Senate Bill No. 1133), entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws 65) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections and in case any bonds have been sold by a municipality and the publication of notices of the sale have been defective to cure such defective publication of sale notices and validate the sale thereof.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 2257, Senate Bill No. 1045, Printer's No. 392, was passed over at the request of Mr. TURNER.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2292, (Senate Bill No. 931), entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens in the several cities of the third class, boroughs, and townships of the first class of this Commonwealth; and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor, and the proceedings for the collection of such assessments, claims, and liens.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with

The House proceeded to the second reading and consideration of House Bill No. 2296, (Senate Bill No. 1023), entitled:

An Act to amend section six hundred and nine of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and eighty-two), entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" requiring certain existing corporations to comply with the provisions of the aforementioned act.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2267, (Senate Bill No. 740), entitled:

An Act to re-enact and amend the act approved the tenth day of March one thousand nine hundred and thirty-seven (Act No. twenty-one) entitled "An act to protect miners in the bituminous coal regions of this Commonwealth from fraudulent deprivation of wages providing standard weights and measurements for coal mined and prohibiting the use of other standards providing methods for the ascertainment of proper weights and measurements through check-weighmen and check-measurers elected by the miners imposing duties and liabilities upon operators and imposing penalties" clarifying the provisions of said act providing for the filing of complaints with the Court of Common Pleas and for the procedure thereon and providing additional penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2271, (Senate Bill No.189), entitled:

An Act to amend sections two hundred and two of the act approved the second day of May one thousand nine hundred twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" by providing additional penalties for killing fish by pollution or explosions

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred of the act approved the second day of May one thousand nine hundred twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" is hereby amended to read as follows

Section 200 Pollution of Waters Prohibited Explosives No person shall put or place in any waters within or on the boundaries of this Commonwealth any electricity explosives or any poisonous substances whatsoever for the purpose of catching injuring or killing fish No person shall allow any substance of any kind or character deleterious destructive or poisonous to fish to be turned into or allowed to run flow wash or be emptied into any waters within this Commonwealth unless it be shown to the satisfaction of the Board of Fish Commissioners or to the

proper court that every reasonable and practicable means has been used to abate and prevent the pollution of waters in question by the escape of deletrious substances]

On the question,

Will the House agree to the section?

Mr. YOURISHIN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1 (sec. 200), page 2, line 14, by inserting before the word "deleterious" the following: "(other than the waters from active coal mines)"

On the question,

Will the House agree to the amendment?

Mr. LaRUE. Mr. Speaker, I object to the amendment.

Mr. YOURISHIN. Mr. Speaker and members of the House, this amendment which we propose putting back in this bill were put in the bill over in the Senate and were taken out in the House, and they provide to exempt coal mines that are working. In other words, in both the anthracite and bituminous coal fields, especially the anthracite, it is impossible to control the waters flowing from the coal mines, and if this bill goes through without this amendment it is possible that the mines in the anthracite region will have to shut down, and I ask the members of the House to vote for the amendment

Mr. LaRUE. Mr. Speaker and members of the House, Senate Bill No. 181, House Bill No. 2277, was introduced by Senator Ruth. It passed this House two years ago and was defeated in the Senate. We see no reason why we should exempt active coal mines for the simple reason that this bill provides for additional penalties for killing fish by pollution or explosion. This bill was amended in Senate committee by adding other than waters from active mines and was amended in the House committee to its original form. This amendment was no doubt written into this bill at the request of the organized mine industry, but instead of protecting the industry it is a threat to producers by paving the way to opening up wholesale pollution and the "wagon mines" and the "bootleg holes." Waters which drain the major coal fields in the anthracite region contain no aquatic life, no fish life, and are therefore not subject to the provisions of this bill. There is only a penalty where there is life in those particular waters. Those waters have been polluted with acid mine drainage for years. I wish to state to the members of the House that the suggested amendment offered by the gentleman from Luzerne would, however, provide a legal status for bootleg mines which does not now exist and I would ask the members of the House to vote down this amendment.

Mr. ELPERN. Mr. Speaker and members of the House, this bill will practically drive the soft coal mines out of business. In other words, when mines throw off water, and a person happens to catch some fish in this water, a dollar fine will be imposed for each fish caught. I say to the members of the House that we have enough laws now affecting the soft coal mines. Why should we put this law on the books? I therefore ask the members to vote this down.

Mr. SCHROPE. Mr. Speaker and members of the House, the gentleman from Berks, Mr. LaRue, stated in his remarks that the waters in the anthracite coal fields do not contain fish. This is absolutely wrong as there are many of the streams in the anthracite coal fields which do contain fish. If this amendment is permitted to remain in the bill it will practically close every anthracite mine in the anthracite region because the waters flowing from those streams must be drained somewhere.

At the beginning of this session we appropriated, if I am not mistaken, approximately fifty thousand dollars to pay the expenses of the commission to study the anthracite industry. Now, we are coming here with an amendment of half a dozen words which will practically close the entire industry. I personally am in favor of the anti-pollution of streams, but when it is a matter of bread and butter, as it is in the anthracite region, I say that the amendment offered by the gentleman from Luzerne, Mr. Yourishin, should be admitted in this bill, and I ask the members of this House to vote for the amendment offered by the gentleman from Luzerne, Mr. Yourishin.

Mr. ALLEN. Mr. Speaker, I would like to interrogate the gentleman from Westmoreland, Mr. Elpern.

The SPEAKER. Will the gentleman from Westmoreland permit himself to be interrogated?

Mr. ELPERN. I will, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, I would like to ask the gentleman from Westmoreland whether he is for or against the amendment offered by the gentleman from Luzerne.

Mr. ELPERN. Mr. Speaker, I am for the amendment.

Mr. ALLEN. Mr. Speaker, in the remarks of the gentleman from Westmoreland, in closing I understood him to ask that it be voted down. I am interested in the bituminous coal fields and I just wanted to know whether the gentleman from Westmoreland favored this amendment or not.

Mr. ELPERN. I am in favor of the amendment, Mr. Speaker.

Mr. YOURISHIN. Mr. Speaker and members of the House, I might say, in answer to the gentleman from Berks, Mr. LaRue, that this amendment will not permit the wholesale opening up of bootleg mines because in bootleg mines they do not use pumps to pump any water out. They just take whatever coal they can from the side of a hill without using any pumps. I have in mind particularly one mine which has been closed for some time, namely the Upper Lehigh Coal Company, which is located on the side of a mountain, and the mine was filled up with water. The stream or creek known as the Little Nescopeck was stocked by fishermen and during the high water this mine overflowed and killed all the fish. That mine is now reopened. Of course, that section where the opening is is on the side of a mountain near a creek but in the event they get high water and that mine overflows again, they will still get mine water in the Little Nescopeck.

There is nobody in this world who wants to eliminate pollution more than I do. Neither do I want to see men put out of work, where it is physically impossible to save the pollution of streams.

I ask the members of this House to vote for this amendment. There is no harm in it. They simply exempt the active coal mines working today. There is no way that you can prevent the seepage of mine waters into these streams, especially in the event of flooding waters, around the anthracite and bituminous coal fields.

Mr. COLEMAN. Mr. Speaker and members of the

House, for more than twenty-five years, within the scope of my recollection, the Lackawanna River which flows through an industrial valley in Lackawanna County has been used principally for the carrying off of mine drainage. This is the second bill that has been presented to this session of the Legislature, having for its purpose the restoration of the streams in the State of Pennsylvania to the sparkling purity of William Penn's time. Frankly, I feel that any attempt to do anything of that sort in the State of Pennsylvania, because of the industrial makeup of the State, is an ideal impossible of realization. I do not know whether these men who are presenting bills which propose to restore the purity of the waters appreciate the useful purpose that many of these streams are serving in the State of Pennsylvania. Very frankly I think that before any hard and fast rule is set down governing streams in the State of Pennsylvania that the greater value of the streams ought to be ascertained.

This bill emanates, I think, from the sporting element, if I may use that expression, in the State, and the suggestion has been made that we in the hard coal fields are lacking in sporting blood. May I say to you very frankly that nowhere in this great Commonwealth will you find greater sportsmen than in the anthracite and bituminous coal regions. In all the great race track meets, whether it be in the blue grass hills at the Kentucky Derby or on the track at Saratoga, you will find these sturdy sons of the mines on hand to yell and show their sporting blood, but the sporting blood that sends us down to these various championship matches in every branch of sport rebels against the proposition so manifestly unfair to the coal mines of our State.

Mr. Speaker and members of the House, I think that an amendment of this sort is very dangerous. I think that however desirable stream purification may be in the State of Pennsylvania, that it positively is not worth purchasing at the price of destroying this industry, and I ask the members of this House to support the amendment offered by the gentleman from Luzerne, Mr. Yourishin.

Mr. HOLLAND. Mr. Speaker and members of the House, I was very glad to learn that the representatives from the coal regions have such sporting blood at the race tracks, but I noticed that they all voted "no" when we endeavored to have horse racing legalized in Pennsylvania.

I rise to oppose this amendment.

Mr. FLANNERY. Mr. Speaker, the gentleman from Allegheny is out of order when he says we voted against horse racing. Only half of them did. Half of them are sports.

Mr. HOLLAND. Mr. Speaker and members of the House, in a confidential report made by the Frick Coal Company they reported to their board of directors that the water which pollutes the streams coming from the mines of Pennsylvania could be controlled. I am sorry that I do not have that report with me but I am willing to get it for any member of this House during this sessin because it is in my room at the hotel.

When the smoke nuisance laws were passed industry of Pennsylvania rose up and said "We cannot do without smoke." But today we have corrected the smoke nuisance in the industrial sections of Pennsylvania. Taking the report of the engineers themselves of the coal company, they can keep the waters that come from the mines from polluting the streams of Pennsylvania, which destroy the fish and at the same time endanger the lives of the people who have to drink the waters of the rivers. Therefore, I ask that you vote against this amendment.

Mr. ALEXANDER. Mr. Speaker, I would like to interrogate my "tiny" friend, the gentleman from Luzerne, Mr. Yourishin.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. YOURISHIN. I will, Mr. Speaker.

Mr. ALEXANDER. Mr. Speaker, for the benefit of the members of the House, I would like to ask the gentleman from Luzerne what he means by the term in this bill "active mines." For instance, would a mine suspended for a couple of years, without having been definitely abandoned, be called an "active mine" in this bill. Would that be an active mine under this bill?

Mr. YOURISHIN. Mr. Speaker, a mine that may be suspended for one year, two years or three years, but still having pump runners and fires in the boiler room to keep the water out of that mine, with the expectation that somebody will be put back to work, is an active mine.

Mr. Speaker and members of the House, I might say if the Frick Coal Company issued a report to their board of directors to the effect that mine waters can be controlled from polluting the streams in the State, I wish they would come into the anthracite region and try to control the flood waters from washing out and working down to Harrisburg in the Susquehanna River the fine coal that is being mined by these river boats. The coal industry today wants to save all of the fine coal they can and they are doing everything possible to keep that fine coal intact. Yet they are not able to prevent the fine coal from seeping into the rivers of this State. If they cannot do that, how in the name of God are they going to control the flood waters up in the anthracite region from flowing into streams that may have aquatic life in them?

I say to you, Mr. Speaker and members of the House, this amendment makes clear that no operation shall be held responsible for any flood waters of any active mine continuing on in the same way that they have for the past one hundred and fifty years.

Mr. COLEMAN. Mr. Speaker and members of the House, I would just like to take two minutes off to answer my good friend from Allegheny, Mr. Holland. He made a statement to the effect that the smoke nuisance in Pittsburgh had been considerably curbed. I am just wondering what the gentleman's attitude would be if some sort of legislation were passed here that would eliminate it entirely from the City of Pittsburgh, which is perfectly satisfied, I think, to put up with the soot and smoke because it means payrolls, it means profit, it means comfort and happiness. From the sentiment rooted deeply in the hearts of the representatives of the anthracite coal region, I know that they are looking forward to the day when we can sit on the banks of the Lackawanna River and angle for the speckled specimens of the finny tribe, but we have entirely too much concern and love for our families and too much concern for the industry that has been so kind to us.

With respect to the remark of the gentleman from Allegheny as to the votes of the anthracite members on the horse racing bill, from the fact that he made the statement after I had spoken on the floor, I am led to believe that he had reference to me. May I advise the gentleman

that four of the six members of Lackawanna county voted with the "gee gees."

Mr. HINDMAN. Mr. Speaker and members of the House, I have the most profound respect for such men as my good friend, Representative LaRue and the others in this House who have been so much concerned about the purification of the streams of the State of Pennsylvania. However, I cannot sit idly by without coming to the defense of this amendment which Mr. Yourishin has offered to this bill. I certainly am in accord with the purification of the streams of this State in so far as they can be clearified without putting people out of business and without stifling industry. I submit to you, ladies and gentlemen of the House, that this is what will happen in many cases in Western Pennsylvania where we have the soft coal industry. As you very well know, that is one of the greatest industries that we have in the State of Pennsylvania, perhaps the greatest of them all. There are many mines in that section of the State which would absolutely be put out of business if this law is to go through as it is. I think that the amendment offered by the gentleman from Luzerne, Mr. Yourishin, would clarify the situation so that it would be workable.

In reply to what Mr. Holland has to say regarding the smoke nuisance in Pittsburgh, I submit to the members of the House that one of the biggest industries we had in the City of Pittsburgh, namely the Jones and Laughlin Steel Company, were driven out on account of being harrassed by demands that they eliminate the smoke from their stacks. I have heard a great many people in the City of Pittsburgh say that they wish they had some of the smoke back from that industry as well as from many others which were driven out. I do feel this is a matter which is vital to those of us in the western end of the State. It will affect millions of dollars of invested capital and it will affect numberless workmen who would be put out of business if these amendments were not offered.

Therefore, members of the House, I ask that you support the amendment which have been offered by the gentleman from Luzerne, Mr. Yourishin.

BILL AND AMENDMENT LAID ON TABLE

Mr. YOURISHIN. Mr. Speaker, I move that House Bill No. 2271, Senate Bill No. 189, Printer's No. 621, together with the amendment be laid on the table.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2207, (Senate Bill No. 670), as follows:

An Act to amend section 4 and 6 of the act approved the seventh day of August 1936 (Pamphlet Laws 106) entitled "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships the Department of Highways and the Department of Property and Supplies" as re-enacted and amended by providing for the recording of completed suitable plans and the effect thereof as constructive notice to owners of property taken damaged or destroyed and correcting the reading of section six

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections 4 and 6 of the act approved the seventh day of August 1936 (Pamphlet Laws 106) entitled "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvement and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships the Department of Highways and the Department of Property and Supplies" as re-enacted and amended by the act approved the tenth day of March one thousand nine hundred and thirty-seven (Act Number 18) are hereby further amended to read as follows

Section 6 When Official Plans Effective Official plans shall become effective for a flood control district and the district shall be deemed established when the board shall have completed suitable plans and adopted them as official plans and given the notice of such adoption provided for in section [three] four of this act

The board may proceed with the exercise of the powers granted by this act whenever an official plan has become effective but no contract shall be let agreement executed or condemnation proceeding be begun requiring expenditures exceeding the amount of moneys in the fund

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1962, entitled:

An Act making an appropriation to the Department of Internal Affairs for the completion of certain geologic and topographic surveys and studies and the publication of the results thereof and also the republication of certain surveys and studies in order to make the same available to the citizens of the State

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred and nineteen thousand two hundred and fifty dollars ($219,250) is especially hereby appropriated to the Department of Internal Affairs for the use of the topographic and geologic survey in addition to any regular or general appropriation to said department for its usual activities for the following purposes

First The sum of one hundred forty thousand two hundred and forty dollars ($140,250) to complete during the next biennium or as soon as possible thereafter in cooperation with the Federal government all topographic

surveying and mapping of the twenty-three quadrangles of Pennsylvania not surveyed or mapped

Second The sum of forty two thousand dollars for the purpose of publishing at the earliest possible time and making available to Pennsylvania citizens the complete or partially completed work of said departments already undertaken or planned as follows

Bradford Quadrangle	$5,000
Fayette County Geology and Mineral Resources	4,000
Ground waters of North Central Pennsylvania (covering Lycoming Cameron Potter Clinton Clearfield Centre and surrounding counties)	3,000
Ground waters of South Central Pennsylvania (covering York Snyder Union Huntingdon Mifflin Juniata Perry Cumberland Franklin Fulton Bedford Blair Adams Somerset and Cambria Counties and vicinity)	3,000
South Clearfield County Geology	4,000
York County Geology	4,000
Northampton County Geology	4,000
Somerset County Geology	4,000
Studies in deep sands of Pennsylvania	4,000
Oil and Gas of Northwestern Pennsylvania	2,000
Oil and Gas of Southwestern Pennsylvania	2,000

Third The sum of thirty-seven thousand dollars for the purpose of employing additional help and procuring additional necessary equipment sufficient to complete ready for publication and to publish as many as possible of the studies now under way as follows

Four two-man parties at twenty-five hundred dollars per man	$20,000
Printing and mapping current work as completed	5,000
Field Expenses and Transportation	6,000
Instruments	2,000
Office equipment for field offices	1,500
Collecting storing and filing cuttings and samples	2,500

On the question,

Will the House agree to the section?

BILL POSTPONED

Mr. AUKERMAN. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. KANE. Mr. Speaker, I would like to interrogate the gentleman from Blair, Mr. Aukerman.

The SPEAKER. Will the gentleman from Blair permit himself to be interrogated?

Mr. AUKERMAN. I will, Mr. Speaker.

Mr. KANE. Mr. Speaker, in view of the fact that we have but a very short time left for this session and a short postponement may be very injurious to a bill, would the gentleman from Blair kindly explain the reason why he desires this bill to be placed on the postponed calendar.

Mr. AUKERMAN. Mr. Speaker, I will be very glad to explain that reason. It is due to an agreement made among the members of the Appropriation Committee yesterday so as not to delay the bill too much, when we decided to bring it out on the calendar, although there are some vital amendments necessary to be made and we have to prepare these amendments, and we decided to prepare them on the floor of the House rather than hold the bill in committee for those amendments. I assure the members of the House that I am not trying to delay the passage of the bill, that I am only trying to have the bill put in its proper form before final passage in the House.

Mr. KANE. Mr. Speaker, if that is the agreement of the Appropriations Committee, as one of the conditions of putting the bill on the calendar, I will withdraw any objections.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1894, as follows:

An Act relating to soil conservation and soil erosion and regulating land use practices contributing to soil wastage and soil erosion providing for the organization of soil consevation districts as governmental subdivisions of the Commonwealth with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources prescribing the officers and employes thereof and defining their powers and duties creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act providing financial assistance to such soil conservation districts prescribing penalties and making an appropriation

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Short Title This act may be known and cited as the "Soil Conservation Districts Law"

Section 2 Legislatve Determinations and Declaration of Policy It is hereby declared as a matter of legislative determination

A The condition That the farm and grazing lands of this Commonwealth are among the basic assets of the Commonwealth and that the preservation of these lands is necessary to protect and promote the health safety and general welfare of its people that improper land-use practices have caused and have contributed to and are now causing and contributing to a progressively more serious erosion of the farm and grazing lands of this Commonwealth by wind and water that the breaking of natural grass plant and forest cover have interfered with the natural factors of soil stabilization causing loosening of soil and exhaustion of humus and developing a soil condition that favors erosion that the topsoil is being blown and washed out of fields and pastures that there has been an accelerated washing of sloping fields that these processes of erosion by wind and water speed up with removal of absorptive topsoil causing exposure of less absorptive and less protected but more erosive subsoil that failure by any land occupier to conserve the soil and control erosion upon his lands causes a washing and blowing of soil and water from his lands onto other lands and makes the conservation of soil and control of erosion on such other lands difficult or impossible

B The consequences That the consequences of such soil erosion in the form of soil-bowing and soil-washing are the silting and sedimentation of stream channels reservoirs dams ditches and harbors the loss of fertile soil material in dust storms the piling up of soil on lower slopes and its deposit over alluvial plains the reduction in productivity or out-right ruin of rich bottom lands by overwash of poor sub-soil material sand and gravel swept out of the hills deterioration of soil and its fertility deterioration of crops grown thereon and declining acre yields despite development of scientific processes for increasing such yields loss of soil and water which causes destruction of food and cover for wildfire a blowing and washing of soil into streams which silts over spawning beds and destroys water plants diminishing the food supply of fish a diminishing of the underground water reserve which causes water shortages intensifies periods of drought and causes crop failures an increase in the speed and volume

of rainfall run-off causing severe and increasing floods which bring suffering disease and death impoverishment of families attempting to farm eroding and eroded lands damage to roads highways railways farm buildings and other property from floods and from dust storms and losses in navigation hydo-electric power municipal water supply irrigation developments farming and grazing

C The appropriate corrective methods That to conserve soil resources and control and prevent soil erosion it is necessary that land-use practices contributing to soil wastage and soil erosion be discouraged and discontinued and appropriate soil-conserving land-use practices be adopted and carried out that among the procedures necessary for wide-spread adoption are the carrying on of engineering operations such as the construction of terraces terrace outlets check-dams dikes ponds ditches and the like the utilization of strip cropping lister furrowing contour cultivating and contour furrowing land irrigation seeding and planting of waste sloping abandoned or eroded lands to water conserving and erosion-preventing plants trees and grasses forestation and reforestation rotation of crops soil stabilization with trees grasses legumes and other thick-growing soil-holding crops retardation of run-off by increasing absorption of rainfall and retirement from cultivation of steep highly erosive areas and areas now badly gullied or otherwise eroded

D Declaration of policy It is hereby declared to be the policy of the legislature to provide for the conservation of the soil and soil resources of this Commonwealth and for the control and prevention of soil erosion and thereby to preserve natural resources control floods prevent impairment of dams and reservoirs assist in maintaining the navigability of rivers and harbors preserve wild-life protect the tax base protect public lands and protect and promote the health safety and general welfare of the people of this Commonwealth

Section 3 Definitions Wherever used or referred to in this act unless a different meaning clearly appears from the context

(1) "District" or "soil conservation district" means a governmental subdivision of this Commonwealth and a public body corporate and politic organized in accordance with the provisions of this act for the purposes with the powers and subject to the restrictions hereinafter set forth

(2) "Supervisor" means one of the members of the governing body of a district elected or appointed in accordance with the provisions of this act

(3) "Board" means the State soil conservation board created in section 4 of this act

(4) "Petition" means a petition filed under the provisions of subsection A of section 5 of this act for the creation of a district

(5) "Nominating petition" means a petition filed under the provisions of section 6 of this act to nominate candidates for the office of supervisor of a soil conservation district

(6) "Commonwealth" means the Commonwealth of Pennsylvania

(7) "Agency of this Commonwealth" includes the government of this Commonwealth and any subdivision agency or instrumentality corporate or otherwise of the government of this Commonwealth

(8) "United States" or "agencies of the United States" includes the United States of America the Soil Conservation Service of the United States Department of Agriculture and any other agency or instrumentality corporate or otherwise of the United States of America

(9) "Government" or "governmental" includes the government of this Commonwealth the Government of the United States and any subdivisio agency or instrumentality corporate or otherwise of either of them

(10) "Land occupier" or "occupier of land" includes any person firm or corporation who shall hold title to or shall be in possession of any lands lying within a district organized under the provisions of this act whether as owner lessee renter tenant or otherwise

(11) "Due notice" means notice published at least twice with an interval of at least 7 days between the two publication dates in a newspaper or other publication of general circulation within the appropriate area or if no such publication of general circulation be available by posting at a reasonable number of conspicuous places within the appropriate area such posting to include where possible posting at public places where it may be customary to post notices concerning county or municipal affairs generally At any hearing held pursuant to such notice at the time and place designated in such notice adjournment may be made from time to time without the necessity of renewing such notice for such adjourned dates

Section 4 A State Soil Conservation Board There is hereby created in the Department of Agriculture the State soil conservation board which shall be a departmental administrative board with all the powers and duties generally vested in and imposed upon such boards by the administrative code of 1929 and its amendments The board shall consist of the Secretary of Forests and Waters Secretary of Highways Director of State College Experimental Station Chief Engineer of the Water and Power Resources Board and The Secretary of Agriculture ex officio The Board shall perform the functions conferred upon it in this act and may invite the Secretary of Agriculture of the United States of America to appoint one person to serve with the above mentioned members as a member of the Committee The Board shall keep a record of its official actions shall adopt a seal which seal shall be judicially noticed and may perform such acts hold such public hearings and promulgate such rules and regulations as may be necessary for the execution of its functions under this act

B The State soil conservation board may employ an administrative officer and such technical experts and such other agents and employees permanent and temporary as it may require and shall determine their qualifications duties and compensation The board shall call upon the attorney general of the Commonwealth for such legal services as it may require It shall have authority to delegate to its chairman to one or more of its members or to one or more agents or employees such powers and duties as it may deem proper It shall be supplied with suitable office accommodations at the State Capitol and shall be furnished with the necessary supplies and equipment Upon request of the board for the purpose of carrying out any of its functions the supervising officer of any agency of the Commonwealth or of any State institution of learning shall insofar as may be possible under available appropriations and having due regard to the needs of the agency to which the request is directed assign or detail to the board members of the staff or personnel of such agency or institution of learning and make such special reports surveys or studies as the board may request

C The board shall designate its chairman and may from time to time change such designation A member of the board shall hold office so long as he shall retain the office by virtue of which he shall be serving on the board A majority of the board shall constitute a quorum and the concurrence of a majority in any matter within their duties shall be required for its determination The chairman and members of the board shall receive no compensation for their services on the board but shall be entitled to expenses including traveling expenses necessarily incurred in the discharge of their duties on the board The board shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions regulations and orders issued or adopted and shall provide for an annual audit of the accounts of receipts and disbursements

D In addition to the duties and powers hereinafter conferred upon the State soil conservation board it shall have the following duties and powers

(1) To offer such assistance as may be appropriate to the supervisors of soil conservation districts organized as provided hereinafter in the carrying out of any of their powers and programs

(2) To keep the supervisors of each of the several districts organized under the provisions of this act in-

formed of the activities and experience of all other districts organized hereunder and to facilitate an interchange of advice and experience between such districts and cooperation between them

(3) To coordinate the programs of the several soil conservation districts organized hereunder so far as this may be done by advice and consultation

(4) To secure the cooperation and assistance of the United States and any of its agencies and of agencies of this Commonwealth in the work of such districts

(5) To disseminate information throughout the Commonwealth concerning the activities and programs of the soil conservation districts organized hereunder and to encourage the formation of such districts in areas where their organization is desirable.

Section 5 Creation of Soil Conservation Districts Any twenty-five (25) occupiers of land lying within the limits of the territory proposed to be organized into a district may file a petition with the State soil conservation board asking that a soil conservation district be organized to function in the territory prescribed in the petition Such petition shall set forth

(1) The proposed name of said district

(2) That there is need in the interest of the public health safety and welfare for a soil conservation district to function in the territory described in the petition

(3) A description of the territory proposed to be organized as a district which description shall not be required to be given by metes and bounds or by legal subdivisions but shall be deemed sufficient if generally accurate

(4) A request that the State soil conservation board duly define the boundaries for such district that a referendum be held within the territory so defined on the question of the creation of a soil conservation district in such territory and that the board determine that such a district be created

Where more than one petition is filed covering parts of the same territory the State soil conservation board may consolidate all or any such petitions

B Within thirty (30) days after such a petition has been filed with the State soil conservation board it shall cause due notice to be given of a proposed hearing upon the question of the desirability and necessity in the interest of the public health safety and welfare of the creation of such district upon the question of the appropriate boundaries to be assigned to such district upon the propriety of the petition and other proceedings taken under this act and upon all questions relevant to such inquiries All occupiers of land within the limits of the territory described in the petition and of lands within any territory considered for addition to such described territory and all other interested parties shall have the right to attend such hearings and to be heard If it shall appear upon the hearing that it may be desirable to include within the proposed district territory outside of the area within which due notice of the hearing has been given the hearing shall be adjourned and due notice of further hearing shall be given throughout the entire area considered for inclusion in the district and such further hearing held After such hearing if the board shall determine upon the facts presented at such hearing and upon such other relevant facts and information as may be available that there is need in the interest of the public health safety and welfare for a soil conservation district to function in the territory considered at the hearing it shall make and record such determination and shall define by metes and bounds or by legal subdivisions the boundaries of such districts In making such determination and in defining such boundaries the board shall give due weight and consideration to the topography of the area considered and of the Commonwealth the composition of soils therein the distribution of erosion the prevailing land-use practices the desirability and necessity of including within the boundaries the particular lands under consideration and the benefits such lands may receive from being included within such boundaries the relation of the proposed area to existing watersheds and agricultural regions and to other soil conservation districts already organized or proposed for organization under the provisions of this act and such other physicial geographical and economic factors as are relevant having due regard to the legislative determinations set forth in section 2 of this act The territory to be included within such boundaries need not be contiguous If the board shall determine after such hearing after due consideration of the said relevant facts that there is no need for a soil conservation district to function in the territory considered at the hearing it shall make and record such determination and shall deny the petition After 6 months shall have expired from the date of the denial of any such petition subsequent petitions covering the same or substantially the same territory may be filed as aforesaid and new hearings held and determinations made thereon

C After the board has made and recorded a determination that there is need in the interest of the public health safety and welfare for the organization of a district in a particular territory and has defined the boundaries thereof it shall consider the question whether the operation of a district within such boundaries with the powers conferred upon soil conservation districts in this act is administratively practicable and feasible To assist the board in the determination of such administrative practicability and feasibility it shall be the duty of the board within a reasonable time after entry of the finding that there is need for the organization of the proposed district and the determination of the boundaries thereof to hold a referendum within the proposed district upon the proposition of the creation of the district and to cause due notice of such referendum to be given The question shall be submitted by ballots upon which the words "For creation of a soil conservation district of the lands below described and lying in the county (ies) of .... and ....." and "Against creation of a soil conservation district of the lands below described and lying in the county (ies) of ..... and ....." shall be printed with a square before each proposition and a direction to insert an X mark in the square before one or the other of said propositions as the voter may favor or oppose creation of such district The ballot shall set forth the boundaries of such proposed district as determined by the board All occupiers of lands lying within the boundaries of the territory as determined by the State soil conservation board shall be eligible to vote in such referendum Only such land occupiers shall be eligible to vote

D The board shall pay all expenses for the issuance of such notices and the conduct of such hearings and referenda and shall supervise the conduct of such hearings and referenda It shall issue appropriate regulations governing the conduct of such hearings and referenda and providing for the registration prior to the date of the referendum of all eligible voters or prescribing some other appropriate procedure for the determination of those eligible as voters in such referendum No informalities in the conduct of such referendum or in any matters relating thereto shall invalidate said referendum or the result thereof if notice thereof shall have been given substantially as herein provided and said referendum shall have been fairly conducted

E The board shall publish the result of such referendum and shall thereafter consider and determine whether the operation of the district within the defined boundaries is administratively practicable and feasible If the board shall determine that the operation of such district is not administratively practicable and feasible it shall record such determination and deny the petition If the board shall determine that the operation of such district is administratively practicable and feasible it shall record such determination and shall proceed with the organization of the district in the manner hereinafter provided In making such determination the board shall give due regard and weight to the attitudes of the occupiers of lands lying within the defined boundaries the number of land occupiers eligible to vote in such referendum who shall have voted the proportion of the votes cast in such referendum in favor of the creation of the district to the total number of votes cast the approximate wealth and income of the land occupiers of the proposed district the probable

expense of carry on erosion-control operations within such district and such other economic and social factors as may be relevant to such determination having due regard to the legislative determinations set forth in section 2 of this act provided however that the board shall not have authority to determine that the operation of the proposed district within the defined boundaries is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of creation of the district shall have been cast in favor of the creation of such district

F If the board shall determine that the operation of the proposed district within the defined boundaries is administratively practicable and feasible it shall appoint two (2) supervisors to act with the three (3) supervisors elected as provided hereinafter as the governing body of the district such district shall be a governmental subdivision of this Commonwealth and a public body corporate and politic upon the taking of the following proceedings

The two appointed supervisors shall present to the Secretary of the Commonwealth an application signed by them which shall set forth (and such application need contain no detail other than the mere recital) (1) that a petition for the creation of the district was filed with the State soil conservation board pursuant to the provisions of this act and that the proceedings specified in this act were taken pursuant to such petition that the application is being filed in order to complete the organization of the district as a governmental subdivision and a public body corporate and politic under this act and that the board has appointed them as supervisors (2) the name and official residence of each of the supervisors together with a certified copy of the appointments evidencing their right to office (3) the term of office of each of the supervisors (4) the name which is proposed for the district and (5) the location of the principal office of the supervisors of the district The application shall be subscribed and sworn to by each of the said supervisors before an officer authorized by the laws of this state to take and certify oaths who shall certify upon the application that he personally knows the supervisors and knows them to be the officers as affirmed in the application and that each has subscribed thereto in the officer's presence The application shall be accompanied by a statement by the State soil conservation board which shall certify (and such statement need contain no detail other than the mere recitals that a petition was filed notice issued and hearing held as aforesaid that the board did duly determine that there is need in the interest of the public health safety and welfare for a soil conservation district to function in the proposed territory and did define the boundaries thereof that notice was given and a referendum held on the question of the creation of such district and that the result of such referendum showed a majority of the votes cast in such referendum to be in favor of the creation of the district that thereafter the board did duly determine that the operation of the proposed district is administratively practicable and feasible The said statement shall set forth the boundaries of the district as they have been defined by the board

The Secretary of the Commonwealth shall examine the application and statement and if he finds that the name proposed for the district is not identical with that of any other soil conservation district of this Commonwealth or so nearly similar as to lead to confusion or uncertainty he shall receive and file them and shall record them in an appropriate book of record in his office If the Secretary shall find that the name proposed for the district is identical with that of any other soil conservation district of this Commonwealth or so nearly similar as to lead to confusion and uncertainty he shall certify such fact to the State soil conservation board which shall thereupon submit to the Secretary of the Commonwealth a new name for the said district which shall not be subject to such defects Upon receipt of such new name free of such defects the Secretary of the Commonwealth shall record the application and statement with the name so modified in an appropriate book of record in his office When the application and statement have been made filed and recorded as herein provided the district shall constitute a governmental subdivision of this Commonwealth and a public body corporate and politic The Secretary of the Commonwealth shall make and issue to the said supervisors a certificate under the seal of the Commonwealth of the due organization of the said district and shall record such certificate with the application and statement The boundaries of such district shall include the territory as determined by the State soil conservation board as aforesaid but in no event shall they include an area included within the boundaries of another soil conservation district organized under the provisions of this act

G After six (6) months shall have expired from the date of entry of a determination by the State soil conservation board that operation of a proposed district is not administratively practicable and feasible and denial of a petition pursuant to such determination subsequent petitions may be filed as aforesaid and action taken thereon in accordance with the provisions of this act

H Petitions for including additional territory within an existing district may be filed with the State soil conservation board and the proceedings herein provided for in the case of petitions to organize a district shall be observed in the case of petitions for such inclusion The board shall prescribe the form for such petitions which shall as nearly as may be in the form prescribed in this act for petitions to organize a district Where the total number of land occupiers in the area proposed for inclusion shall be less than 25 the petition may be filed when signed by a majority of the occupiers of such area and in such case no referendum need be held In referenda upon petitions for such inclusion all occupiers of land lying within the proposed additional area shall be eligible to vote

I In any suit action or proceeding involving the validity or enforcement of or relating to any contract proceeding or action of the district the district shall be deemed to have been established in accordance with the provisions of this act upon proof of the issuance of the aforesaid certificate by the Secretary of the Commonwealth A copy of such certificate duly certified by the Secretary shall be admissible in evidence in any such suit action or proceeding and shall be proof of the filing and contents thereof

Section 6 Election of Three Supervisors for Each District Within thirty (30) days after date of issuance by the Secretary of the Commonwealth of a certificate of organization of a soil conservation district nominating petitions may be filed with the State soil conservation board to nominate candidates for supervisors of such district The board shall have authority to extend the time within which nominating petitions may be filed No such nominating petition shall be accepted by the board unless it shall be subscribed by twenty-five (25) or more occupiers of lands lying within the boundaries of such district Land occupiers may sign more than one such nominating petition to nominate more than one candidate for supervisor The board shall give due notice of an election to be held for the election of three supervisors for the district The names of all nominees on behalf of whom such nominating petitions have been filed within the time herein designated shall be printed arranged in the alphabetical order of the surnames upon ballots with a square before each name and a direction to insert an X mark in the square before any three names to indicate the voter's preference All occupiers of lands lying within the district shall be eligible to vote in such election Only such land occupiers shall be eligible to vote The three candidates who shall receive the largest number respectively of the votes cast in such election shall be the elected supervisors for such district The board shall pay all the expenses of such election shall supervise the conduct thereof shall prescribe regulations governing the conduct of such election and the determination of the eligibility of voters therein and shall publish the results thereof

Section 7 Appointment Qualifications and Tenure of Supervisors The governing body of the district shall consist of five (5) supervisors elected or appointed as provided hereinabove The two supervisors appointed by the

board shall be persons who are by training and experience qualified to perform the specialized skilled services which will be required of them in the performance of their duties hereunder

The supervisors shall designate a chairman and may from time to time change such designation The term of office of each supervisor shall be three (3) years except that the supervisors who are first appointed shall be designated to serve for terms of 1 and 2 years respectively from the date of their appointment A supervisor shall hold office until his successor has been elected or appointed and has qualified Vacancies shall be filled for the unexpired term The selection of successors to fill an unexpired term or for a full term shall be made in the same manner in which the retiring supervisors shall respectively have been selected A majority of the supervisors shall constitute a quorum and the concurrence of a majority in any matter within their duties shall be required for its determination A supervisor shall receive no compensation for his services but he shall be entitled to expenses including traveling expenses necessarily incurred in the discharge of his duties

The supervisors may employ a secretary technical experts and such other officers agents and employes permanent and temporary as they may require and shall determine their qualifications duties and compensation The supervisors may call upon the Attorney General of the Commonwealth for such legal services as they may require or may employ their own counsel and legal staff The supervisors may delegate to their chairman to one or more supervisors or to one or more agents or employes such powers and duties as they may deem proper The supervisors shall furnish to the State soil conservation board upon request copies of such ordinances rules regulations orders contracts forms and other documents as they shall adopt or employ and such other information concerning their activities as it may require in the performance of its duties under this act

The supervisors shall provide for the execution of surety bonds for all employes and officers who shall be entrusted with funds or property shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions regulations and orders issued or adopted and shall provide for an annual audit of the accounts of receipts and disbursements Any supervisor may be removed by the State soil conservation board upon notice and hearing for neglect of duty or malfeasance in office but for no other reason

The supervisors may invite the legislative body of any municipality or county located near the territory comprised within the district to designate a representative to advise and consult with the supervisors of the district on all questions of program and policy which may affect the property water supply or other interests of such municipality or county

Section 8 Powers of Districts and Supervisors A soil conservation district organized under the provisions of this act shall constitute a governmental subdivision of this Commonwealth and a public body corporate and politic exercising public powers and such district and the supervisors thereof shall have the following powers in addition to others granted in other sections of this act

(1) To conduct surveys investigations and research relating to the character of soil erosion and the preventive and control measures needed to publish the results of such surveys investigations or research and to disseminate information concerning such preventive and control measures provided however that in order to avoid duplication of research activities no district shall initiate any research program except in cooperation with the government of this Commonwealth or any of its agencies or with the United States or any of its agencies

(2) To conduct demonstrational projects within the district on lands owned or controlled by this Commonwealth or any of its agencies with the cooperation of the agency administering and having jurisdiction thereof any on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands in order to demonstrate by example the means methods and measures by which soil and soil resources may be conserved and soil erosion in the form of soil blowing and soil washing may be prevented and controlled

(3) To carry out preventive and control measures within the district including but not limited to engineering operations methods of cultivation the growing of vegetation changes in use of land and the measures listed in subsection C of section 2 of this act on lands owned or controlled by this Commonwealth or any of its agencies with the cooperation of the agency administering and having jurisdiction thereof and on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands

(4) To cooperate or enter into agreements with and within the limits of appropriations duly made available to it by law to furnish financial or other aid to any agency governmental or otherwise or any occupier of lands within the district in the carrying on of erosion-control and prevention operations within the district subject to such conditions as the supervisors may deem necessary to advance the purposes of this act

(5) To obtain options upon and to acquire by purchase exchange lease gift grant bequest devise or otherwise any property real or personal or rights or interests therein to maintain administed and improve any properties acquired to receive income from such properties and to expend such income in carrying out the purposes and provisions of this act and to sell lease or otherwise dispose of any of its property or interests therein in furtherance of the purposes and the provisions of this act

(6) To make available on such terms as it shall prescribe to land occupiers within the district agricultural and engineering machinery and equipment fertilizer seeds and seedlings and such other material or equipment as will assist such land occupiers to carry on operations upon their lands for the conservation of soil resources and for the prevention and control of soil erosion

(7) To construct improve and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this act

(8) To develop comprehensive plans for the conservation of soil resources and for the control and prevention of soil erosion within the district which plans shall specify in such detail as may be possible the acts procedures performances and avoidances which are necessary or desirable for the effectuation of such plans including the specifications of engineering operations methods of cultivation the growing of vegetation croping programs tillage practices and changes in use of land and to publish such plans and information and bring them to the attention of occupiers of lands within the district

(9) To take over by purchase lease or otherwise and to administer any soil-conservation erosion-control or erosion-prevention project located within its boundaries undertaken by the United States or any of its agencies or by this Commonwealth or any of its agencies to manage as agent of the United States or any of its agencies or of this Commonwealth or any of its agencies any soil-conservation erosion-control or erosion-prevention project within its boundaries to act as agent for the United States or any of its agencies or for this Commonwealth or any of its agencies in connection with the acquisition construction operation or administration of any soil-conservation erosion-control or erosion prevention project within its boundaries to accept donations gifts and contributions in money services materials or otherwise from the United States or any of its agencies or from this Commonwealth or any of its agencies and to use or expend such moneys services materials or other contributions in carrying on its operations

(10) To sue and be sued in the name of the district to have a seal which seal shall be judicially noticed to have perpetual succession unless terminated as hereinafter provided to make and execute contracts and other instruments necessary or convenient to the exercise of its powers to make and from time to time amend and repeal

rule and regulations not inconsistent with this act to carry into effect its purposes and powers.

(11) As a condition to the extending of any benefits under this act to or the performance of work upon any lands not owned or controlled by this Commonwealth or any of its agencies the supervisors may require contributions in money services materials or otherwise to any operations conferring such benefits and may require land occupiers to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to prevent or control erosion thereon

(12) No provisions with respect to the acquisition operation or disposition of property by other public bodies shall be applicable to a district organized hereunder unless the legislature shall specifically so state

Section 9 Adoption of Land-use Regulations The supervisors of any district shall have authority to formulate regulations governing the use of lands within the district in the interest of conserving soil and soil resources and preventing and controlling soil erosion The supervisors may conduct such public meetings and public hearings upon tentative regulations as may be necessary to assist them in this work The supervisors shall not have authority to enact such land-use regulations into law until after they shall have caused due notice to be given of their intention to conduct a referendum for submission of such regulations to the occupiers of lands lying within the boundaries of the district for their indication of approval or disapproval of such proposed regulations and until after the supervisors have considered the result of such referendum The proposed regulations shall be embodied in a proposed ordinance Copies of such proposed ordinance shall be available for the inspection of all eligible voters during the period between publication of such notice and the date of the referendum The notices of the referendum shall recite the contents of such proposed ordinance or shall state where copies of such proposed ordinance may be examined The question shall be submitted by ballots upon which the words "For approval of proposed ordinance No ..... prescribing land use regulations for conservation of soil and prevention of erosion" and "Against approval of proposed ordinance No ..... prescribing land-use regulations for conservation of soil and prevention of erosion" shall be printed with a square before each proposition and a direction to insert an X mark in the square before one or the other of said propositions as the voter may favor or oppose approval of such proposed ordinance The supervisors shall supervise each referendum shall prescribe appropriate regulations governing the conduct thereof and shall publish the result thereof All occupiers of lands within the district shall be eligible to vote in such referendum Only such land occupiers shall be eligible to vote No informalities in the conduct of such referendum or in any matters relating thereto shall invalidate said referendum or the result thereof if notice thereof shall have been given substantially as herein provided and said referendum shall have been fairly conducted

The supervisors shall not have authority to enact such proposed ordinance into laws unless at least a majority of the votes cast in such referendum shall have been cast for approval of the said proposed ordinance The approval of the proposed ordinance by a majority of the votes cast in such referendum shall not be deemed to require the supervisors to enact such proposed ordinance into law Land-use regulations prescribed in ordinances adopted pursuant to the provisions of this section by the supervisors of any district shall have the force and effect of law in the said district and shall be binding and obligatory upon all occupiers of lands within such district

Any occupier of land within such district may at any time file a petition with the supervisors asking that any or all of the land-use regulations prescribed in any ordinance adopted by the supervisors under this section shall be amended supplemented or repealed Land-use regulations prescribed in any ordinance adopted pursuant to the provisions of this section shall not be amended supplemented or repealed except in accordance wtih the procedure prescribed in this section for adoption of land-use regulations Referenda on adoption amendment supplementation or repeal of land-use regulations shall not be held more often than once in six (6) months

The regulations to be adopted by the supervisors under the provisions of this section may include

1 Provisions requiring the carrying out of necessary engineering operations including the construction of terraces terrace outlets check dams dikes ponds ditches and other necessary structures

2 Provisions requiring observance of particular methods of cultivation including contour cultivating contour furrowing lister furrowing sowing planting strip cropping seeding and planting of lands to water-conserving and erosion-preventing plants trees and grasses forestation and reforestation

3 Specifications of cropping programs and tillage practices to be observed

4 Provisions requiring the retirement from cultivation of highly erosive areas or of areas on which erosion may not be adequately controlled if cultivation is carried on

5 Provisions for such other means measures operations and programs as may assist conservation of soil resources and prevent or control soil erosion in the district having due regard to the legislative findings set forth in section 2 of this act

The regulations shall be uniform throughout the territory comprised within the district except tha he supervisors may classify the lands within the district with reference to such factors as soil type degree of slope degree of erosion threatened or existing cropping and tillage practices in use and other relevant factors and may provide regulations varying with the type or class of land affected but uniform as to all lands within each class or type Copies of land-use regulations adopted under the provisions of this section shall be printed and made available to all occupiers of lands lying within the district

Section 10 Enforcement of Land-use Regulations The supervisors shall have authority to go upon any lands within the district to determine whether land-use regulaions adopted under the provisions of section 9 of this act are being observed Any person firm association copartnership or corporation who shall violate any of such regulations shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than $25.00 and not more than $300.00 for each such offense at the discretion of the court Any land occupier who shall sustain damages from any violation of such regulations by any other land occupier may recover damages at law from such other land occupier for such violation

Section 11 Performance of Work under the Regulations by the Supervisors Where the supervisors of any district shall find that any of the provisions of land-use regulations prescribed in an ordinance adopted in accordance with the provisions of section 9 hereof are not being observed on particular lands and that such non-observance tends to increase erosion on such lands and is interfering with the prevention or control of erosion on other lands within the district the supervisors may present to the Court of Common Pleas of the county wherein such particular land is located a petition duly verified setting forth the adoption of the ordinance prescribing land-use regulations the failure of the defendant land occupier to observe such regulations and to perform particular work operations or avoidances as required thereby and that such non-observance tends to increase erosion on such lands and is interfering with the prevention or control of erosion on other lands within the district and praying the court to require the defendant to perform the work operations or avoidance within a reasonable time and to order that if the defendant shall fail to perform the supervisors may go on the land and perform the work or other operations or otherwise bring the condition of such lands into conformity with the requirements of such regulations and recover the costs and expenses thereof with interest from the occupier of such land Upon the presentation of such petition the court shall cause process to be issued against the defendant

and shall hear the case If it shall appear to the court that testimony is necessary for the proper disposition of the matter it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law which shall constitute a part of the proceedings upon which the determination of the court shall be made The court may dismiss the petition or it may require the defendant to perform the work operations or evidances and may provide that upon the failure of the defendant to initiate such performance within the time specified in the order of the court and to prosecute the same to completion with reasonable diligence the supervisors may enter upon the lands involved and perform the work or operations or otherwise bring the conditions of such lands into conformity with the requirements of the regulations and recover the costs and expenses thereof with interest at the rate of 5 per centum per annum from the occupier of such lands In all cases where the person in possession of lands who shall fail to perform such work operations or avoidances shall not be the owner the owner of such lands shall be joined as party defendant

The court shall retain jurisdiction of the case until after the work has been completed Upon completion of such work pursuant to such order of the court the supervisors may file a petition with the court a copy of which shall be served upon the defendant in the case stating the costs and expenses sustained by them in the performance of the work and praying judgment therefor with interest The court shall have jurisdiction to enter judgment for the amount of such costs and expenses with interest at the rate of 5 per centum per annum until paid together with the costs of suit including a reasonable attorney's fee to be fixed by the court The amount of such judgment shall be a lien upon such lands until fully paid and satisfied and shall be collected by the supervisors of the district in the same manner and under the same procedure as is provided by law for the collection of municipal claims after they have been refused to judgment When such judgment shall be paid or collected the proceeds shall be paid over to the district within the boundaries of which the lands shall lie

Section 12 Board of Adjustment

A Whereas the supervisors of any district organized under the provisions of this act shall adopt an ordinance prescribing land-use regulations in accordance with the provisions of section 9 hereof they shall further provide by ordinance for the establishment of a board of adjustment Such board of adjustment shall consist of three (3) members each to be appointed for a term of three (3) years except that the members first appointed shall be appointed for terms of 1 2 and 3 years respectively The members of each such board of adjustment shall be appointed by the State soil conservation board with the advice and approval of the supervisors of the district for which such board has been established and shall be removable upon notice and hearing for neglect of duty or malfeasance in office but for no other reason such hearing to be conducted jointly by the State soil conservation board and the supervisors of the district Vacancies in the board of adjustment shall be filled in the same manner as original appointments and shall be for the unexpired term of the member whose term becomes vacant Members of the State soil conservation board and the supervisors of the district shall be ineligible to appointment as members of the board of adjustment during their tenure of such other office The members of the board of adjustment shall receive compensation for their services at the rate of six dollars ($6.00) per diem for time spent on the work of the board in addition to expenses including traveling expenses necessarily incurred in the discharge of their duties The supervisors shall pay the necessary administrative and other expenses of operation incurred by the board of adjustment upon the certificate of the chairman of the Board

B The board of adjustment shall adopt rules to govern its proceedings which rules shall be in accordance with the provisions of this act and with the provisions of any ordinance adopted pursuant to this section The board shall designate a chairman from among its members and may from time to time change such designation Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine Any two (2) members of the board shall constitute a quorum The chairman or in his absence such other member of the board as he may designate to serve as acting chairman may administer oaths and compel the attendance of witnesses All meetings of the board shall be open to the public The board shall keep a full and accurate record of all proceedings of all documents filed with it and of all orders entered which shall be filed in the office of the board and shall be a public record

C Any land occupier may file a petition with the board of adjustment alleging that there are great practical difficulties or unnecessary hardship in the way of his carrying out upon his lands the strict letter of the land-use regulations prescribed by ordinance approved by the supervisors and praying the board to authorize a variance from the terms of the land-use regulations in the application of such regulations to the lands occupied by the petitioner Copies of such petition shall be served by the petitioner upon the chairman of the supervisors of the district within which his lands are located and upon the chairman of the State soil conservation board The board of adjustment shall fix a time for the hearing of the petition and cause due notice of such hearing to be given The supervisors of the district and the State soil conservation board shall have the right to appear and be heard at such hearing Any occupier of lands lying within the district who shall object to the authorizing of the variance prayed for may intervene and become a party to the proceedings Any party to the hearing before the board may appear in person by agent or by attorney If upon the facts presented at such hearing the board shall determine that there are great practical difficulties or unnecessary hardship in the way of applying the strict letter of any of the land-use regulations upon the lands of the petitioner it shall make and record such determination and shall make and record findings of fact as to the specific conditions which establish such great practical difficulties or unnecessary hardship Upon the basis of such findings and determination the board shall have power by order to authorize such variance from the terms of the land-use regulations in their application to the lands of the petitioner as will relieve such great practical difficulties or unnecessary hardship and will not be contrary to the public interest and such that the spirit of the land-use regulations shall be observed the public health safety and welfare secured and substantial justice done

D Any petitioner aggrieved by an order of the board of adjustment granting or denying in whole or in part the relief sought the supervisors of the district or any intervening party may obtain a review of such order by the Coure of Common Pleas of the county within which is located the land which is affected by such order of the board by filing in such court a petition praying that the order of the board be modified or set aside A copy of such petition shall forthwith be served upon the parties to the hearing before the board and thereupon the party seeking review shall file in the court a transcript of the entire record in the proceedings certified by the board including the documents and testimony upon which the order complained of was entered and the findings determination and order of the board Upon such filing the court shall cause notice thereof to be served upon the parties and shall have jurisdiction of the proceedings and of the questions determined or to be determined therein and shall have power to grant such temporary relief as it deems just and proper and to make and enter a decree enforcing modifying and enforcing as so modified or setting aside in whole or in part the order of the board No contention that has not been urged before the board shall be considered by the court unless the failure or neglect to urge such contention shall be excused because of extraordinary circumstances The findings of the board as

to the facts if supported by evidence shall be conclusive If any party shall apply to the court for leave to produce additional evidence and shall show to the satisfaction of the court that such evidence is material and that there were reasonable grounds for the failure to produce such evidence in the hearing before the board the court may order such additional evidence to be taken before the board and to be made a part of the transcript The board may modify its findings as to the facts or make new findings taking into consideration the additional evidence so taken and filed and it shall file such modified or new findings which if supported by evidence shall be conclusive and shall file with the court its recommendations if any for the modification or setting aside of its original order The jurisdiction of the court shall be exclusive and its judgment and decree shall be final except that the same shall be subject to review in the same manner as are other judgments or decrees of the court

Section 13 Cooperation Between Districts The supervisors of any two or more districts organized under the provisions of this act may cooperate with one another in the exercise of any or all powers conferred in this act

Section 14 Agencies of the Commonwealth to Cooperate Agencies of this Commonwealth which shall have jurisdiction over or be charged with the administration of any State-owned lands and of any county or other governmental subdivision of the Commonwealth which shall have jurisdiction over or be charged with the administration of any county-owned or other publicly owned lands lying within the boundaries of any district organized hereunder shall cooperate to the fullest extent with the supervisors of such districts in the effectuation of programs and operations undertaken by the supervisors under the provisions of this act The supervisors of such districts shall be given free access to enter and perform work upon such publicly owned lands The provisions of land-use regulations adopted pursuant to section 9 of this act shall have the force and effect of law over all such publicly owned lands and shall be in all respects observed by the agencies administering such lands

Section 15 Discontinuance o Districts At any time after five (5) years after the organization of a district under the provisions of this act any twenty-five (25) occupiers of land lying within the boundaries of such district may file a petition with the State soil conservation board praying that the operations of the district be terminated and the existence of the district discontinued The board may conduct such public meetings and public hearings upon such petition as may be necessary to assist it in the consideration thereof Within sixty (60) days after such a petition has been received by the board it shall give due notice of the holding of a referendum and shall supervise such referendum and issue appropriate regulations governing the conduct thereof the question to be submitted by ballots upon which the words "For terminating the existence of the ..... (name of the soil conservation district to be here inserted)" and "Against terminating the existence of the ..... (name of the soil conservation district to be here inserted)" shall be printed with a square before each proposition and a direction to insert an X mark in the square before one or the other of said propositions as the voter may favor or oppose discontinuance of such district All occupiers of lands lying within the boundaries of the district shall be eligible to vote in such referendum Only such land occupiers shall be eligible to vote No informalities in the conduct of such referendum or in any matters relating thereto shall invalidate said referendum or the result thereof if notice thereof shall have been given substantially as herein provided and said referendum shall have been fairly conducted

The State soil conservation board shall publish the result of such referendum and shall thereafter consider and determine whether the continued operation of the district within the defined boundaries is administratively practicable and feasible If the board shall determine that the continued operation of such district is administratively practicable and feasible it shall record such determination and deny the petition If the board shall determine that the continued operation of such district is not administratively practicable and feasible it shall record such determination and shall certify such determination to the supervisors of the district In making such determination the board shall give due regard and weight to the attitudes of the occupiers of lands lying within the district the number of land occupiers eligible to vote in such referendum who shall have voted the proportion of the votes cast in such referendum in favor of the discontinuance of the district to the total number of votes cast the approximate wealth and income of the land occupiers of the district the probable expense of carrying on erosion control operations within such district and such other economic and social factors as may be relevant to such determination having due regard to the legislative findings set forth in section 2 of this act provided however that the board shall not have authority to determine that the continued operation of the district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continunce of such district

Upon receipt from the State soil conservation board of a certification that the board has determined that the continued operation of the district is not administratively practicable and feasible pursuant to the provisions of this section the supervisors shall forthwith proceed to terminate the affairs of the district The supervisors shall dispose of all property belonging to the district at public auction and shall pay over the proceeds of such sale into the State treasury through the Department of Revenue The supervisors shall thereupon file an application duly verified with the Secretary of the Commonwealth for the discontinuance of such district and shall transmit with such application the certificate of the State soil conservation board setting forth the determination of the board that the continued operation of such district is not administratively practicable and feasible The application shall recite that the property of the district has been disposed of and the proceeds paid over as in this section provided and shall set forth a full accounting of such properties and proceeds of the sale The Secretary of the Commonwealth shall issue to the supervisors a certificate of dissolution and shall record such certificate in an appropriate book of record in his office

Upon issuance of a certificate of dissolution under the provisions of this section all ordinances and regulations theretofore adopted and in force within such districts shall be of no further force and effect All contracts theretofore entered into to which the district or supervisors are parties shall remain in force and effect for the period provided in such contracts The State soil conservation board shall be substituted for the district or supervisors as party to such contracts The committee shall be entitled to all benefits and subject to all liabilities under such contracts and shall have the same right and liability to perform to require performance to sue and be sued thereon and to modify or terminate such contracts by mutual consent or otherwise as the supervisors of the district would have had Such dissolution shall not affect the lien of any judgment entered under the provisions of section 11 of this act nor the pendency of any action instituted under the provisions of such section and the board shall succeed to all the rights and obligations of the district or supervisors as to such liens and actions

The State soil conservation board shall not entertain petitions for the discontinuance of any certain district nor conduct referenda upon such petitions nor make determinations pursuant to such petitions in accordance with the provisions of this act more often than once in five (5) years

Section 16 Appropriations The sum of ten thousand dollars or so much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the State soil conservation board for its use in administering the provisions of this act during the two fiscal years beginning June 1, 1937 and ending May 31, 1939

Section 17 Allocations to the Districts The State soil conservation board shall make allocations from time to time out of the moneys appropriated to it Among the several soil conservation districts organized in accordance

with the provisions of this act for the purposes provided in the act on the basis of the number of acres affected by the ordinances and regulations of the district supervisors or any other equitable basis to be established by the board and payments shall be made under such system of requisition and accounting as the Governor Auditor General and State Treasurer shall determine

The moneys so allocated to a district shall be available for expenditures in that district authorized by the provisions of this act as the State soil conservation board shall determine

Section 18 Separability Clause If any provision of this act or the application of any provision to any person or circumstances is held invalid the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby

Section 19 Inconsistency with Other Acts Insofar as any of the provisions of this act are inconsistent with the provisions of any other law the provisions of this act shall be controlling

Section 20 Effective Date This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2346, (Senate Bill No. 1047), entitled:

An Act to amend the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation th ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the Court of Common Pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by further modifying the terms qualifications and other conditions under which the investment of trust funds may be made by fiduciaries by further providing for additional investments of trust funds by fiduciaries and by further providing with respect to the retention or sale of certain investments in the hands of fiduciaries

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS MADE SPECIAL ORDERS

Mr. HERBERT B. COHEN. Mr. Speaker, I move that House Bills Nos. 2117, 1132, 1146, 973, 278, 307, 2259, 1818, 473, 348, 1346, 1896, 1152, 1138, 558, 1384, 1136, 2145, 2201 (Senate Bill No. 560), 2280 (Senate Bill No. 562), 2270 (Senate Bill No. 23), 826, 906, 2263 and 2264 be made a special order of business on third reading and final passage at 4:04 p. m. today.

On the question,

Will the House agree to the motion?

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. HERBERT B. COHEN. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, House Bill No. 1177, being the general appropriation bill, and the bill having been only in print this morning, we haven't had time to really scan the bill. I realize the importance of advancing the general appropriation bill, but since it is on third reading and as there is no likelihood that the bill will be held up by the folks in the Senate, I would like to ask the gentleman from York whether he would not be willing to let this bill go over in order to give us a chance to get a final perusal of the bill.

Mr. HERBERT B. COHEN. Mr. Speaker, I will amend my motion accordingly.

I further move that House Bill No. 2117, which does not appear on today's third reading calendar be included as a special order of business at five minutes after four.

On the question,

Will the House agree to the motion as amended?

Mr. HERBERT B. COHEN. Mr. Speaker, I wish to inform the House that House Bill No. 2263 is now on file on the members' desks.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. TURNER. Mr. Speaker, do I understand that the gentleman from York has acceeded to my request.

Mr. HERBERT B. COHEN. I have, Mr. Speaker.

On the question recurring,

Will the House agree to the motion as amended?

It was agreed to.

SPECIAL ORDER

The SPEAKER. The Chair now lays before the House the bills on Special Order fixed for this time.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2117, as follows:

An Act making an appropriation to the Treasury Department for the refund of transfer inheritance and estate taxes erroneously collected or overpaid into the State Treasury

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That the sum of seven hundred and seventy-four thousand one hundred and seventy-three dollars and eighty-nine cents ($774,173.89) or so much thereof as may be necessary is hereby specifically appropriated to the Treasury Department for the refund of any moneys representing an overpayment of transfer inheritance and estate taxes said refund to be made when the amount of said refund shall have been adjudicated and found due by the Board of Finance and Revenue in accordance with law

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Flinchbaugh,	McFall,	Shugarts,
Alexander,	Ganser,	McGee,	Siegel,
Allen,	Gerard,	McKinney,	Simon,
Arnold,	Gillette,	McShane,	Skale,
Atkins,	Gorski,	Melchiorre,	Sloan,
Aukerman,	Habbyshaw,	Mellott,	Smith, James A.,
Baine,	Hagerty,	Merrell,	Smith, John A.,
Baker, F. T.,	Hall,	Mihm,	Snyder,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Sollenberger,
Balthaser,	Hamilton, R. S.,	Mooney,	Spengler,
Bierly,	Harkins,	Moran,	Sproul,
Blank,	Harmuth,	Moul,	Stackpole,
Bohn,	Hays,	Muir,	Stank,
Boies,	Hering,	Munley,	Stewart,
Boltz,	Hess,	Murrin,	Stockham,
Boose,	Hetrick,	Nagel,	Strode,
Boyer,	Hindman,	O'Brien,	Terry,
Bradley,	Hirsch,	O'Connor,	Thomas,
Brancato,	Holland,	O'Keefe,	Thompson,
Brigerman,	Holmes,	Ominsky,	Toole,
Broad,	Holstrom,	O'Neill,	Tronzo,
Brown,	Hontz,	Ostroff,	Trout,
Brownfield,	Horting,	Patterson, C. S.,	Tumelty,
Burrows,	Huntley,	Patterson, J. W.,	Turner,
Cadwalader,	Imbrie,	Peale,	Valibus,
Caesar,	Jirolanio,	Pearson,	VanAllsburg,
Caputo,	Kane,	Perry,	Vogt,
Coakley,	Keenan,	Pershing,	Wagner,
Cohen, H. B.,	Kelso,	Piole,	Wall,
Cohen, R. E.,	Kilroy,	Powers,	Walsh,
Coleman,	Kline,	Preston,	Wampole,
Coolahan,	Kroll,	Readinger,	Watkins,
Corrigan,	LaRue,	Reese,	Webster,
Costanzo,	Leisey,	Reising,	Weidemann,
Davies,	Levy,	Richter,	Weiss, D. H.,
Decker,	Lewis,	Robinson,	Weiss, S. A.,
DeNote,	Long,	Rothenberger,	Welliver,
Dickinson,	Longaker,	Royer,	Welsh,
Donohoe,	Lopresti,	Ruffennach,	Whalen,
Dougherty,	Lovett,	Sarraf,	Whitenight,
Downey,	Lyons,	Scanlon,	Wilson,
Dubbs,	Mallen,	Schor,	Wood,
Dyson,	Marino,	Schrock,	Woodside,
Eckels,	Matthews, H. T.,	Schrope,	Wright,
Elpern,	Matthews, J. F.,	Schumacher,	Yanoshat,
Falkenstein,	McArdle,	Serrill,	Yeakel,
Fiss,	McCullough,	Shaw,	Yourishin,
Fitch,	McDermott,	Shea,	Zappala,
Flanagan,	McDevitt,	Shepard,	Furman,
Flannery,	McElroy,	Shoemaker,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1132, entitled:

An Act making appropriations for aid to free public non-sectarian county libraries and for the purchase and transportation of books

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Boies,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer,	Hindman,	O'Brien,	Strode,
Bradley,	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.,	Schrock,	Woodside,
Elpern,	Matthews, J. F.,	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1146, entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers sailors marines female field clerks yeoman (female) and nurses who were killed in action or died during the World War and conferring certain duties upon the State Veterans' Commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Boles,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer,	Hindman,	O'Brien,	Strode,
Bradley,	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.,	Schrock,	Woodside,
Elpern,	Matthews, J. F.,	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 973, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in The Dixmont Hospital at Dixmont Allegheny County

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre.	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Boles,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin.	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer,	Hindman,	O'Brien,	Strode,
Bradley,	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.,	Schrock,	Woodside,
Elpern,	Matthews, J. F.,	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 278, entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre.	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,

Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer,	Hindman,	O'Brien,	Strode,
Bradley,	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.,	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 307, entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart.
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2259, entitled:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional Federal Funds

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,

Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1818, entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursing fourth class school districts upon certain increases of the salaries of members of the teaching staffs of elementary schools in such school districts

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Monroe, Mr. Achterman.

The SPEAKER. Will the gentleman from Monroe permit himself to be interrogated?

Mr. ACHTERMAN. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Monroe—in the first place, let me say, as I understand it this is the appropriation which will raise the pay of the school teachers in the fourth class school districts, is that correct?

Mr. ACHTERMAN. Mr. Speaker, that is correct.

Mr. TURNER. And, Mr. Speaker, under this bill will it not also be necessary for the school districts to make a contribution?

Mr. ACHTERMAN. Mr. Speaker, very likely that is correct.

Mr. TURNER. In other words, Mr. Speaker, it is going to cost the fourth class school districts more money. This bill does not take care of the entire payment to the fourth class school district teachers.

Mr. ACHTERMAN. I would say, substantially, Mr. Speaker, that is correct.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 473, entitled:

An Act making an appropriation to the Department of Forests and Waters for the construction of a masonry weir across the Shenango River near the Chestnut Street Bridge at Sharon and the construction of a shelter house for recording devices near the weir

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS 201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 348, entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 349, entitled:

An Act making an appropriation to the Sleighton Farm School for Girls situate in Delaware County Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,

Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows.	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein.	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1346, entitled:

An Act making an appropriation to the Treasury Department for the payment of certain claims against the Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1896, entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania Philadelphia Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,

Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher.	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1152, entitled:

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in county and poor district hospitals

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush.	Whalen,
Downey,	Lyons.	Sarraf,	Whitenight,
Dubbs.	Mallen.	Scanlon.	Wilson.
Dyson.	Marino.	Schor.	Wood.
Eckels.	Matthews, H. T.	Schrock.	Woodside.
Elpern.	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1138, entitled:

An Act making an appropriation to aid certain school districts

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 558, entitled:

An Act authorizing the Water and Power Resources Board to make a survey and investigation to determine to what extent the beds of rivers lakes and streams title to which is in the Commonwealth have been and are occupied or encroached upon and making an appropriation

On the question,

Will the House agree to the bill on third reading?

Mr. HERBERT B. COHEN. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend section 1, page 2, line 8, by striking out the word "No" after the word "Laws" and before the figures "555".

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there objection? The Chair hears none and the amendment will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1384, entitled:

An Act making an appropriation to the Pennsylvania State College of Optometry of Philadelphia Pennsylvania for optometrical education

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1136, entitled:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands the payment of labor and the purchase of supplies materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap and imposing certain duties upon the State Military Reservation Commission and the Department of Property and Supplies

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,

Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2145, entitled:

An Act making an appropriation to the Department of Agriculture to advance the potato interests of this Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2201, (Senate Bill No. 560), entitled:

An Act providing for the acquisition of the Daniel Boone Homestead by the Department of Property and Supplies and for its management and development by the Pennsylvania Historical Commission and making an appropriation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,

Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2280, (Senate Bill No. 562), entitled:

An Act making an appropriation to the Seventy-fifth Anniversary of the Battle of Gettysburg Commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2270, (Senate Bill No. 23), entitled:

An Act making an appropriation out of the Motor License Fund to carry into effect the provisions of the act approved the nineteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws one thousand three hundred forty-eight) entitled "An act creating a commission to compile edit publish and distribute pamphlets descriptive of scenic and historic interest and making an appropriation" and its amendments and defining the purposes for which said appropriation may be expended

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,

Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 826, entitled:

An Act making an appropriation for the preparation of the Eightieth Division History and creating a commission for such purposes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—200

Achterman,	Flinchbaugh,	McElroy,	Shepard,
Alexander,	Ganser,	McFall,	Shoemaker,
Allen,	Gerard,	McGee,	Shugarts,
Arnold,	Gillette,	McKinney,	Siegel,
Atkins,	Gorski,	McShane,	Simon,
Aukerman,	Habbyshaw,	Melchiorre,	Skale,
Baine,	Haberlen,	Mellott,	Sloan,
Baker, F. T.,	Hagerty,	Merrell,	Smith, James A.,
Baker, J. J.,	Hall,	Mihm,	Smith, John A.,
Balthaser,	Hamilton, F. P.,	Moomaw,	Snyder,
Bierly,	Hamilton, R. S.,	Mooney,	Sollenberger,
Blank,	Harkins,	Moran,	Spengler,
Bohn,	Harmuth,	Moul,	Sproul,
Bois,	Hays,	Muir,	Stackpole,
Boltz,	Hering,	Munley,	Stank,
Boose,	Hess,	Murrin,	Stewart,
Boyer	Hetrick,	Nagel,	Stockham,
Bradley	Hindman,	O'Brien,	Strode,
Brancato,	Hirsch,	O'Connor,	Terry,
Brigerman,	Holland,	O'Keefe,	Thomas,
Broad,	Holmes,	Ominsky,	Thompson,
Brown,	Holstrom,	O'Neill,	Toole,
Brownfield,	Hontz,	Ostroff,	Trout,
Burrows,	Horting,	Patterson, C. S.,	Tumelty,
Cadwalader,	Huntley,	Patterson, J. W.,	Turner,
Caesar	Imbrie,	Peale,	Valibus,
Caputo,	Jirolanio,	Pearson,	VanAllsburg,
Coakley,	Kane,	Perry,	Vogt,
Cohen, H. B.,	Keenan,	Pershing,	Wagner,
Cohen, R. E.,	Kelso,	Piole,	Wall,
Coleman,	Kilroy,	Powers,	Walsh,
Coolahan,	Kline,	Preston,	Wampole,
Corrigan,	Kroll,	Readinger,	Watkins,
Costanzo,	LaRue,	Reese,	Webster,
Davies,	Leisey,	Reising,	Weidemann,
Decker,	Levy,	Richter,	Weiss, D. H.,
DeNote,	Lewis,	Robinson,	Weiss, S. A.,
Dickinson,	Long,	Rothenberger,	Welliver,
Donohoe,	Longaker,	Royer,	Welsh,
Dougherty,	Lopresti,	Ruffennach,	Whalen,
Downey,	Lovett,	Rush,	Whitenight,
Dubbs,	Lyons,	Sarraf,	Wilson,
Dyson,	Mallen,	Scanlon,	Wood,
Eckels,	Marino,	Schor,	Woodside,
Elpern,	Matthews, H. T.	Schrock,	Wright,
Falkenstein,	Matthews, J. F.	Schrope,	Yanoshat,
Fiss,	McArdle,	Schumacher,	Yeakel,
Fitch,	McCullough,	Serrill,	Yourishin,
Flanagan,	McDermott,	Shaw,	Zappala,
Flannery,	McDevitt,	Shea,	Furman,

NAYS—1

Tronzo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 906, entitled:

An Act creating a State Worlds Fair Commission defining the powers and duties of said commission providing for participation in the New York Worlds Fair and making an appropriation

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2263, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2264, entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

The Clerk of the Senate being introduced, presented extracts from the Journal of the Senate which were laid upon the table.

HOUSE BILL No. 1330 MADE A SPECIAL ORDER

Mr. OMINSKY. Mr. Speaker, I move that House Bill No. 1330, Printer's No. 1028, entitled:

An Act relating to magistrates and magistrates' courts in the City of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the City Controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance

of discharges in criminal cases in the County of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the Courts of Common Pleas of the County of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts

on page 31 of today's calendar, bills on third reading be made a special order of business at 4:35 p. m. today.

The motion was agreed to.

SPECIAL ORDER ON HOUSE BILL No. 1330

The SPEAKER. The Chair now lays before the House the special order of business fixed for this hour, which is House Bill No. 1330, Printer's No. 1028, for third reading and final passage.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1330, as follows:

An Act relating to magistrates and magistrates' courts in the City of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the City Controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the County of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the Courts of Common Pleas of the County of Philadelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "1937 Magistrates' Court Act"

Section 2 The twenty-eight courts not of record of police and civil causes with jurisdiction not exceeding one hundred dollars established by the second section of the act approved the tenth day of May one thousand nine hundred twenty-seven (Pamphlet Laws eight hundred sixty-six) shall continue as therein provided

Section 3 No magistrate shall personally engage in any other business or profession or hold any other public office or serve as a representative of any political party in any assembly district senatorial district or congressional district or on the executive committee or any other governing body of any political party organization Each of the magistrates shall devote his entire time and attention to the duties of his office and no magistrate clerk stenographer or other officer or employe provided for herein shall demand or receive any money or other thing of value for the performance or non-performance of any of the duties pertaining to his office other than fees and compensation allowed by law

Section 4 Should any vacancy happen in the office of magistrate either by death resignation disqualification removal or otherwise such vacancy shall be filled for the full term of six years in the manner hereinbefore set forth at the next succeeding municipal election held in the City of Philadelphia after said vacancy shall happen and it shall be the duty of the Governor in the meantime to appoint and commission a suitable person to fill such vacancy until the first Monday of January next succeeding the first municipal election after said vacancy shall happen Provided however That if said vacancy shall happen within two calendar months before any municipal election the vacancy shall not be filled until the second succeeding municipal election thereafter and the Governor shall appoint and commission a suitable person to fill said vacancy until the first Monday of January after said second municipal election

Section 5 If any magistrate for any cause shall be unable to attend to his official duties he shall notify the chief magistrate who shall designate and assign another magistrate to discharge the duties of said magistrate during such inability

Section 6 The Board of Magistrates hereinafter provided for shall by rule or regulation adopted as hereinafter provided prescribe forms for civil and criminal dockets which shall be kept in each of said courts by the magistrates holding the same and in which shall be entered daily all proceedings of said courts and all official actions of the magistrates therein and it shall be the duty of the magistrate receiving any costs fees fines penalties or other moneys to note the same in the margin of the proper docket opposite to the entry of the case in respect to which the same is received with the date at which and the name of the person from whom the same was received together with the date and the person to whom the same was paid Said dockets shall be open to the inspection of any person during the hours when the court is required to be kept open

Section 7 Each magistrate shall keep a daybook in which he shall enter all costs fees fines penalties and other moneys collected by him with the date when the person from whom and the purpose for which the same were received. He shall also note therein the time when and the manner in which the same are disposed of and the books and papers of said court including said daybooks shall be the property of the Commonwealth of Pennsylvania He shall pay over to the city treasurer within five days after the first Monday of every month all costs of suits fees fines penalties and other sums of money received during the preceding month excepting constables' fees which shall be paid directly to the constable entitled thereto by said magistrate during the preceding month except such costs and judgments as the parties to any proceeding before him may by law be entitled to receive and shall at the same time furnish to the controller of the City of Philadelphia under oath or affirmation an accurate account of all moneys so paid either into the city treasury or to constables The controller of the city shall not countersign any warrant for the monthly payment of the salary of any magistrate until he is satisfied from inspection by himself or his deputy of the dockets daybooks or other books of such magistrate that his accounts are correct and that all payments required by law to be made to the city treasurer have been so made

Section 8 Whenever a vacancy shall for any reason occur in the office of a magistrate it shall be the duty of such magistrate to deliver to his successor in office all dockets books bonds and other papers connected with his office and in case of the death of any magistrate all persons having possession of the dockets books bonds and other papers aforesaid of such deceased magistrate shall under like penalties deliver the same to his successor in office or if no successor has been appointed or elected to the chief magistrate herein provided for If any magistrate whose office has become vacant as aforesaid or any person having possession of the dockets books bonds and papers of any deceased magistrate shall neglect or refuse to deliver the same over as hereinbefore provided to his successor in office or to the Chief Magistrate as the case may be the Chief Magistrate or any person aggrieved by such neglect or refusal may petition the Court of Common Pleas of the County of Philadelphia to order such delivery as aforesaid and the Court of Common Pleas may enforce its order by attachment for contempt or by other suitable process and the successor in office of such magistrate or the Chief Magistrate to whom such dockets books bonds and papers as aforesaid are delivered or any magistrate to whom the Chief Magis-

trate may deliver the same shall have power to issue process and proceed thereon in the same manner and with the same effect as the magistrate to whom the said documents books bonds and papers may have belonged would have had had he remained in office Provided That in case the magistrate to whom such docket books bonds and papers are delivered shall be a party in interest in any cause pending before the magistrate to whom said dockets books bonds and papers shall have officially belonged such cause shall be proceeded in by such other magistrate as the Chief Magistrate may designate to whom a transcript of such proceeding shall be furished as well as the original docket if required at the time of the trial thereof

Section 9 Except in cases of hearings on warrants issued by a magistrate the hearings of all criminal cases shall be held only in the central police court the divisional police courts hereinafter provided for or in the district station houses herein designated for that purpose

Section 10 There shall be established a central police court in the city hall of the City of Philadelphia which shall be open with a magistrate continually present thereat during the entire twenty-four hours of each day and to which the mayor of the City of Philadelphia shall regularly assign from the body of magistrates a sufficient number of magistrates to hold the same for the period of one month Provided however That the same magistrate shall not be assigned for consecutive months and that no magistrate shall be assigned to said court more than once in every six months

Section 11 It shall be the duty of the Chief Magistrate to appoint and assign in rotation in the manner prescribed by the Board of Magistrates magistrates to serve as committing magistrates in the several police stations in the City of Philadelphia but no magistrate shall be assigned longer than one month to the same station house in any one year Provided however That the Chief Magistrate after consultation with the District Attorney and the Director of Public Safety of the City of Philadelphia shall select not less than ten nor more than fifteen station houses which shall be known as divisional police courts and in which in addition to the hearings regularly held therein shall be held exclusively the hearings of all persons arrested on sight or on a police warrant for the following indictable offenses that is to say for treason sedition murder voluntary and involuntary manslaughter abortion arson blackmail perjury and subordination of perjury sodomy kidnapping mayhem receiving stolen goods obtaining money or other property by false pretense carrying concealed deadly weapons operating an automobile while under the influence of intoxicating liquor the illegal possession and sale of machine guns and firearms and the illegal possession sale and use of narcotic drugs and also all forms of bribery rape assault and battery to ravish robbery burglary and entering with intent to commit a felony or felonies larceny forgery fraudulently making uttering and publishing written instruments felonious assaults and batteries extortion keeping setting up and maintaining lotteries gambling houses gambling machines pool selling and bookmaking keeping maintaining and frequenting bawdy houses and houses of assignation pandering and prostitution embezzlement fraudulent conversion offenses by public officers and also all conspiracies solicitations and attempts to commit any of the foregoing offenses and aiders abetters and accessories before and after the fact to said offense and compounding of the same

The said divisional police courts shall be selected from among the district police stations in such manner that they shall be most suitably and conveniently located for the dispatch of the public business therein and as far as practicable for the equal distribution among said divisional police courts of the hearings hereby required to be held therein exclusively The magistrates assigned to preside at the divisional police courts shall also be assigned by the Chief Magistrate in rotation in the manner prescribed by this act and no magistrate shall be assigned longer than one month to the same divisional police court and every magistrate shall be assigned to each divisional police court in turn It is the intention of this section that there shall be established a system of rotation whereby the same magistrates shall not be repeatedly assigned to the same police station or divisional police court and the judges of the Courts of Common Pleas of Philadelphia County are hereby given authority to enforce this provision Nothing herein contained shall operate to deprive any magistrate before whom a criminal case has been lawfully begun of jurisdiction and authority fully and completely to hear and dispose of the same and of all charges growing out of or connected with the transaction involved therein notwithstanding the charge or charges upon which the accused is held or convicted may not be within the jurisdiction of the divisional or district police court as the case may be in which the magistrate is sitting at the time

It is hereby declared that the foregoing enumeration of offenses is intended to be inclusive and not exclusive and shall be liberally interpreted to carry out the legislative purpose as generally expressed therein

No magistrate shall receive any additional compensation for acting as committing magistrate at any police station or at any divisional police court

Section 12 The hearings of all criminal cases other than those provided for in section eleven of this act shall be held as now provided by law in the station house of the district in which the arrest without warrant is made and in the case of arrest on warrants in the station house of the district to which the magistrate issuing the warrant is assigned or in the court of such magistrate as the said magistrate may direct In cases of offenses herein required to be heard exclusively in the divisional police courts the jurisdiction of each of said courts shall extend over arrests made in the police district in which each court is located and in such police districts contiguous thereto as may be selected by the Chief Magistrate after consultation with the district attorney and the director of public safety as aforesaid to effect convenient and equal distribution among said courts of their business as aforesaid Hearings on warrants issued by any magistrate other than police warrants may be held in the court of such magistrate the police station house to which he is assigned or the divisional police court in which he may be sitting at the time as said magistrate shall direct

Section 13 No magistrate shall release on copy of the charge without entry of bail as hereinafter provided any person arrested charged with any of the crimes specified in section eleven of this act except operating an automobile while intoxicated fraudulent conversion frequenters of bawdy house or house of assignation and assault and battery In these exceptions to section eleven and in all other cases not specifically mentioned the magistrate may release on a copy of the charge without entry of bail if the circumstances and facts of such case or cases warrant him to do so For the accommodation of the public the director of public safety shall make suitable arrangements for the prompt issuance by the officer in charge of the cell room of the central station or by any other district station house official or such other person as he may designate of certificates or copies of the charge without cost against any person arrested in any police station of the city and all persons arrested shall be given the opportunity to promptly communicate with be interviewed or examined by such persons as they desire

Section 14 No continuance of a hearing of a criminal case shall be granted by a magistrate unless the person requesting the continuance shall state under oath his or her reason therefor and the reason stated together with the name of the party requesting the same shall be noted by the magistrate in his docket and shall be returned as a part of the transcript of the case Provided That if any case shall be continued by a magistrate of his own motion such continuance and his reason for his action shall be set forth at length by the magistrate in his docket and returned as part of the transcript of the case

Section 15 In cases where a person arrested on a criminal charge shall be entitled to release upon posting of bail it shall be the duty of the magistrate holding the preliminary hearing of such person to promptly fix the amoun

of the bail and neither he nor any other magistrate shall accept bail unless the provisions of sections sixteen seventeen eighteen and nineteen of this act are complied with Provided however That this section shall not prevent the magistrate holding any hearing from authorizing bail to be entered without real estate security where in his opinion the evidence produced so warrants except when the person arrested is charged with any of the offenses listed in section eleven of this act

Section 16 Whenever pursuant to law any person or persons charged with the commission of any criminal offense or offenses has had bail lawfully fixed by a magistrate it shall be the duty of the magistrate taking bail to make a thorough inquiry into the sufficiency of such bail and he shall make a due and thorough investigation under oath into the financial responsibility of the recognizer or surety and it shall be his duty to take of such recognizer or surety a written justification under oath setting forth

(1) The name age and residence of the bondsman

(2) A description of the property offered as surety with its exact location and the street number in the City of Philadelphia

(3) The present value assessed value the amount paid therefor and the rent derived therefrom

(4) All encumbrances whether mortgages judgments et cetera stating in detail character and amount when and where recorded or entered and a statement that there are no other encumbrances except as noted

(5) That the title to the property is in the bondsman himself and is not subject to any trusts

(6) How the property was acquired whether by will or deed making an exact notation of the date and record of registry of the will or recording of the deed giving book and page number

(7) A list of all judgments against the bondsman

(8) Statement in what other cases or for what person or persons if any the bondsman is surety

(9) Statement as to whether or not the municipal school and other taxes have become delinquent and

(10) What amount if any is paid or to be paid to the recognizer of bail for giving said bail and what counter-security is given if any Cash bail in lieu of real estate security may be accepted by the magistrate taking the bail and shall be delivered forthwith to the clerk of quarter sessions and a receipt taken therefor

Section 17 No bail or recognizance shall be taken without a justification as aforesaid endorsed on the bond or recognizance duly signed and sworn to by such surety recognizor or bondsman and no bail shall be accepted unless said surety recognizor or bondsman offers as security a property situate within the City of Philadelphia nor shall such bail be taken until the magistrate shall have verified the truth of certain statements in the justification as required in section eighteen hereof The provisions of this section shall not apply to cases in which a judge of record shall accept as security a property situate without the city of Philadelphia or to cases in which cash bail is presented and accepted

Section 18 Every magistrate before accepting bail secured by real property shall be furnished with a bail certificate issued by the city controller and said certificate shall contain the following information

(a) The name of the owner of the particular property offered to the magistrate as security

(b) The amount of unpaid taxes due thereon

(c) The amount of liens thereon

(d) The assessed value thereof

(e) Whether the same property has heretofore been accepted as security for bail heretofore entered and still in force

It shall further be the duty of the controller to retain a duplicate copy of each bail certificate issued together with the information as to whom the said certificate was issued The magistrate who has finally discharged such person or the District Attorney after the grand jury has ignored the bill or bills of indictment or when the court has disposed of the case shall promptly notify the controller in writing of such final disposition and return the bail certificate to the controller

Section 19 If the magistrate is satisfied from the information received from the controller and the justification sworn to by the proposed bondsman that there is sufficient equity in the property tendered as security he may accept the surety or bondsman as bail and thereupon stamp or note upon the deed of the surety or bondsman which said magistrate shall require to be produced before him the fact that bail has been accepted by him the name of the particular case in which it was accepted the date of acceptance and the amount thereof which stamp or notation may only be cancelled by the District Attorney upon discharge of the bail according to law

Section 20 The City Controller of Philadelphia shall provide twenty-four hours service of the information provided in the preceding sections of this act and to enable him to do so said City Controller is hereby authorized to appoint four additional clerks at an annual salary not exceeding two thousand dollars ($2,000.00) each

From and after the effective date of this act the fees now chargeable by law for the entry of bail before magistrates shall be one dollar ($1.00)

Section 21 There is hereby created a civil division of the magistrates' courts of Philadelphia which shall be a court not of record but which shall provide a simple informal and inexpensive method and procedure for the determination of claims for liquidated sums not in excess of one hundred dollars The said court shall open with scrupulous punctuality for hearings from nine thirty o'clock ante meridian until twelve o'clock noon and from one thirty o'clock post meridian until four thirty o'clock post meridian daily except Saturdays when the court shall close at twelve o'clock noon The court shall not be open on Sundays or legal holidays All civil cases instituted in any of the magistrates' courts of the City of Philadelphia shall be tried before three magistrates sitting in such civil division in a court room assigned to them for that purpose in City Hall in Philadelphia The chief magistrate shall regularly assign three of the magistrates to sit as a court en banc in all civil matters in such civil division for the period of one month to hear all cases The vote of not less than two of the three magistrates shall be necessary to enter judgment for plaintiff or defendant as the case may be Provided however That the same magistrate shall not be assigned to the civil division for consecutive months and that no magistrate shall be assigned to said civil division more than once every six months

The chief magistrate is hereby empowered to provide for and set up more than one court of three magistrates each for the hearing of civil cases when the volume of such cases is such that cases are delayed or it appears to him that they are being disposed of in too rapid a fashion with the possible consequence that injustice might be done to any party litigant

Section 22 Actions in every magistrates' case shall be commenced without a summons or a praecipe therefor The filing of a statement of claim by the plaintiff and the service of the statement of claim upon the defendant as herein provided shall have the same effect as though a summons had been regularly served according to the manner prescribed for the service of summons The plaintiff shall state to the clerk of the magistrates' court his name place of residence telephone number and the name and place of residence so far as known of the defendant and the nature and amount of his claim and the clerk after such further inquiry as he may deem necessary shall reduce the claim to writing in triplicate in concise and untechnical form giving time place and other relevant circumstances The statement of claim shall be signed and sworn to before the clerk by the plaintiff A brief record of the claim shall be entered in the civil docket of the court by the clerk The court at the hearing may allow any statement of claim to be amended

Section 23 At the time the plaintiff presents the facts in substantiation of his claim to the clerk of the magistrates' court the plaintiff shall pay the clerk for the use of the county a fee of one dollar and fifty cents ($1.50) for which a receipt shall be issued Said fee shall cover the costs of preparing and serving the statement of claim

entering the judgment in the civil division of the magistrates' court issuing execution thereon through the sheriff's office and recording the said judgment in a court of record No refund of the fee paid herein or any part thereof shall be made

Section 24 All statements of claim in civil actions shall be served in the following manner

(a) The clerk shall send a copy of the statement of claim by registered mail return receipt requested to the last known residence or place of business of the defendant

(b) Should such statement of claim be returned to the magistrates' office with the notation that the defendant refuses to accept the same the clerk shall then send the same to the sheriff's office for service upon the defendant in the same manner as prescribed by law for the service of writs of summons by the sheriff No fee shall be charged by the sheriff for this service

(c) Should such statement be returned by the United States Post Office Department for want of a proper address then all proceedings are to stop until the plaintiff shall have supplied the clerk with the correct address

(d) Where service of the statement of claim is made by registered mail the clerk of the court upon the return of the receipt to him by the United States Post Office Department shall file the same with the chief clerk of the magistrates' civil court in City Hall together with an affidavit reciting the fact of service by registered mail and such receipt and affidavit shall constitute service A record of such service shall be made by the clerk in the civil docket of the magistrate's court from which such letter originated

(e) One copy of the statement of claim shall be kept on file in the court in which such action shall be commenced the original shall be forwarded to the chief clerk to be filed with the records of the magistrates' civil court in City Hall and the third copy shall be served upon the defendant in the manner hereinabove provided

(f) The statement of claim in all actions commenced in the magistrates' courts shall be indorsed with a notice signed by the clerk of the court stating the time date and place of the trial or hearing at which the defendant is ordered to be present

Section 24 A case shall be deemed at issue upon the service of the statement of claim upon the defendant No answer shall be filed by the defendant except where he desires to claim a set-off or make a counter-claim in which case an answer in writing shall be filed with the clerk of the court at any time before the commencement of the trial Such answers containing set-offs and counter-claims shall be filed in the same manner as hereinbefore provided for the filing of the statement of claim The court at the hearing may allow any answer filed to be amended

The filing of answers containing set-offs and counter-claims shall be noted in the court docket by the clerk

The fee for filing an answer containing a set-off or counter-claim shall be one dollar ($1.00) payable by the defendant to the clerk for the use of the county

Section 25 Trials in the civil division shall be before the court of three magistrates the trial procedure shall be informal and only substantive rules of law shall be applied The board of magistrates shall have power to prescribe rules of procedure and practice not inconsistent with the provisions of the acts of Assembly or of the Constitutions of the Commonwealth or of the United States No pleadings other than those required or permitted by this act shall be entertained in such court The civil division shall conduct all hearings in such form and with such methods of proof as it deems best to discover the facts and to administer justice in the case The magistrates sitting as the court en banc in such civil division may question either party and the witnesses If the plaintiff does not appear at the time set for the hearing the court may dismiss the claim for want of prosecution or enter a finding on the merits for the defendant or the plaintiff or make such other disposition as to it may appear proper If the defendant shall fail or neglect to appear at the hearing the court may enter judgment for the full amount of the claim with costs

The court shall render its decision immediately at the conclusion thereof giving judgment for the plaintiff or defendant or enter such decree as to it shall appear proper together with interest and costs and shall notify the plaintiff and defendant orally thereof before they leave the court

Section 26 The court shall have power to continue any hearing pending before it but such continuance shall be allowed only (a) where one of the parties or a material witness is unable to be present by reason of illness or other reason appearing sufficient to the court or (b) where a defense is produced which was not forseen by the plaintiff and the court is of the opinion that the plaintiff should have additional opportunity to rebut the defense

Section 27 A judgment entered in the civil division may be appealed by either party as heretofore All such judgments may be removed to the Court of Common Pleas by certiorari in the same manner within the same time and subject to the same procedure as heretofore

Section 28 When a judgment is rendered by the civil division the clerk of the court shall receive the amount of the judgment with costs to date if offered by the defendant before execution and promptly pay the same over to the plaintiff If any judgment is not so paid within twenty days of the entry of the judgment the court shall direct its writ of execution to the sheriff of the county commanding him to levy the debt interest and costs on the defendant's goods and chattels and within the space of the next ten days following the levy expose the goods and chattels to public sale having first given notice of the same by at least three handbills posted in conspicuous places in the vicinity Thereupon said execution sale of goods and chattels and return thereof shall proceed in the manner provided by law for executions issuing out of the courts not of record except that the moneys realized from the sale shall be applied first to the payment of the plaintiff debt second to the payment of costs and third any excess to the defendant

All writs of execution issuing out of the civil division shall be in such form as is prescribed for like writs issuing out of the Courts of Common Pleas of the several counties of this Commonwealth Such writs shall be directed to the sheriff of the county and the sheriff shall not make any charge in advance for such service but if a fund should come into the hands of the sheriff he may deduct a sum not to exceed four dollars ($4.00) for sheriff's costs

Section 29 Where any judgment entered in the civil division of the magistrates' court after execution has been returned unsatisfied in whole or in part the clerk of the court shall send a transcript of such judgment to the prothonotary of the county who shall enter the same and such judgment shall have the same force and effect as any other judgment of a court of record This service shall be rendered by the prothonotary without any charge whatsoever

Section 30 The chief magistrate shall appoint a chief clerk of the civil division of the magistrates' court whose salary shall not exceed twenty-five hundred dollars ($2500) per annum and shall appoint such clerical assistants not in excess of six at salaries not to exceed eighteen hundred dollars ($1800) per annum all of which salaries shall be paid by the county

The chief clerk shall keep a complete record in suitable dockets of all cases filed with the court the proceedings therein and the disposition thereof and in keeping said dockets he should endeavor to obtain the standard now maintained by the prothonotary of Philadelphia County

Section 31 There shall be a Board of Magistrates composed of all the magistrates of the City of Philadelphia The said board shall be presided over by a Chief Magistrate who shall be the administrative representative and executive head of the said board and shall be selected in the manner and shall hold the position of Chief Magistrate for the term hereinafter provided The Chief Magistrate shall have general supervision of the conduct of the

business of all the courts held by the magistrates and between meetings of the Board of Magistrates shall have full power and authority to execute the rules and regulations of said board and to issue such necessary interim administrative orders and directions as the said board could issue and as are not inconsistent with existing law or said rules and regulations The said Board of Magistrates shall have the power and it shall be its duty to consider supervise and prescribe rules and regulations for the conduct of the various civil and police courts by the magistrates and the practice and procedure in the administration of justice therein The said board shall have the power to investigate of its own motion or on complaint of others any and all matters pertaining to the courts presided over by the magistrates the administration thereof and the official conduct of any person or persons connected therewith and take such lawful action in respect thereto as it may deem necessary and proper in the premises The Board of Magistrates shall meet for the discharge of its duties at least four times in each year during the first week of the months of January April July and October and at such other times as it may be convened by the Chief Magistrate or at the written request of five or more magistrates The meetings of the said board shall be held in the office of the Chief Magistrate

Section 32 As soon as practical after the approval of this act the Governor of the Commonwealth shall select from among the magistrates a Chief Magistrate to act as such from the date of appointment for the remainder of the term for which he shall have been elected or appointed as magistrate and before the expiration of such term the Governor shall select from among the magistrates a Chief Magistrate to act as such in succession to him whose term of magistrate is about to expire and to hold office from and after the expiration of such term until his own term as magistrate shall expire and so on from time to time thereafter as the term of office of any magistrate who has been selected Chief Magistrate shall be about to expire the Governor shall select from among the magistrates a Chief Magistrate to serve until his own term as magistrate shall expire unless removed before such time by the action of the Governor Provided however That any magistrate upon being re-elected to office as such magistrate shall continue eligible for re-appointment from time to time as Chief Magistrate

Section 33 Within sixty days after this act takes effect it shall be the duty of the Board of Magistrates to prepare and submit to the judges of the Courts of Common Pleas rules and regulations for the practice and procedure in and the conduct of the business of their courts by the magistrates which said rules and regulations shall become valid and binding as such when the same are approved by a majority of the judges of the said Courts of Common Pleas and if the said Board of Magistrates shall fail or neglect to prepare such rules and regulations and submit the same to the judges of the Courts of Common Pleas for their approval it shall be the duty of the said judges of their own motion to promulgate such rules and regulations which shall be the official rules and regulations of the Board of Magistrates Said rules and regulations may be added to altered amended or repealed from time to time in the same manner as is herein provided for the adoption of the same The judges of the Court of Common Pleas may also from time to time of their own motion alter amend or repeal such rules and regulations as may be then in force and promulgate such new rules and regulations as the said judges may deem necessary and proper

Section 34 The judges of the Courts of Common Pleas shall have the power from time to time as they deem necessary to inquire into and consider any and all matters and things touching the administration of the business of the magistrates and the performance by them of their duties and for this purpose to issue out of any of the Courts of Common Pleas writs of subpoena for the summoning of witnesses and the production of books papers and documents of the magistrates or others as may be relevant and proper to such inquiry and to take such lawful and proper action in the premises as the said judges may deem necessary

Section 35 It shall be the duty of the City of Philadelphia to supply and pay for whatever may be necessary for the transaction of the business of said magistrates' courts and to supply all proper court rooms and accommodations including waiting rooms withdrawing rooms dockets blank books legal blanks stationery furniture and equipment and such law books as may be certified by the Chief Magistrate to be necessary for the use of the magistrates' courts and to pay all salaries compensations expenses and disbursements that are herein or are otherwise authorized by law and it shall be the duty of the council of said city to appropriate annually a sum sufficient to pay such salaries compensations expenses and disbursements Such dockets blank books legal blanks and stationery shall be uniform in character The court rooms waiting rooms and withdrawing rooms accommodations furniture and equipment to be supplied shall be of such character and be kept in such condition of repair cleanliness and useful service at the expense of said city as the Chief Magistrate with the approval of the council shall determine to be necessary or desirable

Section 36 The Chief Magistrate shall provide for the appointment of a sufficient number of stenographers or stenographic clerks as may be necessary regularly to be present at and report the proceedings in said divisional police courts in all cases required by this act to be heard exclusively therein as well as in cases where there are hearings on private warrants upon request of either party of interest or the magistrate issuing such warrant providing such request is made in writing twenty-four hours prior thereto Said stenographers or stenographic clerks shall receive an annual salary to be fixed by the Chief Magistrate not exceeding two thousand five hundred dollars ($2,500.00) per annum

Section 37A On or after the first day of July one thousand nine hundred thirty-seven and thereafter whenever a vacancy occurs the chief city magistrate shall appoint a chief clerk and a deputy stenographic clerk who shall respectively perform such duties as may be required of them by this act and by the chief city magistrate and by rules adopted by the board of magistrates The chief clerk and deputy stenographic clerk shall be entitled to serve so long as they respectively behave themselves well Each clerk of a magistrate's court shall file with the chief clerk each month a report of the criminal business of said magistrate's court during the preceding month and such other reports from time to time as the chief city magistrate shall require The chief clerk shall cause suitable blanks to be prepared and furnished for such purpose

B The deputy stenographic clerk and each clerk of a magistrate's court shall receive a salary of two thousand dollars per annum the chief clerk a salary of two thousand five hundred dollars per annum Said salaries shall be paid by the city in semi-monthly payments

Section 38 It shall be the duty of the council of the City of Philadelphia to provide for the payment of the salaries of the aforesaid stenographers or stenographic clerks when appointed by the Chief Magistrate as aforesaid and to provide for them suitable offices and accommodations for the performance of their duties as herein prescribed including all office furniture typewriter machines dictaphones paper and all other necessary supplies for the performance of their duties

Section 39 It shall be the duty of the stenographers or stenographic clerks as aforesaid to report in full the entire proceedings of the said divisional police courts in all cases required by this act to be tried exclusively therein and to file in the office of the clerk of the Court of Quarter Sessions full true and complete verbatim transcripts or reports of said proceedings within five days after the taking of the same or sooner if so specially directed by the presiding magistrate Each such transcript or report shall be certified by the stenographer taking the same in the following form

I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the hearing of the above cause and that this copy is a correct transcript of the same

.....
Stenographer

Such transcripts or reports when so certified by the stenographer and filed as aforesaid shall upon any other trial or in any other proceeding in which it may become material to prove the matters therein reported be taken and held to be prima facie correct and if otherwise admissible in evidence shall be admitted without the necessity of calling the stenographer who made the said transcript or report as a witness to prove the same The District Attorney of the County of Philadelphia the City Solicitor of the City of Philadelphia the Chief Magistrate and any judge of the Courts of Common Pleas of said county shall on request be furnished with a copy of any such proceeding free of charge All other persons desiring copies of any proceeding reported by any stenographer or stenographic clerk shall be entitled to receive the same upon payment of twenty cents ($0.20) for each page thereof No stenographer nor stenographic clerk shall retain for himself any money received from the sale of a copy or copies of transcripts but shall pay over all moneys so received by him to the clerk of the magistrate before whom such hearing took place and shall be entered by the clerk in the day book and returned to the City Treasurer of the City of Philadelphia and account for the same to the City Controller

Section 40 The transcript or report of the proceedings hereinbefore referred to and required to be filed with the clerk of the Court of Quarter Sessions of the County of Philadelphia shall be kept by said clerk for such period of time not less than three years after the receipt of the same as may be fixed by the judges of the Courts of Common Pleas and shall at all reasonable times and subject to reasonable regulations by the judges of the Courts of Common Pleas of said county be opened to public inspection

Section 41 The District Attorney of the County of Philadelphia may assign such number of his assistants as may be necessary to be present at and conduct on behalf of the Commonwealth all criminal hearings held in the divisional police courts herein provided for

Section 42 On or before the twentieth day of January of each year the Chief Magistrate shall make written report to the Board of Magistrates of the business of all the magistrates' courts on the criminal side during the preceding calendar year and of the attendance thereat Copies of said report shall be furnished to the judges of the Courts of Common Pleas of Philadelphia County to the mayor and to the Controller of the City of Philadelphia The reasonable cost of the preparation of the said report shall be paid by the County of Philadelphia as part of the expenses of the magistrates' courts

Section 43 It shall be unlawful for any magistrate to

(a) Review alter modify or remit any sentence of fine or imprisonment lawfully imposed by him or to alter any of his official decisions in any case heard by him except in the presence of and with the written approval of the prosecutor

(b) Allow a further hearing in any criminal case without complying with the provisions of section fourteen of this act

(c) Knowingly and wrongfully for the purpose of deceiving others use or permit the use of his signature seal of office or Coat of Arms of the Commonwealth of Pennsylvania on any unofficial paper document letter or communication

Section 44 Any magistrate or other person charged with the performance of any duty or prohibited from performing any act by any of the provisions of this act who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thousand five hundred dollars ($1,500.00) or undergo imprisonment not exceeding three years either or both in the discretion of the court and in addition thereto any magistrate so convicted shall forfeit his office and be removed therefrom by the court in which such conviction shall have been had

Section 45 The provisions of this act shall be severable If any of said provisions shall be held to be invalid or unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act

It is hereby declared as the legislative intent that this act would have been adopted had such invalid or unconstitutional provisions not been included therein

Section 46 Sections nine thirteen fourteen fifteen sixteen seventeen twenty-one twenty-four twenty-five twenty-six thirty thirty-three and thirty-six of the act approved the tenth day of May one thousand nine hundred twenty-seven (Pamphlet Laws eight hundred sixty-six) entitled "An act relative to the establishment and jurisdiction of magistrates' courts in Philadelphia and creating a board of magistrates providing for a chief magistrate prescribing their powers and duties providing for clerks establishing a central administrative office imposing upon the City of Philadelphia the cost of establishment and maintenance of magistrates' courts including payment of all salaries fixing salaries and restricting magistrates to duties of office and repealing certain prior acts" be and the same are hereby specifically repealed

All other acts or parts of acts inconsistent herewith are also hereby repealed

The provisions of existing law respecting magistrates' courts of the City of Philadelphia and the practice and procedure therein in so far as the same do not conflict with or are not modified by the provisions of this act shall remain in full force and effect

Section 47 This act shall become effective on the fifteenth day of June one thousand nine hundred thirty-seven

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A
Baker, F. T.,	Hall,	Mihm,	Smith, John A
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,

Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RECONSIDERATION OF HOUSE BILL No. 1839

Mr. WALSH. Mr. Speaker, I move that the vote by which House Bill No. 1839, Printer's No. 717, entitled "An act to limit the power of the Supreme and Superior Courts in declaring laws enacted by the General Assembly to be unconstitutional" was defeated on final passage on May 11, 1937, be reconsidered.

Mr. McGEE. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Walsh, vote on the final passage of this bill?

Mr. WALSH. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. McGee, vote on the final passage of this bill?

Mr. McGEE. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Walsh.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. WALSH. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Philadelphia, Mr. Walsh, whether this is not the measure which was defeated and which provided that a vote of the Supreme Court or a decision of the Supreme Court to declare an act of the Legislature unconstitutional had to be by a six to one vote?

Mr. WALSH. That is correct, Mr. Speaker.

Mr. TURNER. Mr. Speaker, this matter was very extensively debated when it was before the House, the members were given every opportunity to consider it and it seems to me, therefore, there is no reason now to reconsider that vote and we ought to vote against reconsideration at this time.

The yeas and nays were required by Mr. TURNER and Mr. KANE.

Mr. TURNER. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—96

Alexander,	Ganser,	Mihm,	Schrope,
Arnold,	Hagerty,	Moomaw,	Shepard,
Aukerman,	Hamilton, F. P.,	Mooney,	Shoemaker,
Baine,	Hering,	Moran,	Shugarts,
Bierly,	Hindman,	Moul,	Siegel,
Blank,	Hirsch,	Murrin,	Skale,
Bois,	Holland,	Nagel,	Smith, James A.,
Brancato,	Holmes,	O'Brien,	Spengler,
Broad,	Holstrom,	O'Keefe,	Thomas,
Caesar,	Hontz,	Ominsky,	Thompson,
Caputo,	Horting,	O'Neill,	Toole,
Cohen, H. B.,	Keenan,	Patterson, J. W.,	Tronzo,
Cohen, R. E.,	Kilroy,	Pearson,	Tumelty,
Corrigan,	Lewis,	Pershing,	Vogt,
Costanzo,	Lopresti,	Piole,	Wagner,
DeNote,	Marino,	Powers,	Walsh,
Dickinson,	McArdle,	Preston,	Weiss, D. H.,
Dougherty,	McDermott,	Reese,	Weiss, S. A.,
Downey,	McElroy,	Reising,	Whalen,
Dubbs,	McFall,	Robinson,	Whitenight,
Elpern,	McGee,	Rush,	Wright,
Falkenstein,	McShane,	Sarraf,	Yanoshat,
Fitch,	Melchiorre,	Scanlon,	Yourishin,
Flannery,	Mellott,	Schor,	Zappala,
Flinchbaugh,			

NAYS—70

Achterman,	Hamilton, R. S.,	McKinney,	Stewart,
Atkins,	Harkins,	Merrell,	Stockham,
Baker, F. T.,	Hays,	Muir,	Strode,
Baker, J. J.,	Hess,	O'Connor,	Trout,
Boltz,	Hetrick,	Patterson, C. S.,	Turner,
Boose,	Huntley,	Peale,	Valibus,
Boyer	Imbrie,	Perry,	VanAllsburg,
Bradley	Kelso,	Readinger,	Wall,
Brown,	Kline,	Rothenberger,	Watkins,
Cadwalader,	Kroll,	Royer,	Webster,
Davies,	LaRue,	Schrock,	Weidemann,
Eckels,	Leisey,	Schumacher,	Welsh,
Fiss,	Levy,	Serrill,	Wilson,
Gillette,	Longaker,	Sloan,	Wood,
Gorski,	Lyons,	Snyder,	Woodside,
Habbyshaw,	Matthews, H. T.	Sproul,	Yeakel,
Haberlen,	Matthews, J. F.	Stackpole,	Furman,
Hall,	McCullough,		

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. McGEE. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was agreed to.

BILL ON FINAL PASSAGE

Mr. BLANK. Mr. Speaker, I desire to call up at this time House Bill No. 1155, Printer's No. 806, on page 41 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. BLANK.

The House resumed the consideration on final passage of House Bill No. 1155, entitled:

An Act to amend paragraph one of clause (a) of section forty-one of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgements and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and

foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by further providing with respect to investments of trust funds by fiduciaries.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker and members of the House, I am not going to take the time of the House again to argue this bill. It has been argued, I think, twice and certainly the members of the House are familiar with its terms. The bill is in the same position with no amendments, it still affects the small investor and, therefore, I would ask the members to vote "no".

Mr. BLANK. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I will, Mr. Speaker.

Mr. BLANK. Mr. Speaker, I would like to ask the gentleman from Delaware whether or not he said in the debate on this bill on Tuesday of this week that he had been advised by competent authorities that no investments in mortgage pools or participations were permitted for trust funds, whether they were or were not restricted to legal investments.

Mr. TURNER. I do not recall that I said it that way, Mr. Speaker. My information was that you had said that this would not prevent the fiduciaries from investing in these types of securities if they were not restricted to legal investments. My information is that under the amendments which you have placed in the bill there can be no further investments in mortgage pools and participations as far as trust funds are concerned.

Mr. BLANK. Mr. Speaker, may I ask whether the gentleman differentiates between legal and non-legal investments?

Mr. TURNER. Of course, Mr. Speaker, there is a difference between legal investments and non-legal investments. There are legal investments for trust companies and non-legal investments.

Mr. BLANK. Mr. Speaker, I would like to ask the gentleman from Delaware whether or not if this bill is passed that mortgage pools and participations are prohibited in legal investments?

Mr. TURNER. Mr. Speaker, I am given to understand that they would be wiped out. I cannot go any further than that. The authority that I have is one that I do not like to repeat on the floor of the House, but he is certainly one who ought to know what is in this bill and I consider him to be a better authority than I am.

Mr. BLANK. Mr. Speaker, in answer to the gentleman from Delaware, I would respectfully refer him to page 30 of the bill on lines 5 and 7, which completely answers the argument.

Mr. Speaker, I ask the members of the House to support the Committee on Banking, which is desirous of having this bill passed. I am sorry that the sponsor of the bill, the gentleman from Northampton, Mr. VanSickle, is not here today, and in his absence he asked that I call the bill up and I now ask the membership of the House to vote in favor of the bill.

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Blank.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. BLANK. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from Philadelphia by what authority he says that the Committee on Banking would like to have this bill passed.

Mr. BLANK. Mr. Speaker, the authority is that the Committee on Banking approved this bill and decided to report it out favorably to the body of the House.

Mr. TURNER. My recollection is, Mr. Speaker, that the gentleman put amendments in this bill in committee. The bill was originally an Administration bill, is that not correct?

Mr. BLANK. Mr. Speaker, that is correct, but I would like to ask the gentleman, Mr. Speaker, if he will not admit that this bill was reported favorably upon by the Committee on Banking.

Mr. TURNER. Mr. Speaker, I think that is a self-evident fact, that it was reported on favorably because it now happens to be on the calendar. I happen to be a member of that committee and so are several other members on this side of the House, and I have not heard them say that they would like to have it passed.

Mr. BLANK. Mr. Speaker, I will ask the gentleman from Delaware whether or not he would expect that they would request that it be passed.

Mr. TURNER. Mr. Speaker, that is so self-evident that I am not going to answer that question.

Mr. Speaker, it seems to me that this whole subject is being beclouded with something that does not belong here. I have a lot of respect for the gentleman from Philadelphia, Mr. Blank, and for what I think is a very honest belief in his opposition to mortgage pools. He has expressed that belief, he did it in the Committee on Banking from time to time, and he has expressed it on the floor of the House. This is a Department bill; when it came in it did not have this amendment in it. We also have, I think, No. 1047. I said that the Banking Department had presented this bill and it did not have this feature in it. In addition to that, I believe we have two other measures dealing with the investment of trust funds. One of them in a Banking Department measure and I don't remember whether the other one is or not, but it was a measure introduced and supported by the investment bankers and the bankers and trust companies and so forth of Pennsylvania who I understand had for a considerable period of time a committee that intelligently discussed this whole question to try to put safeguards around the mortgage pools and to provide for better administration. I have a bill on the calendar, No. 2114, which deals with mortgages and their liquidation. It seems to me that under all these circumstances we should not inject into this bill a provision that narrows it in such a way that the trustee would not have any authority to invest in something which we are creating and allowing to exist under the laws of Pennsylvania. We have now in the Banking Committee, I do not remember exactly whether it has been reported out,—a measure permitting them to invest in other forms of securities which certainly have no higher rating than do our mortgage pools. Therefore, to take this bill, which is a good bill, and to prevent the investment of the small funds, of the

small investor for the minor who has a small estate, in participation or mortgage pools seems to be working an injustice on the smaller communities. It may be all right in Philadelphia but it is a hardship on our smaller communities.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken.

Mr. TURNER. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—107

Achterman,	Elpern,	McElroy,	Schor,
Allen,	Falkenstein,	McFall,	Schrope,
Arnold,	Fitch,	McGee,	Shea,
Aukerman,	Flanagan,	McShane,	Shepard,
Baine,	Flannery,	Melchiorre,	Shoemaker,
Baker, J. J.,	Hagerty,	Mellott,	Siegel,
Balthaser,	Harkins,	Mihm,	Skale,
Bierly,	Hays,	Mooney,	Smith, James A.,
Blank,	Hess,	Moran,	Spengler,
Bois,	Hetrick,	Murrin,	Thomas,
Boltz,	Hindman,	O'Connor,	Thompson,
Bradley	Hirsch,	O'Keefe,	Toole,
Brancato,	Holmes,	Ominsky,	Tronzo,
Broad,	Holstrom,	O'Neill,	Tumelty,
Brownfield,	Hontz,	Ostroff,	Valibus,
Caesar,	Horting,	Patterson, C. S.,	Vogt,
Cohen, R. E.,	Jirolanio,	Patterson, J. W.,	Wagner,
Coolahan,	Keenan,	Pershing,	Weiss, D. H.,
Corrigan,	Kelso,	Piole,	Weiss, S. A.,
Costanzo,	Kilroy,	Powers,	Welsh,
Decker,	Levy,	Reese,	Whalen,
DeNote,	Lewis,	Reising,	Whitenight,
Dickinson,	Lopresti,	Robinson,	Wright,
Dougherty,	Lovett,	Rothenberger,	Yanoshat,
Downey,	Marino,	Rush,	Yourishin,
Dubbs,	McArdle,	Sarraf,	Zappala,
Dyson,	McDermott,	Scanlon,	Furman,

NAYS—50

Atkins,	Huntley,	Richter,	Stockham,
Baker, F. T.,	Imbrie,	Royer,	Strode,
Boose,	Kline,	Schrock,	Trout,
Boyer	Leisey,	Schumacher,	Turner,
Cadwalader,	Longaker,	Scrrill,	VanAllsburg,
Davies,	Lyons,	Shugarts,	Watkins,
Eckels,	Matthews, J. F.	Sloan,	Webster,
Fine,	McKinney,	Smith, John A.,	Weidemann,
Gillette,	Merrell,	Snyder,	Wilson,
Habbyshaw,	Muir,	Sproul,	Wood,
Hall,	Peale,	Stackpole,	Woodside,
Hamilton, F. P.,	Pearson,	Stewart,	Yeakel,
Hamilton, R. S.,	Perry,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGES

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 20, 1937.

Resolved (if the House of Representatives concur), That Senate Bill No. 429, Printer's No. 166, entitled:

An Act to amend sections two, three, four and six of the act approved the fifth day of June, one thousand nine hundred thirteen (P. L. 443) entitled "An act for the prevention of blindness, by requiring the reporting of cases of ophthalmia neonatorum (inflammation of the eyes of infants) by physicians, midwives and others, and requiring the reporting of results of treatment of each case of said disease, and fixing a penalty for violation thereof," by imposing duties on public health nurses, social workers, county medical directors, and physicians, and increasing penalties for violation of said act.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 377.

An Act to re-enact and further amend the act approved the first day of June one thousand nine hundred and thirty-three (Pamphlet Laws one thousand four hundred nine) entitled "An act authorizing the Secretary of Highways to enter into agreements relating to support for State highway right of ways underlaid by coal and for the ascertainment and assessment of damages sustained by reason of the obligation to furnish such support whether the damages are payable by the Commonwealth or a county" extending said act to all counties of this Commonwealth.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by inserting before the word "act" the words "title and the"; also in line 10 by inserting before the word "extending" the word "by"; also same line by inserting after the word "act" the words "as amended"; also in line 11 by inserting after the word "Commonwealth" the words "and further clarifying the provisions of the act."

Amend section 1, page 2, by striking out in line 12 the words "in part"; also line 14 by striking out before the word "hereby" the word "is" and inserting in lieu thereof the word "are"; also by striking out all of lines 17 to 22 inclusive as follows: "Authorizing the Secretary of Highways to enter into agreements relating to support for State highway right of ways underlaid by coal and for the ascertainment and assessment of damages sustained by reason of the obligation to furnish such support whether the damages are payable by the Commonwealth or county"; and inserting in lieu thereof the following: "Creating the Highway Mining Commission with judicial powers to have exclusive jurisdiction over the mining of coal within or under the right of ways of State highways and the assessment and award of benefits improvements and damages for coal required to be left in place by reason of the obligation to furnish support for State highway routes whether payable by the Commonwealth or a county authorizing counties to enter into agreements to indemnify or reimburse the Commonwealth for damages to highways caused by the removal of coal under or adjacent thereto."

Amend section 2, page 4, line 20, by inserting after the word "agreement" the words "decision order or decree."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 425.

An Act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers providing for wage boards and defining the powers and duties of such boards and of the Department of Labor and Industry imposing duties on employers providing for directory and mandatory orders on employers and the publication of the names of employers who do not comply with such orders exempting certain persons from the provisions of this act and providing penalties

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 13, page 14, line 3, by inserting before the word "order" the word "the."

Amend section 14, page 14, line 29, by inserting after the word "shall" the words "be guilty of a misdemeanor and"; also same line by inserting after the word "thereof" the word "shall."

Amend section 15, page 15, line 20, by striking out the word "employe" and inserting in lieu thereof the word "employer".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been pre-

pared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 813.

An Act authorizing townships of the first class to satisfy of record liens for taxes or other township claims solely upon the payment of record costs where such liens of record against real estate acquired by the Commonwealth or an agency of the Commonwealth subsequent to the date of the filing of the said lien.

SENATE BILL No. 892.

An Act concerning children under six years of age with defective hearing imposing duties on the Department of Health the Department of Public Instruction on parents guardians nurses and physicians and placing certain costs on school districts.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL ON FINAL PASSAGE

Mr. MORAN. Mr. Speaker, I desire to call up at this time House Bill No. 2274, Senate Bill No. 337, Printer's No. 415, on page 42 of today's calendar, bills on final passage postponed.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. MORAN.

The House resumed the consideration on final passage of House Bill No. 2274, (Senate Bill No. 337), entitled:

An Act relating to memorial halls in counties of the second class erected in memory of the soldiers sailors and marines who served in the Civil War and providing for the use upkeep and management and control of such halls

On the question recurring,

Shall the bill pass finally?

Mr. ALLEN. Mr. Speaker, for the benefit of the members of the House and particularly the war veterans, I just wish to state that the misunderstanding which prompted me to have this bill placed on the postponed calendar last night has been ironed out with the various veterans organizations and I now wish to fulfill my promise to the gentleman from Allegheny, Mr. O'Keefe, by voting in favor of this bill and I shall also ask the war veterans of this House to vote for the bill.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—199

Achterman,	Flinchbaugh,	McFall,	Shoemaker,
Alexander,	Ganser,	McGee,	Shugarts,
Allen,	Gerard,	McKinney,	Siegel,
Arnold,	Gillette,	McShane,	Simon,
Atkins,	Gorski,	Melchiorre,	Skale,
Aukerman,	Habbyshaw,	Mellott,	Sloan,
Baine,	Haberlen,	Merrell,	Smith, James A.,
Baker, F. T.,	Hagerty,	Mihm,	Smith, John A.,
Baker, J. J.,	Hall,	Moomaw,	Snyder,
Baltbaser,	Hamilton, F. P.,	Mooney,	Sollenberger,
Bierly,	Hamilton, R. S.,	Moran,	Spengler,
Blank,	Harkins,	Moul,	Sproul,
Bohn,	Harmuth,	Muir,	Stackpole,
Bois,	Hays,	Munley,	Stank,
Boltz,	Hering,	Murrin,	Stewart,
Boose,	Hess,	Nagel,	Stockham,
Boyer	Hetrick,	O'Brien,	Strode,
Bradley	Hindman,	O'Connor,	Terry,
Brancato,	Hirsch,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Trout,
Brownfield,	Horting,	Patterson, C. S.,	Tumelty,
Burrows,	Huntley,	Patterson, J. W.,	Turner,
Cadwalader,	Imbrie,	Peale,	Valibus,
Caesar,	Jirolanio,	Pearson,	VanAllsburg
Caputo,	Kane,	Perry,	Vogt,
Coakley,	Keenan,	Pershing,	Wagner,
Cohen, H. B.,	Kelso,	Piole,	Wall,
Cohen, R. E.,	Kilroy,	Powers,	Walsh,
Coleman,	Kline,	Preston,	Wampole,
Coolahan,	Kroll,	Readinger,	Watkins,
Corrigan,	LaRue,	Reese,	Webster,
Costanzo,	Leisey,	Relsing,	Weidemann,
Davies,	Levy,	Richter,	Weiss, D. H.,
Decker,	Lewis,	Robinson,	Weiss, S. A.,
DeNote,	Long,	Rothenberger,	Welliver,
Dickinson,	Longaker,	Royer,	Welsh,
Donohoe,	Loprestl,	Ruffennach,	Whalen,
Dougherty,	Lovett,	Rush,	Whitenight,
Downey,	Lyons,	Sarraf,	Wilson,
Dubbs,	Mallen,	Scanlon,	Wood,
Dyson,	Marino,	Schor,	Woodside,
Eckels,	Matthews, H. T.	Schrock,	Wright,
Elpern,	Matthews, J. F.	Schrope,	Yanoshat,
Falkenstein,	McArdle,	Schumacher,	Yeakel,
Fiss,	McCullough,	Serrill,	Yourishin,
Fitch,	McDermott,	Shaw,	Zappala,
Flanagan,	McDevitt,	Shea,	Furman,
Flannery,	McElroy,	Shepard,	

NAYS—2

Holland,	Tronzo,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

LEAVES OF ABSENCE

Mr. FLINCHBAUGH asked and obtained leave of absence for himself for the remainder of the day to attend a Convention of the Minor Judiciary in York.

Mr. MOUL asked and obtained leave of absence for the remainder of the day.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SCHROPE asked and obtained permission for the Committee on Game to meet during the session of the House.

BILLS ON FINAL PASSAGE RECALLED FROM GOVERNOR

Agreeably to order.

The House proceeded to the consideration on final passage of House Bill No. 1642, as follows:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility cor-

porations real estate brokers rental agents and boards of school directors and imposing penalties

Short Title Citation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Permanent Registration Act in Cities of the Second Class"

Section 2 The provisions of this act insofar as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments and shall not effect the validity of any registrations made prior to the enactment hereof except as herein provided

Section 3 Definitions (a) The word "Commission" shall mean any registration commission having jurisdiction in any city of the second class

(b) "Commissioner" shall mean a member of a registration commission

(c) "Oath" shall include affirmation and "Swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidate and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate or any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any elected candidate in any county containing therein any city of the second class

(j) "Political body" shall mean any political body not recognized as a political party which has filed proper nomination papers as required by law

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registery list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the second class

(n) "City" shall mean only a city of the second class

(o) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the second class or to those of any county within which such city is located or to any school district with which it is coextensive

(p) "Public office" shall mean and include any National State judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(q) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

(s) "County Election Board" or "County Board" shall mean the county board of elections of any county containing a city of the second class as now or hereafter provided for by the election laws of this Commonwealth

(t) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculating or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

Section 4 Registration Commission Membership Bipartisan Term of Office Vacancies Removal Compensation Oath of Office Organization Chairman Secretary Actions by Vote of Majority of Members Record of Proceedings Annual Report

(a) There shall be a registration commission in and for each city of the second class which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

(b) The registration commission shall consist of three commissioners who shall be qualified electors of the city not more than two of whom shall be enrolled members of the same political party who shall be appointed by the Governor with the advice and consent of the Senate and shall hold office for terms of fours years or until their successors qualify unless sooner removed or otherwise disqualified Provided however That the terms of office of the commissioners first appointed by the Governor under this act shall commence upon the date of their appointment and shall expire on the first Monday of January one thousand nine hundred forty-one Upon the appointment by the Governor of the registration commission for any such city the terms of office of the existing registration commission or commissioners of any such city shall terminate

(c) The Governor shall fill any vacancy in any such commission within ten days after the vacancy shall occur by appointing a qualified elector of the city to hold office during the remainder of the term of the commissioner whose place shall have become vacant

(d) The Governor may at any time remove any commissioner for cause and may appoint a duly qualified elector of the city as his successor for the remainder of his term

(e) Each commissioner shall receive compensation at the rate of four thousand five hundred ($4500) dollars per annum except the chairman who shall receive five thousand ($5000) dollars per annum

(f) As soon after their appointment as may be the members of each commission shall take the oath of office required by the Constitution if this Commonwealth and shall organize by selecting from their number a chairman and a secretary who shall not be members of the same party

(g) All actions of a commission shall be decided by a majority vote of all members except as may be otherwise provided herein

(h) Each commission shall keep a record in permanent form of all its proceedings and shall make an annual written report to the Governor

Section 5 Powers of Commission Regulation Enforcement Correction of Errors or Irregularities Cancellation of Registration Powers of Commissioners

(a) The commission may make regulations not inconsistent with this act or the laws of this Commonwealth (1) to govern the public sessions of such commissions and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if

necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct any error or any irregularity in registration and to cancel the registration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

(c) The Commission and any commissioner shall have power on its or his own motion (1) to summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses (4) to require the production of any relevant books and papers

(d) Each commissioner shall have power to administer oaths and affirmations Each person testifying before a commission or commissioner shall be first duly sworn or affirmed

Section 6 Employes Registrars Inspectors of Registration Duties Appointment Incompatible Offices

(a) The commission shall have power to appoint such assistants and employes as from time to time as it may deem necessary to carry out the provisions of this act and may at any time remove the same The commission may with the consent of the county commissioners appoint employes of the county commissioners to act as such for the registration commission without any additional compensation as such

(b) The employes to be appointed by the commission shall include (1) Registrars or clerks who shall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmations and (2) inspectors of registration who shall have and may exercise the powers conferred upon them by this act

(c) Registrars and inspectors of registration shall be qualified electors of the city No person who holds or is a candidate for public or party office shall be appointed to or hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the

(d) No registrar or inspector of registration shall exercise any power of this office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and adress the date of his appointment and the length of time for which he shall have been appointed

(e) Each commission may appoint a chief clerk at a compensation not exceeding three thousand dollars ($3000) per annum who shall have authority to administer oaths and to sign vouchers

(f) Any inspector of registration when directed by the commission shall (1) Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building inn lodginghouse or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodging-house inn or hotel relating to or affecting the right of any person to vote or to be registered in such city

(3) Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

(4) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest

Section 7 Counsel Compensation Duties The Commission may employ special counsel at a compensation not exceeding three thousand ($3000) dollars per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a Court of Common Pleas as herein proveded

Section 8 Appropriations by County Commissioners Unexpended Balances of Appropriations Heretofore Made Additional Appropriations

(a) The county commissioners shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the commissioners counsel a sufficient number of registrars inspectors of registration and other assistants and employes and the fees of witnesses as herein provided and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account books stationery and other supplies which the commission shall consider necessary for the purposes of this act and for all other necessary expenses

(b) The county commissioners shall provide the commission with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

(c) Any unexpended balances of any appropriations heretofore made by the county commissioners for the purpose of carrying out any provision of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the effective date of this act All moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed

Section 9 Acts of Employes Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission by order of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any errors in the doing thereof

Section 10 Commissioners and Chief Clerk May Act as Registrars and Inspectors A commissioner or the chief clerk may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with law upon registrars and inspectors of registration respectively

Section 11 Immunity from Arrest Commissioners registrars and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge thereof for felony for wanton breach of the peace or for a criminal violation of this act

Section 12 Acts to be Done on Legal Holidays and Sundays No part of any day fixed for the performance of any duties by any person or official under this act shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof or the right of any person to any compensation herein provided for rendering any service required hereby or so as to relieve any person from doing on such day whatever is necessary for such purposes and such services are hereby declared to be necessary public services

Section 13 Records and Documents to Be Open to Public Inspection The records of such commission and all dis-

trict registers street lists voting check lists voter's certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the city during ordinary business hours at any time when they are not necessarily being used by the commission or its employes having duties to perform in reference thereto Such public inspection thereof shall only be in the presence of a commissioner or authorized employe of a commission and shall be subject to proper regulation for safe-keeping of the records and documents and subject to the further provisions of this act

Section 14 Watchers at Places of Registration Privileges (a) Any party or political body which now is or hereafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three qualified electors of the city to act as watchers without expense to the county at any place of registration during the time when it shall remain open for the registration of electors The commission shall appoint all such persons as watchers and shall provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to interrogate or challenge any person regarding his right to be registered and to inspect any papers produced by such person The registrars commission and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment And provided That not more than one watcher for any party or political body or citizens' organization represented shall be allowed in a place of registration at any one time

Section 15 Watchers or Attorneys at Sessions of Commission Any party or political body or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or political body or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at places of registration but the number who may be present at any one time may be limited by the commission to not more than three for any party or political body

Section 16 Candidates May Be Present at Proceedings Every candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any proceeding before any commission whenever any matters which may affect his candidacy are being heard

Section 17 Day and Hours of Registration Places of Registration Use of Polling Places Payment of Rentals Use of School Buildings Public Notice

(a) From and after the effective date of this act each commission or any commissioner or a registrar or clerk appointed by the commission shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sundays holidays the day of each election and each primary the thirty days next preceding each election and each primary and the thirty days next following each election and the five days next following each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate in accordance with the provisions of subsection (b) herein receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration

(b) The Commission may cause at least two registrars to sit not later than thirty days prior to the primary or election for the purpose of receiving personal applications for registration applications for change of party enrollment and removal notices from electors of any ward at a suitable and conveniently located place in said ward for at least one day prior to the election or primary continuously between the hours of 10 A M and 3 P M and between the hours of 7 P M and 10 P M

(c) The county board of elections shall cause any polling place to be open in proper order for use as a place of registration on each day when such polling place may be desired by the registration commission or required by the provisions of this act for use as a place of registration and the said county commissioners shall provide for the payment of all rentals for such polling places upon proper vouchers by the treasurer of the county

(d) The board of public education or school directors of each school district shall furnish suitable space in any public school building under its jurisdiction or control and shall cause the room or space to be open and in proper order for use as a place of registration on each day when such room or space may be desired by the registration commission for use as a place of registration in accordance with the provisions of this act Provided That such use shall not interfere with instruction for the conduct of which such board of public education or school directors shall be responsible

(e) The proper city authorities shall furnish suitable space in the city hall or other municipal building under their jurisdiction or control and shall cause the room or space to be open and in proper order for use as a place of registration on each day when such room or space may be desired by the commission for use as a place of registration Provided That such use shall not interfere with the use for which such room or space is primarily designed

(f) The commission shall publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by posting a notice thereof at its office and at least ten placards or notices thereof in conspicuous places throughout said ward at least three days prior to the date when the place shall be so open and shall also give notice of such time and place of registration by publication at least once in one newspaper of general circulation published in the city at least three days prior to the date when the place shall be so open and by such other newspapers publication as it deems desirable

Section 18 Registration Cards Preparation and Distribution (a) For the purpose or registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section nineteen of this act and the following affidavit

REGISTRATION AFFIDAVIT

State of Pennsylvania }
County of } ss:

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenyt-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this ..... day of .....19....

.....
Signature of Voter

.....
Signature of Registrar

(b) Subject to the foregoing provisions of this section the Secretary of the Commonwealth shall prescribe the form of such registration cards

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards which binders can be locked The keys of all such binders shall at all times be retained by the commission

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

(e) Before ten o'clock ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the commission at its office all registration cards used or unused in his possession and shall account fully in writing for each missing card

(f) Unused registration cards may be reissued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 19 Manner of Registration (a) Every person claiming the right to be registered as an elector must appear in person before the commission a commissioner a registrar or a clerk at the office of the commission or at such other place as the commission shall have designated and answer the questions required to be asked in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with other information herein required shall be recorded in his presence by the register commissioner or clerk in permanent writing or typewritting in duplicate in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the room or rooms apartment flat or floor which he occupies (6) the date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) if not naturalized personally the name of father mother or husband through whom naturalized (13) whether he is unable by reason of illiteracy to read the names on the ballot or on the voting machine labels (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) the designation of the political party of the elector for the purpose of voting at primaries (16) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar or clerk and dated by him (17) his height in feet and inches (18) the color of his hair (19) the color of his eyes and (20) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (21) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (22) the date of each election and primary at which the elector votes the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (23) the signature or initials of the election officer who enters the record of voting on the card

(d) The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration cards will be known as the General Registers when filed by election districts as the District Registers

(e) If the applicant shall allege inability to sign his name the registrar or clerk shall require him to present the affidavits subscribed in person before a registrar commissioner or clerk of two electors who are personally acquainted with the applicant and who know his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicant's inability to sign his name is not due to some apparent physical infirmity he shall first also be required to make and file with the registrar or clerk an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be led with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

(f) When the registration of an elector has been completed the registrar commissioner or clerk shall deliver to the registered elector a written or printed statement signed by such registrar commissioner or clerk setting forth the name and address of the elector his ward and district the fact of registration designation of party enrollment and the date thereof The commission upon request made at its office shall deliver such a written or printed statement to any person who is registered under the provisions of the existing registration law

(g) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from any city of the second class wherein he resided when entering such employment his wife or her husband shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the Auditor General under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the Auditor General or this Commonwealth or at the office of the department division or bureau of the Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street and number of his residence in the city

(h) For the purpose of carrying into effect the [provi-

sion] provisions of subsection (c) (13) of this section insofar as they relate to persons heretofore regitered under the provisions of the act entitled "An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commisions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties" approved the eighteenth day of January 1934 (Pamphlet Laws two hundred fifty one thousand nine hundred thirty-three thirty-four) the commission shall deliver to the election board of the proper county in order that the same may be delivered to the election officers for use at the fall primary and the municipal election to be held in the year 1937 a sufficient number of affidavits for use at each polling place setting forth that the elector is unable by reason of illiteracy to read the names on the ballot or on the voting machine labels

Any elector heretofore registered under the provisions of said act and affected by the provisions of subsection (c) (13) of this section shall subscribe to this affidavit by his signature or mark and all of said affdavits thus executed shall be returned by the election officers to the commission after the fall primary and municipal election of 1937 and the commission shall attach each of said affidavits in a permanent manner to the registration card of said voter in the district register and shall make a notation of said information on the registration card contained in the general register Any voter thus affected may also execute said affidavit by appearing personally at the office of the commission and the commission shall have on hand a suffcient number of said affidavits for this purpose Any affidavit thus executed shall also be attached to the registration card of said elector contained in the district register and a notation of said information made on the registration card contained in the general register

Section 20 Who May Register Who May Vote Electors Need Register Only Once Exception Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will have obtained such qualifications before the next ensuing election shall be entitled to be registered as herein provided No person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered except by order of a court of common pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by reason of his failure to vote during a period of two years as hereinafter provided

Section 21 Applicants to Register May be Challenged Procedure Challenge Affidavit (a) Any person claiming the right to register may be challeged by a registrar or by any commissioner or by any clerk or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them by his signature or mark and swear to their truth

(b) The affidavits of all persons so registered shall be filed with the duplicate registration affidavits and shall be returned with them to the office of the registration commission

(c) The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) Serial number (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family resides (6) if single where his parents resides (7) where applicant actually resided immediately before he took up his present residence (8) his residences for the four months immediately preceding the date of execution (9) the name of his present employer (10) the city street and number of his place of business (11) the name of his last employer and the year in which he left his employ (12) the city street and number of said last employer's place of business (13) sex of the applicant (14) his color (15) the date of his birth and (16) such distinguishing marks peculiarities and further information for identification as the commission shall prescribe

(d) The challenged applicant shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his residence in the election district If such challenged applicant shall establish his right to be registered as required by this act he shall be permitted to be registered

(e) Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe to an affidavit that at the last election at which he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason thereof

Section 22 Naturalized Applicants Applicants Whose Fathers Mothers or Husbands Were Naturalized All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certificate under the seal of the court in which his naturalization was effected before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father or mother during his minority may be registered either by the production of his father's or mother's original papers or a certified copy thereof or by making affidavit as to the court in which and time when his father or mother was naturalifed and that he the applicant was then less than twenty-one years of age and that he is unable to produce his father's or mother's papers or a certified copy thereof And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage stating therein the time when and the court in which such naturalization took place and that she is unable to produce his original naturalization papers or a certified copy thereof or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 23 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the reason for the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 24 Appeal of Rejected Applicant Any perso

whose application to be registered has been denied by a registrar commissioner or clerk may file a petition with the commission not later than the fifteenth day prior to an election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar commissioner or clerk who rejected the petitioner's application for registration The commission if satisfied that the petitioner is entitled to be registered shall direct a registrar commissioner or clerk to register him in the usual manner and shall amend accordingly the records affected but any registrar clerk inspector of registration or qualified elector of the city may appear and show cause why the petitioner should not be registered

Section 25 General Register The duplicate registration cards for the entire city shall be placed in exact alphabetical order and shall be indexed and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These cards shall constitute the General Register of such city and shall not be removed from the office of the commission except upon order of a court of record of the county

Section 26 District Registers The original registration cards shall be filed by election districts and within each election district in exact alphabetical order and indexed The cards so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open to public inspection at all times subject to reasonable safeguards rules and regulations

Section 27 Removal Notices (a) The commission shall provide removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room or rooms apartment flat or floor if his residence is a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present residence and (4) space wherein the elector shall sign his name the removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date of hs removal into the new district Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission as the elector's signature in the general and district register Each removal notice to be effective must be received at the office of the commission at least thirty days prior to any primary or election which warning shall also be contained on the removal notice

(b) Any elector who removes his residence from one place to another within the same election district must notify the commission by filing a removal notice with the commission not later than ten days next preceding the primary or election

Section 28 Tranfer of Registration (a) Upon receipt not later than the thirtieth day next preceding any primary or election of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration card of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration card of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence

(b) When a request for transfer believed authentic by the commission is received at the office of the commission and shows thereon a removal within the period of two months next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration card of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any such case the commission shall advise the elector promptly in writing of its action

(c) If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector promptly notify the elector that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration

(d) No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission or before a registrar at any registration place designated by the commission and establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar a commissioner or clerk who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration

(b) At any time not later than the tenth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is no longer a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least twenty-four hours prior to presentation of the same by delivering a copy of the petition to him personally or by leaving it with an adult member of the family with which he resides If at the hearing of any such petition the elector against whom the petition is filed appears and swears or affirms that at the last general or municipal election at which he voted he voted for a majority of the candidates of the party with which he is enrolled at the time of said hearing all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise the party enrollment of such elector shall be forthwith cancelled

(c) Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least ten days prior to the next succeeding primary or election personally make application under oath to the commission or a registrar or a clerk thereof to have such fact entered on his registration card together with the exact nature of his physical disability which entry shall be made accordingly

(d) When the commission shall ascertain that any elector who has declared his need for assistance is no longer illiterate or no longer suffers from the physical disability stated by him or has voted without assistance it shall forthwith cancel on his registration card the entry relating to illiteracy or physical disability which authorized him to have assistance and shall forthwith notify such elector by mail of its action

Section 30 Reports of Deaths from Registrars of Vital Statistics Cancelling Registration Correction if Person is Falsely Reported Deceased Reports of Removals from Municipal Officers Departments and Bureaus certain Public Utility Corporations and Real Estate Brokers and Rental Agents Notice

(a) The registrar of vital statitics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than tweny years of age Said written report shall contain the full name of the decedent his last residence address the date of his birth if available and the date of his death The commission shall forthwith cancel the registration of each reigstered elector so reported

(b) Any person falsely reported deceased by any registrar of vital statistics may appear in person before a registrar commissioner or clerk at the office of the commission in such city and approve his identity and the commission thereupon shall correct its record accordingly

(c) All municipal officers departments bureaus and all public utility corporations furnishing electricity gas water or steam to householders in any city shall report in writing at least once a month to the commission upon forms supplied by the commission all cases of discontinuance of their service to residence to gether with the names of the persons who contracted for such service and the addresses to which such persons have removed if known to them All real estate brokers and rental agents shall report in writing from time to time to the commission upon the request of the commission all cases of residence property managed by them which have been vacated by the tenants thereof together with the names of such tenants and the addresses to which they have removed if known to them The commission shall forthwith send to each such person who is found to be registered as an elector from the address given in any of the foregoing reports and to all the members of his family and household who are electors registered from the same address the notice provided for by section thirty-one of this act and shall proceed thereupon in accordance with the provisions of that section

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensusing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his acutal name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in an district register

(c) At last once in each four years the commissio shall conduct a check-up of each registered elector in th city by either of the methods provided for in subsection (a) and (b) above

(d) Upon the return by the post office of any suc notice which it his been unable to deliver at the give address because the addressee can not be found there c upon the report by the Post Office that any registere elector does not reside at the address given on his registra tion card the commission shall direct an authorized em ployee to visit in person the address of the elector an if he shall find that the elector does not reside at th address he shall leave at such address the notice pre scribed by section thirty-two of this act and the com mission shall at the expiration of the time specified i such notice cancel the registration of such person unles he personally appears and proves his qualifications as a elector

Section 32 Canvass of Registered Voters

(a) The commission may at any time by individua commissioners or by inspectors of registration verify th registration in any election district of such city by visi ing each building from which an elector is registered an such other buildings as the commission may deem neces sary and shall make a record of the name and address c each person registered who shall not be found to resid at the address from which he is registered Or who fo any other reason shall appear to be not qualified to vot in the election district from which he is registered an shall leave at the address of each such person a notic requiring him to appear personally at the office of th commission on or before a date and hour which the no tice shall appoint and which shall be not later tha the tenth day preceding the election or primary next en suing and satisfy the commission of his qualifications a an elector and the commission shall cause a confirmatio of each such notice to be sent by mail promptly t such person at the address from which he is registere the envelope containing such confirmation to be plainl marked that it is not to be forwarded

(b) At the expiration of the time specified in th notice the comission shall cancel the registration of eac such person who has not personally appeared and prove his qualifications as an elector

(c) For the purpose of facilitating any such canva the commission may when necessary appoint special in spectors of registration in number not exceeding doubl the number of election districts which the commission sha determine to canvass

(d) Such special inspectors shall have and may exer cise the powers conferred by this act upon inspectors c registration They shall be qualified electors of the city an shall be appointed without reference to residence in ele tion districts or to their political affiliations or belie

(e) The commission shall instruct each special inspect in his duties

Section 33 Comparison and Correction of Registers Pr liminary Street Lists

(a) Commencing thirty days prior to each election c primary the commission shall compare and correct the ge eral and district registers

(b) Three months after each municipal election an seven months after each general election the commiss shall prepare for each election district a preliminary stre list of the names and addresses of all registered electo as of that date resident in the district arranged by stree and house numbers

(c) The commission shall cause to be made a suf cient number of exact copies of each such list and soon as possible and not later than the first day of Mar in each even-numbered year and the first day of Ju in each odd-numbered year shall distribute the sa among the inspectors and special inspectors of registrati and the officials concerned with the conduct of primar and elections and among the parties political bodies c didates and organized bodies of citizens interested there giving at least ten copies of each street list to the c

committee of each political party or political body upon the writen application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having ot is purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his writen request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 34 Corrected Street lists Posting Commencing not later than the thirtieth day prior to each primary and election the commission shall prepare for each election district a corrected street list of the names and addresses of all registered electeors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists Said lists shall be distributed in the same manner as required for the distribution of preliminary street lists in section 33 (c) herein Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 35 Petitions to Strike Off Names At any time not later than the tenth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affidavits of at least two adult persons sufficient grounds for such cancellation and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could not be found at the place given in the district register as his residence and that the person in charge thereof to be mentioned by name in said petition had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no such person is residing at the address given whereupon the commission shall forthwith cancel the registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done

Section 36 Delivery of District Registers to County Election Boards

(a) Not later than noon of the third day preceding an election or primary the commission shall deliver to the county election board of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county election boards now are or hereafter may be required to deliver the same Provided That the registration commission shall not deliver to the county election board the registration card for use at the polls on election day of any person who has removed from one election district to another within two months of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are delivered to the county election board

(b) District registers when so delivered to the county election board shall be contained in suitable binders so constructed and locked that the name address voting record and other data on each card may be visible and that entries may be made on each card but that the cards cannot be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the number of the district and ward Said binders shall be enclosed within a case or container and shall be locked and sealed by the commission before delivery to the county election board

Section 37 Persons Registered Are Entitled to Vote at General or Municipal Elections if Identified by Signature Proviso Evidence of Registration Discrepancies Persons Registered and Enrolled May vote at Primaries if Identified by Signatures Proviso Persons Not Registered are Not Entitled to Vote Challenging of Persons Registered Voter's Certificates Voting Check List Elections and Primaries Counting Et Cetera of Names Checked as Having Voted Sealing of Registers and Voting Check Lists Return of Voting Check List and Registers

(a) Any person whose name is in the district register of any election district in such city and who upon applying to vote shall have signed his name and address to a voter's certificate in the form hereinafter provided for as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violated any law of this Commonwealth prohibiting bribery at elections provided that if the signature on the voter's certificate as compared with the signature as recorded in the district registrar shall not be deemed authentic by any of the election officers such elector shall not be denied the right to vote for that reason but shall be considered challenged as to identity and required to make the affidavit and produce the evidence as provided in subsection (e) of this section

(b) No elector shall be required to sign a voter's certificate as a means of identification if he shall have been unable to sign his name when registered or if having been able to sign his name when registered he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote each elector shall estbalish his identitl to the satisfaction of the election officers and in such case a voter's certificate shall be prepared for him by one of the election officers upon which the facts as to such disability shall be noted and attested by the signature of such election officer

(c) No person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate

(d) Any person who is registered and also enrolled as a member of a political party and who upon applying to vote shall have established his identity by signing his name and address or otherwise as herein required at elections and is otherwise qualified may vote as a member of said party at any primary succeeding such registration without being subject to any challenge regarding his party membership No elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election and any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a non-partisan ballot according to any law providing for same at any primary election

(e) No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth shall be entitled to vote at any election or primary without being personally registered as an elector in the election district in which he offers to vote except by order of the Court of Common Pleas as herein provided regarding appealed cases Any person although personally registered may be challenged by any qualified elector watcher overseer or election officer at any election or primary as to his identity as to his continued residence in the election district or as to any alleged

violation of the laws of this Commonwealth prohibiting bribery at elections and if challenged as to identity or residence he shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his identity or continued residence in the election district and if challenged as to bribery he shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received

(f) The county election board shall cause to be printed for each election district in the city a suitable number of Voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

VOTER'S CERTIFICATE

(Primary) (Election) .....19 .

I hereby certify that I am qualified to vote at this (primary) (election)

Signature .....

Address .....

..... Pennsylvania

Approved .....

Number of stub of ballot issued (or number of admission to voting machines) .....

(and party at primary) .....

The voter's certificate shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the county election board After a voter's certificate has been prepared by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations hereinabove required have been made thereon one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have printed or written thereon the words "Voting Check List" and the number of the district and ward and date of the primary or election The voter's certificates so bound shall constitute the voting check list of the district All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the voting check list

(g) The district registers herein provided for shall constitute the ballot check list of the district As each voter is found to be qualified and votes the election officer in charge of the district register shall write or stamp the date of the election or primary the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at the primaries a letter or abbreviation designating the party in whose primary he votes and shall sign his name or initials in the proper space on the registration card of such voter contained in the district register After the polls are closed the names of all electors on the district register marked or stamped as having voted shall be immediately counted and the results compared with the number of persons voting shown by the voting check list and numbered lists of voters and announced and the cause of any difference ascertained if possible the ballot-box or voting machine is oppened The district register and the voting check list shall be immediately locked and sealed and shall be returned to the custody of the registration commission by the judge of election immediately upon completion of the count and tabulation of the votes cast in the district

Section 38 Examination of District Registers Report of Indications of Fraud to District Attorney (a) Immediately following each election or primary the commission shall cause each district register to be examined

(b) In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance with the procedure outlined in Sections 31 and 32 herein

(c) The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed

(d) Whenever the registration card of any registered elector shall have been entirely up so that the entries required to be made thereon by this act can no longer be made the commission shall have prepared and attached to such registration cards in each register a supplemental card Each supplemental card shall be printed in a color different from the registration cards It shall have the same serial number as the registration card followed by the letter "A" "B" etc according to the number of supplemental cards attached to each registration card Each supplemental card shall have space thereon for the entry of the surname of the registered elector his Christian name or names the street and number of his residence the ward and election district in which he resides and to which he may from time to time together with his street address in each such district and the other data required to be given upon such removal the date of each election and primary at which the elector votes and the signature or initials of the election officer who enters the record of voting on the card Each supplemental card shall be attached to the registration card to which it relates by permanent fasteners in such a manner that the contents of the registration card may be examined and the entries required by this act may be made on the supplemental card Whenever supplemental cards are attached to the registration card of any elector the registration card shall be stamped with the words "supplemental cards attached" together with the date thereof

Section 39 Cancellation of Registration Upon Failure to Vote Within Two Years Request for Reinstatement Within three months after the municipal election held in the year one thousand nine hundred and thirty-seven and within three months after each general and municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each elector who has been registered for a period of at last two years and who is not recorded as having voted at any election or primary within the period of two years immediately preceding the date of said municipal or general election the commission shall send to such elector by mail at his address appearing upon his registration card a notice setting forth that the records of the commission indicate that he has not voted within a period of two years and that his registration will be cancelled at the expiration of ten day from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of two years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar or a clerk in the manner provided by this act

Section 40 Cancellation Removal and Preservation of Registration Cards Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration cards of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such card shall be kept for five years after which the commission may destroy it

Section 41 Correction by Commission of Errors in Cancellation of Registrations Whenever the registration of

an elector has been cancelled through error such elector may petition the commission for the reinstatement of his registration not later than the tenth day preceding any primary or election and after a hearing on said application if error on the part of the commission is proved the commission shall reinstate the registration of such elector

Section 42 Appeals to Court Time of Hearing Notice Postponement Hearing Decision of Court Costs and Fees (a) Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of such city whose rights are impaired by any general order made by the commission not including refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the seventh day preceding any election or primary setting forth why he feels that an injustice has been done any praying for such order as will give him relief Thereupon any judge of the court shall fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the wavier thereof must be filed therein

(b) Any judge of the court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

(c) If after any such public hearing the court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

(d) The court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner provided however that in all cases where an appeal is sustained by the court the costs advanced by the appellant shall be ordered refunded

Section 43 Production of Documents Et Cetera at Appeals At the written request of any person taking an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 44 Subpoenas and Witness Fees (a) Any person filing any petition of any kind with the commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner herein provided

(b) The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the county commissioners in the same manner as other necessary expenses of such commission are to be provided for

(c) All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a Court of Common Pleas The commission shall have the benefit of the process of said courts if necessary to enforce any subjoena issued by such commission

(d) No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission No such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it is issued shall have deposited with the commission an additional day's witness fees for each witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commission shall disburse the fees deposited with it by any person among those witnesses who have appeared in response to subpoena issued and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay fees to any summoned by the commission taking their receipts therefor so long as there are sufficient funds available for such payments provided however that in all cases where the petition of the elector is sustained all costs advanced by him for witness fees and subpoenas shall be refunded to the elector so petitioning

(e) The commission shall pay over to the county treasurer all fees received for subpoenas The accounts of such commission respecting disbursements of witness fees out of appropriations made to such commission by the county commissioners shall be subject to audit from time to time by the county controller

Section 45 Crimes and Penalties (a) Any person who wilfully disobeys a lawful order of the commission or of a commissioner or refuses to obey its or his subpoenas duly issued and served under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

(b) Any wilful false statement made under oath by any person regarding any material matter or thing relating to any subject investigated heard or acted upon by any registrar commissioner clerk judge watcher inspector of registration court or commission by virture of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(c) Any registrar commissioner or clerk who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to vote registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than (3) months nor more than five (5) years

(d) Any person who applies for registration or who notifies the commission of a change of his residence address knowing or having reason to know that he is not entitled to be registered or have his residence address changed or any person who declares as his residence a place or address which he knows is not his legal residence or who falsely personates another in an application for registration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(e) Any registrar commissioner clerk or assistant or

employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered either at the office of the commission or before a registrar appointed by the commission at a place properly designated as provided herein or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made except upon an order of the Court of Common Pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(f) Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act (except that of a person in actual military or naval service or a person having an order of court as aforesaid) or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(g) Any commissioner registrar clerk inspector of registration or other officer assistant or employe or any person partnership or corporation upon whom a duty is laid by this act who shall wilfully delay neglect or refuse to perform such duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(h) Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(i) Any person who neglects or refuses to furnish to any commissoner or to any inspector of registration any information which he is herein authorized to obtain or to exhibit any records papers or documents herein authorized to be inspected by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(j) Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand of any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided or who shall wilfully hinder or delay or attempt to hinder or delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(k) Any person who intentionally interferes with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(l) Any registrar commissioner clerk assistant or employe of a commission or any other person who knowingly and wilfully prevents a person from being registered or who by coercion threats of bodily injury or intimidation prevents or attempts to prevent any person from being registered or from changing his political enrollment in accordance with the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceedingly one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(m) Any registrar commissioner clerk assistant or employe of a commission or any other person who unlawfully destroys or attempts to destroy any card book paper affidavit or other record of the commission or who unlawfully removes or attempts to remove same from the office of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

Section 46 Effective Date Partial Invalidity Legislative Intent

(a) Except as otherwise provided therein this act shall become effective immediately upon its final enactment

(b) It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any parts or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 47 Repeal of Prior Laws Proviso

(a) The following act of Assembly and amendments and supplements thereto are hereby repealed absolutely insofar as they affect the personal registration and enrollment of voters in cities of the second class

(1) An Act entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certan procedur- for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties" approved January eighteenth one thousand nine hundred and thirty-four (Lamphlet Laws two hundred fifty special session one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four)

(b) All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

(c) The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded

(d) The provisions of this act shall not affect any act done or any suit or prosecutions pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such acts so repealed respecting any act done or omitted prior to such repeal

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,

Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, J. F.	Schrock,	Woodside,
Elpern,	Matthews, H. T.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1159, as follows:

An Act to further amend Section one thousand six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred and twenty-four) entitled "An act relating to the business of banking and to exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engaged in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholder attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by providing further with regard to limitations upon loans to one corporation or person

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

Section 1 That section one thousand six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred and twenty-four, entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversions of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engaged in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions ond officers imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-five (P L 382) is hereby further amended to read as follows

Section 1006 Limitations upon Loans to One Corporation or person A A bank or a bank and trust company shall not directly or indirectly lend to any corporation or person an amount which including any extension of credit to such corporation or person by means of letters of credit or by acceptance of drafts for or the discount or purchase of the notes bills of exchange or other commercial paper of such corporation or person shall exceed ten per centum of the unimpaired capital and ten per centum of the unimpaired surplus of the bank or bank and trust company However this restriction shall have no application whatsoever to the following

(1) Loans to the United States or loans secured by not less than the face amount of bonds or other interest bearing obligations of the United States or bonds or other interest bearing obligations for the payment of the principal and interest on which the faith and credit of the United States is pledged

(2) Loans to the Commonwealth of Pennsylvania or any county or city thereof or an Authority which has been created as a body corporate and politic under any law of this Commonwealth or loans secured by bonds or other interest bearing obligations of the Commonwealth or of any county or city thereof or of any Authority which has been created as a body corporate and politic under any law of the Commonwealth or bonds or other interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the Commonwealth or any county or city thereof or of any Authority which has been created as a body corporate and politic under any law of this Commonwealth is pledged

(3) The discount of drafts or bills of exchange drawn in good faith against existing values

(4) The discount of trade acceptances or other commercial paper actually owned by the corporation or person negotiating it to the bank or bank and trust company and endorsed without restriction by such corporation or person

(5) The discount of notes secured by shipping documents warehouse receipts or other similiar documents conveying or securing title to readily marketable nonperishable staple goods including livestock when the actual market value of the property securing the obligations is not at any time less than one hundred fifteen per centum of the face amount of the notes secured by such documents and when such property is fully covered by insurance

B However a bank or a bank and trust company may in addition to the ten per centum authorized by this section lend to any corporation or person an additional fifteen per centum of the unimpaired capital and fifteen per centum of the unimpaired surplus of the bank or the bank and trust company if such additional fifteen per centum is secured by collateral having an ascertained market value of at least twenty per centum more than the amount of the liability so secured

C In computing the total liabilities of any individual to a bank or a bank and trust company there shall be included all liabilities to the bank or bank and trust company of any partnership or any unincorporated association of which he is a member any loans made for his benefit or for the benefit of such partnership or unincorporation association and any loans made to or for the benefit of a corporation of which he owns fifty per centum or more of the capital

In computing the total liabilities of any partnership or unincorporated association to a bank or a bank and trust company there shall be included all liabilities of its individual members to such bank or bank and trust company loans made for the benefit of such partnership or unincorporated association or any member thereof and loans made to or for the benefit of any corporation of which the partnership or unincorporated association or any member thereof own fifty per centum or more of the capital

In computing the total liabilities of any corporation to a bank or a bank and trust company there shall be included all loans made for the benefit of the corporation and all loans to or for the benefit of any individual (to) or any partnership or unincorporated association or any member thereof who owns fifty per centum or more of the capital of such corporation

A loan shall be deemed to be made for the benefit of a corporation or person to the extent that the proceeds of such loan are transferred to such corporation or person

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pas finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1194, as follows:

An Act creating a joint legislative commission to be known as the Joint State Government Commission providing for the appointment of its members and defining its powers and duties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Speaker of the House of Representatives shall appoint six members of the House and the President Pro Tempore shall appoint five members of the Senate who together with the President Pro Tempore of th Senate and the Speaker of the House of Representatives shall constitute a continuing joint legislative commission to be known as the Joint State Government Commission The members of the commission shall be appointed during each odd-numbered year and shall continue as members of the commission until the first day of July of the next odd-numbered year It shall be the duty of the commission to make studies for the use of the legislative branch of government seeking to improve the administrative organization of the State Government to eliminate waste and overlapping functions to institute economies to suggest ways and means of financing the Commonwealth upon a more scientific and equitable basis to gather budget information for the use of the General Assembly and to make such other studies and gather such other information as may be deemed useful to the General Assembly Said commission shall organize by the selection of a chairman the commission shall have power to employ such clerical assistance as may be deemed necessary Said commission shall have power to call upon any department or agency of the State Government for such information as it deems pertinent to the studies in which it is engaged

Section 2 Said commission shall have power to sit during the interim between legislative sessions and shall from time to time report to the General Assembly such findings and recommendations accompanied with such drafts of legislation as it deems necessary for the information of and consideration by the General Assembly

Section 3 Any vacancies occurring in the membership of said commission shall be filled by appointments by the Speaker or President Pro Tempore of members of the House or Senate as the case may be to take the place of thos persons whose membership in the House or Senate may have ceased

Section 4 Biennially an item of appropriation shall be inserted in the General Appropriation Bill to pay the expenses of the members of the commission constituted by this act and for clerical hire and incidental expenses

Section 5 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1086, as follows:

An Act to fix the compensation of the assistant custodians of the Senate chamber and the hall of the House of Representatives

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the thirtieth day of June one thousand nine hundred and thirty-seven each assistant custodian of the Senate chamber and the hall of the House of Representatives shall receive three dollars ($3.00) per diem for each regular biennial special or extraordinary session and eighty-five dollars ($85.00) per month during the interim between legislative sessions

Section 2 All acts and parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Ganser,	McFall,	Shoemaker,
Alexander,	Gerard,	McGee,	Shugarts,
Allen,	Gillette,	McKinney,	Siegel,
Arnold,	Gorski,	McShane,	Simon,
Atkins,	Habbyshaw,	Melchiorre,	Skale,
Aukerman,	Haberlen,	Mellott,	Sloan,
Baine,	Hagerty,	Merrell,	Smith, James A.,
Baker, F. T.,	Hall,	Mihm,	Smith, John A.,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Snyder,
Balthaser,	Hamilton, R. S.,	Mooney,	Sollenberger,
Bierly,	Harkins,	Moran,	Spengler,
Blank,	Harmuth,	Moul,	Sproul,
Bohn,	Hays,	Muir,	Stackpole,
Bois,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hetrick,	Nagel,	Stockham,
Boyer	Hindman,	O'Brien,	Strode,
Bradley	Hirsch,	O'Connor,	Terry,
Brancato,	Holland,	O'Keefe,	Thomas,
Brigerman,	Holmes,	Ominsky,	Thompson,
Broad,	Holstrom,	O'Neill,	Toole,
Brown,	Hontz,	Ostroff,	Tronzo,
Brownfield,	Horting,	Patterson, C. S.,	Trout,
Burrows,	Huntley,	Patterson, J. W.,	Tumelty,
Cadwalader,	Imbrie,	Peale,	Turner,
Caesar,	Jirolanio,	Pearson,	Valibus,
Caputo,	Kane,	Perry,	VanAllsburg,
Coakley,	Keenan,	Pershing,	Vogt,
Cohen, H. B.,	Kelso,	Piole,	Wagner,
Cohen, R. E.,	Kilroy,	Powers,	Wall,
Coleman,	Kline,	Preston,	Walsh,
Coolahan,	Kroll,	Readinger,	Wampole,
Corrigan,	LaRue,	Reese,	Watkins,
Costanzo,	Leisey,	Reising,	Webster,
Davies,	Levy,	Richter,	Weidemann,
Decker,	Lewis,	Robinson,	Weiss, D. H.,
DeNote,	Long,	Rothenberger,	Weiss, S. A.,
Dickinson,	Longaker,	Royer,	Welliver,
Donohoe,	Lopresti,	Ruffennach,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Wood,
Eckels,	Matthews, H. T.	Schrock,	Woodside,
Elpern,	Matthews, J. F.	Schrope,	Wright,
Falkenstein,	McArdle,	Schumacher,	Yanoshat,
Fiss,	McCullough,	Serrill,	Yeakel,
Fitch,	McDermott,	Shaw,	Yourishin,
Flanagan,	McDevitt,	Shea,	Zappala,
Flannery,	McElroy,	Shepard,	Furman,
Flinchbaugh,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1336, as follows:

An Act to provide for a third additional law judge of the several courts of the forty-fifth judicial district

Section 1 Be it enacted by the Senate and House of

Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the judges now provided for by existing law a third additional law judge is hereby authorized and provided for the several courts of the forty-fifth judicial district who shall possess the same qualifications which are required by the constitution and laws for the president judge of said district and who shall hold his office for a like term and by the same tenure and shall have the same powers authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive the same compensation provided by law for judges of the courts of said judicial district

Section 2 At the next municipal election after the passage of this act the qualified electors of the said forty-fifth judicial district shall elect in the manner prescribed by law for the election of a president judge one competent person learned in the law to serve as third additional law judge in said district from the first Monday in January Anno Domini one thousand nine hundred and thirty-eight for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of terms or otherwise shall be filled in the same manner as is required by law in case of a similar vacancy in the office of president judge

Section 3 The Governor is hereby authorized by and with the consent of the Senate to appoint one competent person learned in the law as such additional law judge of the said forty-fifth judicial district to serve until the first Monday in January succeeding the next municipal election

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time, considered and agreed to,

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—175

Achterman,	Gillette,	McFall,	Shoemaker,
Alexander,	Gorski,	McGee,	Shugarts,
Allen,	Habbyshaw,	McShane,	Siegel,
Arnold,	Haberlen,	Melchiorre,	Simon,
Atkins,	Hagerty,	Mellott,	Skale,
Aukerman,	Hamilton, F. P.,	Mihm,	Sloan,
Baine,	Hamilton, R. S.,	Moomaw,	Smith, James A.,
Baker, J. J.,	Harkins,	Mooney,	Smith, John A.,
Balthaser,	Harmuth,	Moran,	Snyder,
Bierly,	Hays,	Moul,	Sollenberger,
Blank,	Hering,	Munley,	Spengler,
Bohn,	Hess,	Murrin,	Sproul,
Bois,	Hindman,	Nagel,	Stackpole,
Boltz,	Hirsch,	O'Brien,	Stank,
Bradley	Holland,	O'Keefe,	Stockham,
Brancato,	Holmes,	Ominsky,	Strode,
Brigerman,	Holstrom,	O'Neill,	Thomas,
Broad,	Hontz,	Ostroff,	Thompson,
Brown,	Horting,	Patterson, C. S.,	Toole,
Brownfield,	Huntley,	Patterson, J. W.,	Tronzo,
Burrows,	Imbrie,	Peale,	Trout,
Caesar,	Jirolanio,	Pearson,	Tumelty,
Caputo,	Kane,	Perry,	Turner,
Coakley,	Keenan,	Pershing,	VanAllsburg,
Cohen, H. B.,	Kelso,	Piole,	Vogt,
Cohen, R. E.,	Kilroy,	Powers,	Wagner,
Coolahan,	Kroll,	Preston,	Wall,
Corrigan,	LaRue,	Readinger,	Walsh,
Costanzo,	Levy,	Reese,	Wampole,
Decker,	Lewis,	Reising,	Webster,
DeNote,	Long,	Richter,	Weiss, D. H.,
Dickinson,	Longaker,	Robinson,	Weiss, S. A.,
Donohoe,	Lopresti,	Rothenberger,	Welliver,
Downey,	Lovett,	Ruffennach,	Welsh,
Dubbs,	Lyons,	Rush,	Whalen,
Elpern,	Mallen,	Sarraf,	Whitenight,
Falkenstein,	Marino,	Scanlon,	Wood,
Fiss,	Matthews, H. T.	Schor,	Woodside,
Fitch,	Matthews, J. F.	Schrope,	Wright,
Flanagan,	McArdle,	Schumacher,	Yeakel,
Flannery,	McCullough,	Shaw,	Yourishin,
Flinchbaugh,	McDermott,	Shea,	Zappala,
Ganser,	McDevitt,	Shepard,	Furman,
Gerard,	McElroy,		

NAYS—26

Baker, F. T.,	Dyson,	Merrell,	Stewart,
Boose,	Eckels,	Muir,	Terry,
Boyer	Hall,	O'Connor,	Watkins,
Cadwalader,	Hetrick,	Royer,	Weidemann,
Coleman,	Kline,	Schrock,	Wilson,
Davies,	Leisey,	Serrill,	Yanoshat,
Dougherty,	McKinney,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTIONS

PRINTING DIGEST OF SECOND CLASS TOWNSHIP LAWS

Mr. SPROUL offered a resolution which was twice read by the Clerk as follows:

In the House of Representatives, May 20, 1937.

Resolved (if the Senate concur), That the Legislative Reference Bureau is hereby directed to have printed, as a legislative document, three thousand copies of the Second Class Township Law of May first, one thousand nine hundred thirty-three, Pamphlet Laws one hundred three, with all amendments thereto up to and including the regular session of one thousand nine hundred thirty-seven, to be distributed as follows: five hundred copies for the use of the Senate, one thousand copies for the use of the House of Representatives, three hundred copies for the use of the Legislative Reference Bureau, and the remaining copies to be distributed and sold by the Division of Documents of the Department of Property and Supplies in the manner provided by law. The cost of such printing shall be paid out of the item of appropriation set aside and budgeted for legislative printing.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

SYMPATHY EXTENDED

Mr. LYONS offered a resolution which was twice read, considered and adopted as follows:

In the House of Representatives, May 20, 1937.

H. LeRoy Anderson of Grove City has passed away. Mr. Anderson was a Member of this House serving during the Regular Sessions of 1923 and 1925 and the Special Session of 1926, the organizer and the first president of the Threshermen's and Farmers' Insurance Company, a former teacher in the public schools, and subsequently connected in an official capacity with the Department of Public Instruction. During the recent presidential campaign he was the Landon chairman of twenty-two Western counties.

Resolved, That the House of Representatives make a minute of the passing of this useful citizen and extends to Mrs. Anderson and the members of the family, its sincere sympathy in the loss they have sustained by the death of this husband and father.

Resolved, That a copy of this resolution be transmitted to Mrs. Anderson by the Chief Clerk of this House.

Mr. HERING offered a resolution which was filed with the Clerk under the Rules.

REPORTS FROM COMMITTEE

Miss BRANCATO, from the Committee on Cities, reported as amended, House Bill No. 1789, entitled:

An Act limiting the term of years of any agreement, contract or lease to which any city of the first class shall be a party, and making certain exceptions.

Mr. O'NEILL, from the Committee on State Boards, reported as committed, House Bill No. 1952, entitled:

An Act to amend section three of the act, approved the tenth day of June, one thousand nine hundred and thirty-one (P. L. 485), entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination, licensure, and registration of persons, and registration of corporations, engaging in the care, preparation, and disposition of the bodies of deceased persons; and providing penalties," providing for the qualification of additional persons as undertakers.

Mr. SCHUMACHER, from the Committee on Game, reported as amended, House Bill No. 1073, entitled:

An Act to amend section one thousand and one of the act, approved the twenty-fourth day of May, one thousand nine hundred and twenty-three, (P. L. 359), entitled "An act concerning game and other wild birds and wild animals; and amending revising, consolidating and changing the law relating thereto," as amended, providing for the payment by the Commonwealth of a bounty for each rattlesnake killed in the Commonwealth.

BILLS INTRODUCED AND REFERRED

By Mr. HARKINS. HOUSE BILL No. 2401.

An Act validating certain sheriffs' sales of real estate and the title to such real estate in the hands of purchasers, their heirs, grantees and assigns.

Referred to the Committee on Judiciary General.

By Mr. WAGNER. HOUSE BILL No. 2402.

An Act making an appropriation to the Flagship Niagara Commission.

Referred to the Committee on Appropriations.

SENATE MESSAGE

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 19, 1937.

Whereas, Withdrawal of the S. E. R. B. from the sponsorship of the State Sewing projects means the return of approximately nine thousand (9,000) women in the State of Pennsylvania alone to direct relief rolls financed by the Commonwealth, and

Whereas, The work relief plan for these women and their families has been definitely proven the cheaper plan, and withdrawal of same will react unfavorably on the communities who have received the pay-roll benefit of the plan, and the clothing provided to the needy of our own community has proven a wonderful asset, together with the restoration of human value, and juvenile delinquency has been decreased through the return of standard decency in homes, which was caused previously by inadequate relief grants, and

Whereas, Luzerne County is faced with the dismissal of five hundred fifty (550) families involving two thousand two hundred (2,200) persons from the sewing project who are at the present time receiving grants from the sewing projects. The closing of these projects at the present time would cause the possibility of increasing relief rolls supported by the State and cause these families to again become discouraged and victims of undernourishment caused by the present inadequate relief grants. It is certain that the State of Pennsylvania can save money by the continuance of the sponsorship of these projects by the S. E. R. B. and

Whereas, Luzerne County would save the sum of five thousand sixty-nine ($5,069.00) dollars monthly by the contribution of the material cost of these projects. The county has benefited greatly, the business men have benefited and the Commonwealth has benefited by the process of a "work" of gainful quality instead of "relief" and its demoralizing effect, therefore be it

Resolved (if the House of Representatives concur), That the General Assembly direct the Bureau of Assistance of the Department of Welfare to prevent the cessation of these swing projects and that the State Relief Director be instructed to continue the sponsorship of these projects and retain former relief families in gainful employment with a minimum of State Relief expenditure.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

The SPEAKER. The resolution is referred to the Committee on Welfare.

BILL ON THIRD READING

Mr. HERBERT B. COHEN asked and obtained unanimous consent to call up out of order House Bill No. 1222, Printer's No. 1027, on page 30 of today's calendar, bill on final passage.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1222, as follows:

An Act to amend section three of the act approved the third day of May one thousand eight hundred fifty (Pamphlet Laws six hundred fifty-four) entitled "An act providing for the election of district attorneys" by changing the power of appointment in cases of vacancies in the office of district attorney in counties of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the third day of May one thousand eight hundred fifty (Pamphlet Laws six hundred fifty-four) entitled "An act providing for the election of district attorneys" is hereby amended to read as follows

Section 3 All elections of district attorneys shall be contested and decided in the same manner as is now provided by law for contesting the election of county officers and if in any county of the first class any vacancy shall occur either by death resignation removal from office or from the county or otherwise [the judges of the Court of Common Pleas] the Governor of the Commonwealth by and with the advice and consent of the Senate shall supply such vacancy by the appointment of a competent person to fill the office until the next general election Provided Such vacancy happens thirty days before if not then until the next general election thereafter and until a successor is duly elected and qualified

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

RECONSIDERATION OF VOTE

Mr. HERBERT B. COHEN. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

Mr. HOLMES. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from York vote on the final passage of this bill?

Mr. HERBERT B. COHEN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia vote on the final passage of this bill?

Mr. HOLMES. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House agree to the bill on third reading?

Mr. HERBERT B. COHEN. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 6 by striking out after the word "if" and before the word "any" the following: "[in any county of the first class]"

Amend section 1, page 2, line 8 by striking out the light-faced bracket before the word "the".

Amend section 1, page 2, line 9 by striking out at the end of the line the following: "[ ] the Governor of the Commonwealth by and with the"

Amend section 1, page 2, line 10 by striking out at the beginning of the line the following: "[advice and consent of the Senate]"

Amend section 1, page 2, line 12 by inserting after the word "election" and before the word "Provided" the following: "except that in counties of the first class the Governor by and with the advice and consent of the Senate shall apoint a competent person to fill the office until the next general election"

Amend section 1, page 2, line 12 by striking out after the word "Provided" and before the word "vacancy' the word: "[Such]" and inserting in lieu thereof the following: "in either event that such"

Amend section 1, page 2, line 13 by inserting after the word "before" and before the word "if" the following: "the next general election and"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

BILL ON THIRD READING

Mr. HERBERT B. COHEN asked and obtained unanimous consent to call up out of order House Bill No. 2242, Printer's No. 962, on page 32 of today's calendar, bill on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2242, entitled:

An act to amend section six of the act approved the twenty-first day of May one thousand nine hundred thirty-one (Pamphlet Laws 149) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by making further provision regarding the discount allowed to distributors if reports are filed and taxes paid on time.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—199

Achterman,	Ganser,	McFall,	Shugarts,
Alexander,	Gerard,	McGee,	Siegel,
Allen,	Gillette,	McKinney,	Simon,
Arnold,	Gorski,	McShane,	Skale,
Atkins,	Habbyshaw,	Melchiorre,	Sloan,
Aukerman,	Haberlen,	Mellott,	Smith, James A.,
Baine,	Hagerty,	Merrell,	Smith, John A.,
Baker, F. T.,	Hall,	Mihm,	Snyder,
Baker, J. J.,	Hamilton, F. P.,	Moomaw,	Sollenberger,
Balthaser,	Hamilton, R. S.,	Mooney,	Spengler,
Bierly,	Harkins,	Moran,	Sproul,
Blank,	Harmuth,	Muir,	Stackpole,
Bohn,	Hays,	Munley,	Stank,
Bois,	Hering,	Murrin,	Stewart,
Boltz,	Hess,	Nagel,	Stockham,
Boose,	Hetrick,	O'Brien,	Strode,
Boyer	Hindman,	O'Connor,	Terry,
Bradley	Hirsch,	O'Keefe,	Thomas,
Brancato,	Holland,	Ominsky,	Thompson,
Brigerman,	Holmes,	O'Neill,	Toole,
Broad,	Holstrom,	Ostroff,	Tronzo,
Brown,	Hontz,	Patterson, C. S.,	Trout,
Brownfield,	Horting,	Patterson, J. W.,	Tumelty,
Burrows,	Huntley,	Peale,	Turner,
Cadwalader,	Imbrie,	Pearson,	Valibus,
Caesar,	Jirolanio,	Perry,	VanAllsburg,
Caputo,	Kane,	Pershing,	Vogt,
Coakley,	Keenan,	Piole,	Wagner,
Cohen, H. B.,	Kelso,	Powers,	Wall,
Cohen, R. E.,	Kilroy,	Preston,	Walsh,
Coleman,	Kline,	Readinger,	Wampole,
Coolahan,	Kroll,	Reese,	Watkins,
Corrigan,	LaRue,	Reising,	Webster,
Costanzo,	Leisey,	Richter,	Weidemann,
Davies,	Levy,	Robinson,	Weiss, D. H.,
Decker,	Lewis,	Rothenberger,	Weiss, S. A.,
DeNote,	Long,	Royer,	Welliver,
Dickinson,	Longaker,	Ruffennach,	Welsh,
Donohoe,	Lopresti,	Rush,	Whalen,
Dougherty,	Lovett,	Sarraf,	Whitenight,
Downey,	Lyons,	Scanlon,	Wilson,
Dubbs,	Mallen,	Scholl,	Wood,
Dyson,	Marino,	Schrock,	Woodside,
Eckels,	Matthews, H. T.	Schrope,	Wright,
Elpern,	Matthews, J. F.	Schumacher,	Yanoshat,
Falkenstein,	McArdle,	Serrill,	Yeakel,
Fiss,	McCullough,	Shaw,	Yourishin,
Fitch,	McDermott,	Shea,	Zappala,
Flanagan,	McDevitt,	Shepard,	Furman,
Flannery,	McElroy,	Shoemaker,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

ANNOUNCEMENTS

Committee meetings for tomorrow:

Corporations at 11:30 a. m. in Room 245.

Forestry at 11:30 a. m. in Room 100.
Judiciary General at 11:30 a. m. in Room 325.
Mines and Mining at 11:30 a. m. in Room 521.

The meeting schedules for the Committee on State Boards for this afternoon has been postponed until tomorrow at 11:00 a. m.

ADJOURNMENT

Mr. LEVY. Mr. Speaker, I move that this House do now adjourn until tomorrow at 12:00 o'clock noon.

The motion was agreed to and (at 6:12 p. m.) the House adjourned until Friday, May 21, 1937.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1937. 132d of the General Assembly.

Vol. 21. HARRISBURG, PA., FRIDAY, MAY 21, 1937. No. 63.

SENATE

FRIDAY, MAY 21, 1937.

The Senate met at 12 o'clock noon.

The PRESIDENT PRO TEMPORE (Mr. Harvey Huffman) in the Chair.

PRAYER

The Rev. GEORGE WALKER BUCKNER, L.L.D., offered the following prayer.

Our Father, who art in Heaven, hallowed be Thy name; Thy Kingdom come, Thy will be done, on earth as it is in Heaven.

To this end, our Father, give us this day our bread of life, that we may be strong in Thee for the tasks before us.

We thank Thee for the good will and the mutual respect which prevails in this body, and for the manifest desire to serve.

We find ourselves in the valley of decision. The hourglass of time is running its course. May we use the fleeting moments as Thy precious gifts.

As we seek the kingdom of God and its righteousness, give us wisdom to discern the oneness of Thy purpose with the objectives of good men.

May Thy favor rest upon us and Thy spirit direct the labors of this day. Amen.

JOURNAL APPROVED

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. LANIUS, the further reading was dispensed with, and the Journal was approved.

PETITIONS AND REMONSTRANCES

The Chair cleared its table and laid before the Senate the following communications:

URGING THE PASSAGE OF SENATE BILL 343 ALLOWING DELICATESSENS TO SELL BOTTLE BEER

A telegram from R. F. Kirchner, Secretary, Brewery Workers Local Union 115, Scranton and No. 241, Carbondale, Pennsylvania, urging the passage of Senate Bill No. 343 allowing delicatessens to sell bottle beer.

Referred to the Committee on State Boards.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, the Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILLS NOS. 22, 568, AND 607

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 22, Printer's No. 543, entitled "An Act to amend section one of and to add sections two and three to the act approved the nineteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand three hundred forty-eight) entitled 'An act creating a commission to compile edit publish and distribute pamphlets descriptive of scenic and historic interest and making an appropriation' creating said commission as a departmental administrative commission in the Department of Highways amplifying the powers of said commission to include the industrial educational and agricultural interest and other facilities advantages and attractions of the Commonwealth to provide for programs of information advertising and publicity to coordinate advertising activities and to provide for exhibits at fairs expositions and celebrations."

Senate Bill No. 568, Printer's No. 168, entitled "An Act to amend sections one two three and section nine as amended of the act approved the twenty-eighth day of June one thousand nine hundred and twenty-three (Pamphlet Laws 883) entitled 'An act to safeguard human life and health throughout the Commonwealth by providing for the reporting quarantining and control of diseases declared communicable by this act or by regulation of the Department of Health providing for the prevention of infection therefrom and prescribing penalties' by eliminating list of communicable diseases and giving authority to the Department of Health to declare by regulation what diseases are communicable or communicable and quarantinable shortening reports required of physicians in such cases clarifying the duration of placarding and empowering the Department of Health to obtain additional information from local health authorities."

Senate Bill No. 607, Printer's No. 175, entitled "An Act providing for the fixing of the salaries and compensation of officers clerks stenographers and employes appointed by judges of the courts of this Commonwealth in counties of the second class where salary boards exist by law."

GEORGE H. EARLE

APPROVAL OF SENATE BILLS NOS. 311, 404, 677 AND 806

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 311, Printer's No. 114, entitled "An Act authorizing the recording and copying of documents plats papers and instruments of writing by photostatic photographic or other mechanical process and relating to the effect and use of such copies and records.

Senate Bill No. 404, Printer's No. 102, entitled "An Act to amend section one of the act approved the eleventh day of June one thousand nine hundred and thirty-five (Pamphlet Laws 336) entitled 'An act authorizing courts to stay legal proceedings except in certain cases against banks bank and trust companies and trust companies where any such corporation has guaranteed or otherwise obligated itself to pay in cash the amount or value of trust or other funds placed with it for investment and the same have been invested in mortgages or participations in mortgages or in pools or funds of mortgages and suspending the operation of the Statute of Limitations and inconsistent acts of Assembly' extending said act a further period of two years."

Senate Bill No. 677, Printer's No. 238, entitled "An Act to amend section two thousand seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 1206) entitled 'An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' providing that townships of the first class shall have the power to develop their own water supply."

Senate Bill No. 806, Printer's No. 251, entitled "An Act To amend section one of the act approved the eleventh day of June one thousand eight hundred and seventy-nine (Pamphlet Laws 147) entitled 'An act fixing the compensation of persons called to serve as coroner's jurors in this Commonwealth' increasing the compensation of coroner's jurors"

GEORGE H. EARLE.

APPROVAL OF SENATE BILL NO. 373

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed Senate Bill No. 373, Printer's No. 586, entitled "An Act To amend the title and sections three four six seven eight nine ten eleven fourteen and eighteen of the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred sixty-three) entitled 'An act providing for a limited period of time for the incorporation as bodies corporate and politic of "Authorities" for municipalities defining the same prescribing the rights powers and duties of such Authorities authorizing such Authorities to acquire construct improve maintain and operate projects and to borrow money and issue bonds therefor providing for the payment of such bonds and prescribing the rights of the holders thereof conferring the right of eminent domain on such Authorities authorizing such Authorities to enter into the contracts with and to accept grants from the Federal Government or any agency thereof and for other purposes' by removing the date by which projects must be commenced extending the powers therein granted providing for additional projects and removing certain restrictions against construction of projects extending the life of Authorities providing for the creation of Authorities by joint or single action of municipalities counties and townships providing for the audit of accounts of authorities regulating contracts by authorities regulating the number and terms of members of the governing boards of Authorities authorizing the Commonwealth and the political subdivision thereof to transfer certain contracts to the Authorities authorizing Authorities to accept and acquire certain contracts and limiting the powers of receivers appointed therefor".

GEORGE H. EARLE.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 756

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 756, Printer's No. 422, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

APPROVAL OF RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 429

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 429, Printer's No. 166, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 21, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

BEAVER COUNTY

Mrs. Helen A. Marshall, Beaver.

DELAWARE COUNTY

Richard J. Clark, Upper Darby, Haverford Twp.

MONTGOMERY COUNTY

R. R. Knapp, Norristown.

PHILADELPHIA COUNTY

Miss Charlotte J. Herder, Bankers Securities Bldg., Phila.

WESTMORELAND COUNTY

Joseph A. Ganoe, New Kensington.

GEORGE H. EARLE.

HOUSE MESSAGE

RESOLUTION REQUESTING LEGISLATIVE REFERENCE BUREAU TO PRINT EXTRA COPIES OF THE SECOND CLASS TOWNSHIP LAW

The Clerk of the House of Representatives being intro-

duced, presented extract from the Journal of the House of Representatives which was twice read as follows:

House of Representatives, May 20, 1937.

Resolved, (if the Senate concur), That the Legislative Reference Bureau is hereby directed to have printed, as a legislative document, three thousand copies of the second class township law of May 1, one thousand nine hundred thirty-three, Pamphlet Laws one hundred three, with all amendments thereto up to and including the regular session of one thousand nine hundred thirty-seven, to be distributed as follows: five hundred copies for the use of the Senate, one thousand copies for the use of the House of Representatives, three hundred copies for the use of the Legislative Reference Bureau, and the remaining copies to be distributed and sold by the Division of Documents of the Department of Property and Supples in the manner provided by law. The cost of such printing shall be paid out of the item of appropriation set aside and budgeted for legislative printing.

Mr. RICE. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEES

Mr. REED, from the Committee on Constitutional Changes, reported as committed, Senate Bill No. 1370, entitled:

A Joint Resolution proposing an amendment to section one, Article eighteen of the Constitution of the Commonwealth of Pennsylvania.

Mr. CAVALCANTE, from the Committee on Appropriations, reported as committed, Senate Bill No. 1385 (House Bill No. 1146), entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yeoman (female) and nurses who were killed in action or died during the World War and conferring certain duties upon the State Veterans' Commission.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1383 (House Bill No. 1136), entitled:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap and imposing certain duties upon the State Military Reservation Commission and the Department of Property and Supplies.

Also from the Committee on Municipal Government, reported as committed, or, Senate Bill No. 978 (House Bill No. 1619), entitled:

An Act to amend sections one thousand one and one thousand seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as amended further regulating the annual budgets of such townships

Also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 596, (House Bill No. 1095), entitled:

An Act empowering municipalities to refund improvement bonds based solely on assessments for grading streets and sewer improvement and imposing no municipal liability by a new issue of bonds.

Also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 664, (House Bill No. 1085), entitled:

An Act to amend the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," changing the manner of creation of townships of the second class.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 500, (House Bill No. 854), entitled:

An Act simplifying the procedure for the construction and financing of public works projects by municipalities; enabling municipalities to make and perform contracts with Federal agencies, relating to the construction and financing of such projects; and conferring additional powers upon municipalities.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 962, (House Bill No. 33), entitled:

An Act to amend clause (b) of section two thousand one hundred and twenty of the act, approved the fourth day of May, one thousand nine hundred and twenty-seven (P. L. 519), entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," as amended, providing for compensation for members of joint sewer boards.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 317, (House Bill No. 30), entitled:

An Act to amend clause (b) of section one thousand five hundred and forty of the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," as amended, providing for compensation for members of joint sewer boards.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 318, (House Bill No. 31), entitled:

An Act to amend clause (b) of section two thousand four hundred and forty of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class, amending, revising, consolidating and changing the law relating thereto," as amended, providing for compensation for members of joint sewer boards.

Mr. MALLERY, from the Committee on Municipal Government, reported as amended, Senate Bill No. 922, (House Bill No. 918), entitled:

An Act to amend section five hundred forty-seven as amended and sections eight hundred two and nine hundred two of and to add section nine hundred two A to

the act approved the first day of May, one thousand nine hundred and thirty-three (Pamphlet Laws one hundred three) entitled, "An act concerning townships of the second class and amending, revising, consolidating, and changing the law relating thereto," providing for and regulating the method of making appropriations, expenditures, contracts, employments and purchases by the townships relating to the preparation of the annual budget on a uniform form prepared by representatives of the township supervisors, the Department of Highways and the Department of Internal Affairs, providing for public notice of the preparation of such budget relating to the filing of such budget with the Department of Internal Affairs, requiring the auditors to file an annual financial report with said department, conferring, jurisdiction of certain cases upon justices of the peace and providing penalties.

Mr. OWLETT, from the Committee on Judiciary General reported as committed, Senate Bill No. 1359, (House Bill No. 1787), entitled:

An Act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at Law and in Equity in certain Courts of this Commonwealth to prescribe rules and regulations for the conduct of any general business either civil or criminal by Judges of any Court of Record authorizing the Courts of Common Pleas to prescribe and adopt local rules not inconsistent with such general rules of the Supreme Court of Pennsylvania authorizing the Supreme Court of Pennsylvania to appoint a Procedural Rules Committee and to fix and define its powers and duties imposing duties on Judges and other officers of every Court of Record

Mr. SONES, from the Committee on Appropriations reported as committed, Senate Bill No. 1386, (House Bill No. 1152), entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in county and poor district hospitals.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1384, (House Bill No. 1138), entitled:

An Act making an appropriation to aid certain school districts.

Mr. GILSON, from the Committee on Judiciary General reported as committed, Senate Bill No. 1331, (House Bill No. 1305), entitled:

An Act to amend section twenty-nine of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effort of judicial sales of the properties liened; the distribution of the proceeds of such sales and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by providing that under certain circumstances a municipality may purchase for the sheriff's costs subject to the lien of taxes and municipal claims property sold to satisfy a judgment on a tax or municipal claim, and providing for the management and disposition of said property after said sale.

Mr. SHAPIRO, from the Committee on City Government reported as amended, Senate Bill No. 1367, (House Bill No. 1650), entitled:

An Act creating in Counties of the first class the position of Bail Approval Commissioner, prescribing the powers and duties thereof, limiting jurisdiction to cases in which real property is offered as bail and conferring and imposing such powers and duties upon the controllers of Counties of the first class, providing for the appointment by such Bail Approval Commissioner certain necessary clerks and employes and prescribing the duties and compensation thereof, imposing duties on Judges or officers of any of the Courts of Counties of the First Class and upon magistrates in Counties of the first class and requiring all departments of counties and cities of the first class to supply certain information prescribing offenses and providing penalties therefor.

Also, from the Committee on Judiciary General reported as committed, Senate Bill No. 1387, (House Bill No. 1330), entitled:

An Act relating to magistrates and magistrates' courts in the City of Philadelphia, imposing certain duties upon and prohibiting certain practices by magistrates, imposing certain duties on the City Controller in regard thereto, authorizing the employment by him of additional clerks and fixing their compensation, regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the County of Philadelphia, conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the Courts of Common Pleas of the County of Philadelphia, providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act, providing penalties for violations of the provisions thereof and repealing certain prior acts.

Mr. EROE, from the Committee on County Government reported as committed, Senate Bill No. 1200, (House Bill No. 1693), entitled:

An Act authorizing townships of the second class to adopt and enforce zoning ordinances, regulating the location, construction and use of buildings the size of courts and open spaces the density of population and the use of land.

Mr. KILGALLEN, from the Committee on Municipal Government reported as committeed, Senate Bill No. 395, (House Bill No. 697), entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administrators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective warrants or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act

Also, from the Committee on Municipal Government reported as committed, Senate Bill No. 499, (House Bill No. 853), entitled:

An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by counties, cities, boroughs, towns, townships, school districts, poor districts and other incorporated districts of this Commonwealth, for public works projects.

Also, from the Committee on Municipal Government, reported as committed, Senate Bill No. 1097, (House Bill No. 1462), entitled:

An Act providing for and extending the time during which taxes on seated lands for the tax year one thousand nine hundred and thirty-four and previous years shall be liens, and during which the county treasurer shall have the right to sell the lands on which such taxes are liens for the payment of such taxes; reviving such liens and restoring the treasurer's right to sell such lands in certain cases; and saving the rights of intervening purchasers, mortgagees, lien holders, and other encumbrance holders.

Also, from the Committee on Municipal Government, re-reported as amended, Senate Bill No. 713, (House Bill No. 904), entitled:

An Act relating to peace officers providing for the the qualifications and appointments of deputy sheriffs regulating the manner of their selection and compensation regulating the source of compensation for other peace officers declaring void certain contracts inconsistent with the provisions hereof providing penalties and repealing inconsistent acts

Mr. STIEFEL, from the Committee on Judiciary General reported as committed, Senate Bill No. 1265, entitled:

An Act to amend clause (c) of section fifty-eight of the act approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates, including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions, debts of decedents, rents of real estate as assets for payment thereof the lien thereof, sales and mortgages of real estate for the payment threof, judgments, and executions therefor and the discharge of real estate for the lien thereof, contracts of decedents for the sale or purchase of real estate legacies, including legacies, charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings, devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries, investments by fiduciaries, the organization of corporation to carry on the business of decedent the audit and review of accounts of fiduciaries, refunding bonds, transcripts, to the Court of Common Pleas of balances due by fiduciaries the rights, powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights, powers, duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents", as amended, permitting the assignment transfer payment and delivery to a foreign appointed executor, administrator trustee guardian committee or other fiduciary of any moneys and property within this Commonwealth by any debtor bailee custodian agent attorney pledgee trustee fiduciary or other individual association partnership or corporation a resident thereof owing the same to or holding the same in the name or for the account of a decedent minor legal incompetent or cestui que trust a nonresident of Pennsylvania.

Also, from the Committee on Judiciary General reported as committed, Senate Bill No. 1266, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen and to make uniform the law with reference thereto.

Also, from the Committee on City Government, reported as committed, Senate Bill No. 1358, entitled:

An Act to amend section six of the act approved the thirty-first day of March, one thousand eight hundred and seventy-six (Pamphlet Laws thirteen) entitled "An act to carry into effect section five, of article fourteen, of the constitution, relative to the salaries of county officers and the payment of fees received by them into the state or county treasury, in counties containing over one hundred and fifty thousand inhabitaints;" by providing that in counties of the first class, salaries of respective county officers shall not exceed the amount fixed by the tax levying body of such county for such offices.

Mr. RICE, from the Committee on Appropriations reported as committed, Senate Bill No. 1395, (House Bill No. 2264), entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1393, (House Bill No. 2263), entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1376, (House Bill No. 349), entitled:

An Act making an appropriation to the Sleighton Farm School for Girls; situate in Delaware County, Pennsylvania.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1373, (House Bill No. 278), entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1382, (House Bill No. 1132), entitled:

An Act making appropriations for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1396, (House Bill No. 2117), entitled:

An Act making an appropriation to the Treasury Department for the refund of transfer inheritance and estate taxes erroneously collected or overpaid into the State Treasury.

Also, from the Committee on Appropriations, reported as committed, Senate Bill No. 1388, (House Bill No. 1346), entitled:

An Act making an appropriation to the Treasury Department for the payment of certain claims against the Commonwealth.

Also, from the Committee on Appropriations, re-reported as committed, Senate Bill No. 432, entitled:

An Act authorizing and directing the Department of Highways to erect and construct a bridge over the Susquehanna River between a point on State Street in the City of Harrisburg to a point in Cumberland County and to provide the necessary approaches and connections with State highways, providing for the acceptance of Federal aid, empowering counties to pay certain damages, providfor the collection of tolls on such bridge and making an appropriation.

Mr. PYTKO, from the Committee on City Government, reported as committed, Senate Bill No. 1235, entitled:

An Act providing for the creation division and consolidation of wards in cities of the first class and defining procedure therefor.

Mr. KUNKEL, from the Committee on Appropriations, re-reported as amended, Senate Bill No. 1357, entitled:

A Joint Resolution creating a commission to study the practice of chiropractic; defining the powers and duties of said commission; providing for the temporary licensing of chiropractors; and making an appropriation.

Mr. CAVALCANTE, from the Committee on Municipal Government, re-reported as amended, Senate Bill No. 566, entitled:

An Act relating to and establishing a system in counties of the second, third, fourth, fifth, sixth, seventh and eighth classes for the collection of taxes in counties, boroughs, towns, townships school and poor district with certain exceptions, through the county treasurers as county tax collectors and city tax collectors in cities of the second class A and third class, defining the rights, powers and duties of such taxing units, regulating the date of making and certifying tax levies, abolishing the office of county, borough, town, township, school and poor district tax collectors, except county treasurers and certain tax collectors in cities upon the expiration of existing terms and in cases of vacancies imposing certain duties upon the Department of Internal Affairs, defining certain criminal offenses, imposing penalties and creating liens and repealing existing laws.

BILL INTRODUCED

Mr. HALUSKA, at the request of Mr. Mundy read in his place and presented to the Chair Senate Bill No. 1403, entitled:

An Act to amend the act approved the seventh day of June, one thousand nine hundred and fifteen, (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics, as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, of practitioners of medicine and surgery, of midwives, nurses, and undertakers, and of all persons whose occupations is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act;" byadding thereto section 18.1; providing that the Department of Health shall maintain a special file for the records of births of veterans of the World War, and making an appropriation.

Which was committed to the Committee on Welfare.

RESOLUTIONS

RESOLUTION ASKING PROPER AUTHORITIES FOR USE OF AN APPROPRIATE NUMBER OF MEN EMPLOYED IN C C C TO AID IN DEVELOPMENT OF FLOOD CONTROL PROGRAM (Unanimous Consent?)

Mr. MALLERY offered the following resolution which was twice read considered and agreed to:

In the Senate, May 21, 1937.

Whereas, In many areas flood conditions are aggravated by reason of the collection of sediment on the beds of stream channels, and

Whereas, The cleaning of stream channels would aid materially in many communities in lessening flood hazards, therefore be it

Resolved, That the Secretary of Forests and Waters be directed to intercede with the President of the United States and the proper authorities in charge of the Civilian Conservation Corps to authorize the use in this Commonwealth of an appropriate number of men employed in said corps, in the work of cleaning stream channels and thus aid in the development of the flood control program of the Commonwealth.

Resolved, That a copy of this resolution be transmitted to the Secretary of Forests and Waters by the Chief Clerk of the Senate.

RESOLUTION AUTHORIZING BOROUGHS TO PROVIDE FOR PAYMENT OF OUTSTANDING BONDS AND TO INCREASE BONDED INDEBTEDNESS THEREFOR

Mr. RODGERS offered the following resolution which was twice read, considered and agreed to.

In the Senate, May 21, 1937.

Resolved (if the House of Representatives concur), that Senate Bill No. 104, Printer's No. 264, entitled "An act authorizing boroughs that have relying on invalid bond issues authorized by the electors entered into contracts whereby indebtedness exceeding the constitutional limitation has been incurred and where such contracts have been wholly or partially performed to provide for the payment of the reasonable value of such performance to contract for completion and to increase their indebtedness therefor and validating ordinances agreements increases of indebtedness and bonds heretofore adopted entered into issued or to be issued to accomplish such purposes," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

BILL RE-REFERRED

The PRESIDENT. Senate Bill No. 1380 (House Bill No. 906) was inadvertently referred to the Committee on State Boards. This is now corrected withdrawing it from State Boards, and the Chair now refers it to the Committee on Appropriations. It is an appropriation bill.

REQUEST FOR CALL OF THE SENATE

Mr. HALUSKA. Mr. President, I desire to make a statement; yesterday or Friday, I remarked that this week the members of this Senate who would leave without leave of absence I would ask a call of the House. I see no reason for a small group of us to be here until Friday evening and try to pass upon important Legislation with a handful of members and I shall carry out my

threat. Therefore, Mr. President I ask for a call of the Senate.

The PRESIDENT. The Chair desires that all the people except members shall leave the floor. We cannot do business in this manner having all kinds of people running in on the floor.

The Chair, in fairness to the Senate, because the motion was anticipated by sending for the Senators who are here in the building, the Chair wishes the Senator from Cambria would delay action on the motion until the Senators have had time to come in. Is that alright with the Senator from Cambria?

The Chair requests the Sergeant-at-Arms to send for the Senators who were in the building before the motion was made, and in fairness to the Senators who are out, perhaps on proper business, they should be allowed to come in.

Mr. HALUSKA. Mr. President, I will recede temporarily from that motion, awaiting to see the number of Senators who might be present in the next fifteen minutes. Therefore, Mr. President, I move that the Senate take a recess for fifteen minutes.

The PRESIDENT. The Senate must proceed with the work, if the Senator from Cambria will withdraw his motion for a recess. We have a quorum on the floor; nevertheless, the Chair requests the Sergeant-at-Arms to bring the Senators in.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 213, as follows:

An Act to amend section eighteen of this act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" requiring local ordinances to conform to this act and the regulations made thereunder so far as relates to the production and handling of "milk for pasteurization" upon "dairy farms"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eighteen of the act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" is hereby amended to read as follows

Section 18 The provisions of this act and the regulations made thereunder shall not be taken nor deemed to repeal existing municipal ordinances [except in so far as they may establish requirements and regulations in excess of those provided by this act and the regulations made thereunder] nor to prevent municipalities from enacting and enforcing new ordinances for the [further] further protection of the public health [consistent with this act and the regulations made thereunder] other than those regulating the production and handling of "milk for pasteurization" upon any "dairy farm" [Provided That this] This act shall be considered as establishing uniform requirements and regulations [Throughout the State] for the production and handling of "milk for pasteurization" upon any "dairy farm" and no person shall establish nor enforce any requirements for the production and handling of "milk for pasteurization upon any "dairy farm" producing "milk for pasteurization" for sale within this Commonwealth other than those provided by this act and regulations made thereunder [and] but nothing herein contained shall be deemed to prevent municipalities from ordaining and enforcing such [additional] additional requirements except as herein otherwise provided in excess of the requirements and regulations hereunder as may be deemed necessary from time to time for the preservation of public health and to require applications from and to issue permits to such persons as may be defined by local ordinances

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS—1

Mallery.

NAYS—35

Cavalcante,	Gilson,	Kilgallen,	Rice,
Chapman,	Haluska,	Kunkel,	Rodgers.
Dando,	Henney,	Lanius,	Scarlett,
Deitrick,	Heyburn,	Law,	Sipe,
Dent,	Homsher,	McCreesh,	Sones,
Ealy,	Howell,	McGinnis,	Stiefel,
Eroe,	Jacobs,	Owlett,	Wolfenden,
Frey,	Jaspan,	Pierson,	Huffman,
Gelder,	Kahle,	Reed,	Pres. Pro Tem.

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 811, as follows:

An Act permitting boroughs and townships of the first class engaged in the construction of sewers and sewer systems to change under certain conditions the locations of the sewers and sewer system by amending ordinances and providing that abutting property owners shall be liable in such cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever any borough or township of the first class heretofore has by ordinance authorized the construction of sewers or a sewer system along certain designated streets alleys lanes roads or avenues and in along or over private property in said borough or township of the first class in accordance with certain designated plans and specifications as described in said ordinance and has provided that certain of the costs and expenses of the construction of said sewers and sewer system shall be assessed against the abutting property owners and has further entered into contracts for the construction of such sewers or sewer system and after the work has been commenced it appears desirable to make changes in the location of the sewers by placing said sewers or some of them on streets alleys lanes roads avenues or private property in any such borough or township other than as designated in any such ordinance or in such plans and specifications or as called for in any contract or contracts heretofore executed by the said borough or twnship any such borough or township upon obtaining the assent of the contractor or contractors to whom or which the contract or contracts for the construction of said sewers or sewer system have been awarded and his its or their sureties bondsmen bonding

companies and insurance companies and the assent of the Sanitary Water Board of the Commonwealth of Pennsylvania may by an amending ordinance or ordinances change the location of the sewers and sewer system by eliminating certain of said sewer lines or by adding additional sewer lines or both and the property owners abutting upon the streets alleys lanes roads and avenues in upon or over which the sewers and sewer system are located by the original ordinance as thus amended shall be subject to assessment for the costs and expenses of such sewers and sewer system in the manner and to the extent as provided in any such original ordinance Provided That the cost of the construction of the sewers or sewer system to the borough or township or to the abutting property owners shall not be increased above the amount or amounts specified in the existing contract or contracts therefor

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows:

YEAS 36

Barthold,	Gilson,	Kilgallen,	Reed,
Cavalcante,	Haluska,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Scarlett,
Dent,	Homsher,	Mallery,	Sipe,
Ealy,	Howell,	McCreesh,	Sones,
Eroe,	Jacobs,	McGinnis,	Stiefel,
Frey,	Jaspan,	Owlett,	Wolfenden,
Gelder,	Kahle,	Pierson,	Huffman, Pres. Pro Tem.

NAYS—1

Deitrick,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL OVER IN ORDER

Mr. LAW. Mr. President, I ask unanimous consent that Senate Bill No. 894, on concurrence in House amendments, entitled:

An Act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1044, as follows:

An Act authorizing Court of Common Pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs and exempting mortgages issued under the National Housing Act

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows:

Section 1 Definitions That when used in this act the following words and phrases shall have the meanings respectively ascribed to them by this section unless the context clearly requires a different meaning

"Writ of execution" shall mean any writ of fieri facias venditioni exponas levari facias or any other writ or form of execution for the sale of any dwelling and the land appurtenant thereto or any farm where such dwelling or farm shall be occupied by an owner thereof as his or her residence or any proceeding for the sale of real property as herein defined for failure to pay taxes

"Real property' 'shall mean any dwelling together with the land appurtenant thereto and any farm occupied by an owner of such dwelling or farm as a residence

Section 2 Every Court of Common Pleas of this Commonwealth shall have authority under the conditions hereinafter set forth to stay any writ of execution from time to time and for such periods as the court in its discretion may deem proper Such stays shall be allowed only upon application of an owner lienholder or any other person in interest and unless the plaintiff consent thereto only upon the applicant's showing to the court such facts as the court may deem sufficient to warrant such relief In granting any such stay or continuance the court may impose such condition as it deems proper as to payment of costs taxes accruing interest repairs advertising and notice of sale insurance and any other pertinent matters

Section 3 In exercising the powers conferred by this act a court shall have the discretion of a chancellor sitting in equity It shall be a sufficient reason for the grant of a stay hereunder that immediate execution sale against the real property would work serious inequity

Section 4 The stay of any execution under this act shall continue the return day of the writ of execution to the first regular return day for such writs which shall occur after a sale held under such writ In the meantime the writ shall remain in full force and effect and sale may be made thereunder without the issuance of an alias or any other writ

Section 5 The powers herein conferred on Courts of Common Pleas shall be in addition to all powers and possessed by such courts to stay and otherwise control writs of execution against real property as herein defined

Section 6 This act shall become effective immediately upon final passage by the Legislature and approval by the Governor and shall continue in force only until the thirty-first day of March one thousand nine hundred thirty-nine Provided That the provisions of this act shall not apply to the foreclosure of mortgages insured under Title II of an Act of Congress of the United States entitled the "National Housing Act" approved the twenty-seventh day of June one thousand nine hundred thirty-four or to the foreclosure of mortgages issued to and or held by any corporation organized and existing under the laws of the United States of America if at the time of such foreclosure the United States of America owns a majority of the capital stock of such corporation

Section 7 All acts and parts of acts inconsistent herewith are suspended while this act is in effect

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Gelder,	Kilgallen,	Reed,
Cavalcante,	Gilson,	Kunkel,	Rice,
Chapman,	Haluska,	Lanius,	Rodgers,

Dando,	Henney,	Law,	Scarlett,
Deitrick,	Heyburn,	Mallery,	Sipe,
Dent,	Homsher,	McCreesh,	Sones,
DiSilvestro,	Howell,	McGinnis,	Stiefel,
Ealy,	Jacobs,	Cwlett,	Wolfenden,
Eroe,	Jaspan,	Pierson,	Huffman,
Frey,	Kahle,	Pytko,	Pres. Pro Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 6, as follows:

An Act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows Section 1 This act shall be known and may be cited as the "Labor Anti-Injunction Act"

Section 2 In the interpretation of this act and in determining the jurisdiction and authority of the courts of this Commonwealth as such jurisdiction and authority are defined and limited in this act the public policy of this Commonwealth is hereby declared as follows:

(a) Under prevailing economic conditions developed with the aid of governmental authority for owners of property to organize in the corporate and other forms of ownership association the individual unorganized worker is commonly helpless to exercise actual liberty of contract and to protect his freedom of labor and thereby to obtain acceptable terms and conditions of employment wherefore though he should be free to decline to associate with his fellows it is necessary that he have full freedom of association self-organization and designation of representatives of his own choosing to negotiate the terms and conditions of his employment and that he shall be free from the interference restraint or coercion of employers of labor or their agents in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection

(b) Equity procedure that permits a complaining party to obtain sweeping injunctive relief that is not preceded by or conditioned upon notice to and hearing of the responding party or parties or that permits sweeping injunctions to issue after hearing based upon written affidavits alone and not wholly or in part upon examination confrontation and cross-examination of witnesses in open court is peculiarly subject to abuse in labor litigation for the reasons that

(1) The status quo cannot be maintained but is necessarily altered by the injunction

(2) Determination of issues of veracity and of probability of fact from affidavits of the opposing parties that are contradictory and under the circumstances untrustworthy rather than from oral examination in open court is subject to grave error

(3) Error in issuing the injunctive relief is usually irreparable to the opposing part and

(4) Delay incident to the normal course of appellate practice frequently makes ultimate correction of error in law ro in fact unavailing in the particular case

Section 3 When used in this act and for the purposes of this act

(a) A case shall be held to involve or to grow out of a labor dispute when the case involves persons who are engaged in a single industry trade craft or occupation or have direct or indirect interests therein or who are employes of the same employer or who are members of the same or an affiliated organization of employers or employes whether such dispute is (1) between one or more employers or associations of employers and one or more employes or associations of employes (2) between one or more employers or associations of employers or (3) between one or more employes or association of employes and one or more employes or association of employes or when the case involves any conflicting or competing interests in a "labor dispute" (as hereinafter defined) of "persons participating or interested" therein (as hereinafter defined)

(b) A person or association shall be held to be a person participating or interested in a labor dispute if relief is sought against him or it and if he or it is engaged in the same industry craft or occupation in which such dispute occurs or has a direct or indirect interest therein or is a member officer or agent of any association composed in whole or in part of employers or employes engaged in such industry trade craft or occupation

(c) The term "labor dispute" includes any controversy concerning terms or conditions of employment or concerning the association or representation of persons in negotiating fixing maintaining changing or seeking to arrange terms or conditions of employment or concerning employment relations or any other controversy arising out of the respective interests of employer and employe regardless of whether or not the disputants stand in the proximate relation of employer and employe and regardless of whether or not the employes are on strike with the employer

(d) The term "court" includes every Court of Common Pleas of the several counties of this Commonwealth including the judge or judges thereof

(e) The term "complainant" includes every person whether plaintiff or defendant in the cause who seeks affirmative relief

(f) The term "defendant" includes every person whether plaintiff or defendant in the cause against whom affirmative relief is sought

(g) The term "employer" is declared to include master and shall also include natural persons partnerships unincorporated associations joint-stock companies corporations for profit corporations not for profit receivers in equity and trustees or receivers in bankruptcy

(h) The term "employe" is declared to include all natural persons who perform services for other persons and shall not be limited to the employes of a particular employer and shall include any individual who has ceased work as a consequence of or in connection with any matter involved in a labor dispute

(i) The term "organization" shall mean every unincorporated or incorporated association of employer or employes

(j) The term "labor organization" shall mean every organization of employes not dominated or controlled by any employer or any employer organization having among its purposes that of collective bargaining as to terms and conditions of employment

(k) The term "employer organization" shall mean every association of or agency representing or maintained by employers having among its purposes or activities that of studying or advising concerning relations between employers and employes or bargaining negotiating or dealing with employes or labor organizations

Section 4 No court of this Commonwealth shall have jurisdiction to issue any restraining order or temporary or permanent injunction in a case included within this act except in strict conformity with the provisions of this act nor shall any such restraining order or temporary or permanent injunction be issued contrary to the public policy declared in this act Exclusive jurisdiction and power to hear and determine all actions and suits coming

under the provisions of this act shall be vested in the Courts of Common Pleas of the several counties of this Commonwealth

Section 5 Any undertaking or promise such as is described in this section or any other undertaking or promise in conflict with the public policy declared in section two of this act is hereby declared to be contrary to the public policy of this Commonwealth shall not be enforceable in any court of this Commonwealth and shall not afford any basis for the granting of legal or equitable relief by any such court against a party to such undertaking or promise or against any other persons who may advise urge or induce either party thereto to act in disregard of such undertaking or promise including specifically the following

Every undertaking or promise hereafter made whether written or oral express or implied constituting or contained in any contract or agreement of hiring or employment between any individual firm company association or corporation and any employe or prospective employe of the same whereby

(a) Either party to such contract or agreement undertakes or promises not to join become or remain a member of any labor organization or of any emplyoer organization or

(b) Either party to such contract or agreement undertakes or promises that he will withdraw from an employment relation in the event that he joins becomes or remains a member of any labor organization or of any employer organization

Section 6 No court of this Commonwealth shall have jurisdiction or power in any case involving or growing out of a labor dispute to issue any restraining order or temporary or permanent injunction which in specific or general terms restrains or prohibits any persons association or corporation from doing whether singly or in concert with others notwithstanding any promise undertaking contract or agreement to the contrary any of the following acts

(a) Ceasing or refusing to perform any work or to remain in any relation of employment

(b) Becoming or remaining a member of any labor organization or of any employer organization

(c) Paying or giving to or withholding from any person any strike or unemployment benefits or unemployment insurance or other moneys or things of value

(d) By all lawful means aiding any person who is being proceeded against in or is prosecuting any action or suit involving or arising out of a labor dispute in any court of the United States or of this Commonwealth or of any state

(e) Giving publicity to and obtaining or communicating information regarding the existence of or the facts or merits involved in any labor dispute whether by advertising speaking or picketing or patrolling any public street or place where any person or persons may lawfully be or by and other method not involving misrepresentation fraud duress violence breech of the peace or threat thereof

(f) Organizing themselves forming joining or assisting in labor organizations bargaining collectively with an employer by representatives freely chosen and controlled by themselves or for the purpose of collective bargaining or other mutual aid or protection or engaging in any concerted activities

(g) Persuading by any lawful means other persons to cease patronizing or contracting with or employing or leaving the employ of any person or persons

(h) Ceasing or refusing to work with any person or group of persons

(i) Ceasing or refusing to work on any goods materials machines or other commodities

(j) Assembling peaceably to do or to organize to do any of the acts heretofore specified or to promote their lawful interests

(k) Advising or notifying any person or persons of an intention to do or not to do any of the acts heretofore specified

(l) Agreeing with other persons to do or not to do any of the acts heretofore specified

(m) Advising urging or otherwise causing or inducing without misrepresentation fraud or violence others to do or not to do the acts heretofore specified and

(n) Doing in concert with others any or all of the acts heretofore specified Provided That the specific enumeration in this section of acts which may not be restrained or enjoined shall not be construed to authorize the injuction or restraint of any act or acts not heretofore enjoinable or restrainable

Section 7 No court of this Commonwealth shall have jurisdiction or power in any case involving or growing out of a labor dispute to issue a restraining order or temporary or permanent injunction

(a) Upon the ground that any of the persons participating or interested in the labor dispute constitute or are engaged in an unlawful combination or conspiracy because of the doing in concert of the acts enumerated in section six of this act or

(b) Forbidding any of the acts enumerated in section six upon the ground that illegal acts have been committed or threatened in the course of any labor dispute or that any ends sought to be accomplished by any party to the labor dispute are illegal

Section 8 No officer or member of any association or organization and no association or organization participating or interested in a labor dispute as herein defined shall be held responsible or liable in any civil action at law or suit in equity or in any criminal prosecution for the unlawful acts of individual officers members or agents except upon proof beyond a reasonable doubt in criminal cases and by the weight of evidence in other cases and without the aid of any presumptions of law or fact both of (a) the doing of such acts by persons who are officers members or agents of any such association or organization and (b) actual participation in or actual authorization of such acts or of ratification of such acts after actual knowledge thereof by such association or organization

Section 9 No court of this Commonwealth shall issue any restraining order or a temporary or permanent injunction in any case involving or growing out of a labor dispute except after hearing the testimony of witnesses in open court (with opportunity for cross-examination) in support of the allegations of a complaint made under oath and testimony in opposition thereto if offered and except after findings of fact by the court to the effect

(a) That unlawful acts have been threatened and will be committed unless restrained or have been committed and will be continued unless restrained but no temporary or permanent injunction or temporary restraining order shall be issued on account of any threat or unlawful act excepting against the person or persons association or organization making the threat or committing the unlawful act or actually authorizing or ratifying the same after actual knowledge thereof

(b) That substantial and irreparable injury to complainant's property will follow uness the relief requested is granted

(c) That as to each item of relief granted greater injury will be inflicted upon complainant by the denial of relief than will be inflicted upon defendants by granting of relief

(d) That no item of relief granted is relief which is prohibited under section six of this act

(e) That complainant has no adequate remedy at law and

(f) That the public officers charged with the duty to protect complainant's property are unable to furnish adequate protection

Such hearing shall be held only after a verified bill of complaint and a verified bill of particulars specifying in detail the time place and the nature of the acts complained of and the names of the persons alleged to have committed the same or participated therein have been served and after due and personal notice thereof has been given in such manner as the court shall direct to all known persons against whom relief is sought and also to the chief of those public officials of the county and city within which the unlawful acts have been threatened or committed charged with the duty to protect complainant's property The hearing shall consist of the taking of testimony in open court with opportunity for

cross-examination and testimony in opposition thereto if offered and no affidavits shall be received in support of any of the allegations of the complaint

Section 10 No temporary restraining order or temporary injunction shall be issued in any case involving or growing out of a labor dispute except on condition that complainant shall first file an undertaking with adequate security in an amount to be fixed by the court sufficient to recompense those enjoined for any loss expense or damage caused by the improvident or erroneous issuance of such order or injunction including all reasonable costs (together with a reasonable attorney's fee) and expense of defense against the order or against the granting of any injunctive relief sought in the same proceeding and subequently denied by the court

The undertaking herein mentioned shall be understood to signify an agreement entered into by the complainant and the surety upon which a decree may be rendered in the same suit or proceedings against said complainant and surety upon a hearing to assess damages of which hearing complainant and surety shall have reasonable notice the said complainant and surety submitting themselves to the jurisdiction of the court for that purpose But nothing herein contained shall deprive any party having a claim or cause of action under or upon such undertaking from electing to pursue his ordinary remedy by suit at law or in equity

Section 11 No restraining order or temporary or permanent injunctive relief shall be granted to any complainant in a case involving or growing out of a labor dispute who has failed to comply with any obligation imposed by law which is involved in the labor dispute in question or who has failed to make every reasonable effort to settle such dispute either by negotiation or with the aid of any available governmental machinery of mediation or voluntary arbitration or has violated the public policy as declared in section two

Section 12 No restraining order or temporary or permanent injunction shall be granted in a case involving or growing out of a labor dispute except on the basis of findings of fact made and filed by the court in the record of the case prior to the issuance of such restraining order or injunction and every restraining order or injunction granted in a case involving or growing out of a labor dispute shall include only a prohibition of such specific act or acts as may be expressly complained of in the bill of complaint or petition filed in such case and as shall be expressly included in said findings of fact made and filed by the court as provided herein and shall be binding only upon the parties to the suit their agents servants and employes who shall by personal service or otherwise have secured actual notice of the same

Section 13 No court of this Commonwealth shall have jurisdiction or power in any case involving or growing out of a labor dispute to issue a temporary restraining order or temporary injunction where employes are defendants or the employer either in anticipation of or at or subsequent to the inception of a labor dispute has employed persons or assigned other employes to perform the duties of employes then or subsequently not working because of the labor dispute unless prior to the granting of such restraining order or temporary injunction the said employer has discharged such persons and re-assigned the other employes back to their former duties and such facts shall be averred under oath in the application for the temporary restraining order or temporary injunction and no temporary restraining order or temporary injunctiontion shall issue unless it contains the following provision

"This order (or injunction) shall remain in effect only so long as ..... (name of employer) shall not employ persons or transfer employes to perform the duties of those now or hereafter not working because of the labor dispute"

Section 14 Every restraining order temporary or permanent injunction issued by a court of this Commonwealth in any case involving or growing out of a labor dispute shall contain the following provision

"That complainant and/or the employer and their or either of their agents or employes shall be enjoined from any and all acts or threats of violence intimidation coercion molestation libel or slander against the respondents or organizations engaged in the labor dispute"

Section 15 Whenever any court of this Commonwealth shall issue or deny any temporary injunction in a case involving or growing out of a labor dispute the court shall upon the request of any party to the proceedings and on his filing the usual bond for costs forthwith certify as in ordinary cases the record of the case including a transcript of the evidence taken to the Supreme Court for its review Upon the filing of such record in the Supreme Court the appeal shall be heard and the temporary injunctive order affirmed modified or set aside with the greatest possible expedition giving the proceedings precedence over all other matters except older matters of the same character

Section 16 Every temporay injunction and temporary restraining order issued in a case involving or growing out of a labor dispute shall by its terms expire within such time after entry as the court may fix not to exceed ten (10) days unless the plaintiff is ready by the expiration of such period to proceed to trial and shall pay the necessary calendar and trial fees Every permanent injunction issued in a case involving or growing out of a labor dispute shall expire at the end of one hundred eighty (180) days after the date on which the judgment is signed Provided however That the duration of the injunction may be extended for another one hundred eighty (180) days if after a further hearing initiated and conducted in the same manner as the original hearing the court shall determine that the injunction shall be continued or modified in accordance with the findings of fact on the subsequent hearing

Section 17 Upon denial by the court of any injunctive relief sought in an action involving or growing out of a labor dispute the court shall order the complainant to pay reasonable costs and expenses of defending the suit and a reasonable counsel fee

Section 18 The provisions of this act are severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 19 The following acts are hereby specifically repealed

The act approved the twenty-third day of June one thousand nine hundred thirty-one (P. L. 926) entitled "An act defining labor disputes and prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes"

The act approved the twenty-fourth day of May one thousand nine hundred thirty-three (P. L. 995) entitled "An act declaring certain agreements between employes and employers and others to be contrary to public policy and void"

All other acts and parts of acts inconsistent herewith are also hereby repealed

Section 20 This act shall become effective immediately upon its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Gelder.	Kilgallen,	Reed,
Cavalcante,	Gilson.	Kunkel,	Rice.
Chapman,	Haluska,	Lanius,	Rodgers,
Dando.	Henney.	Law,	Scarlett,
Deitrick,	Heyburn,	Mallery,	Sipe,
Dent,	Homsher,	McCreesh,	Sones,
DiSilvestro,	Howell,	McGinnis,	Stiefel,
Ealy,	Jacobs,	Owlett,	Wolfenden,
Eroe,	Jaspan,	Pierson,	Huffman,
Frey,	Kahle.	Pytko,	Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 695, as follows:

An Act to further amend section one thousand six hundred six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred and twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations association or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by providing further with regard to limitations upon loans to one corporation or person

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

Section 1 That section one thousand six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred and twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National banks into State banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employees of all such corporations or private bankers or of affiliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by the act approved the twenty-first day of June one thousand nine hundred thirty-five (Pamphlet Laws three hundred eighty-two) is hereby further amended to read as follows

Section 1006 Limitations upon Loans to One Corporation or Person A A bank or a bank and trust company shall not directly or indirectly lend to any corporation or person an amount which including any extension of credit to such corporation or person by means of letters of credit or by acceptance of drafts for or the discount or purchase of the notes bills of exchange or other commercial paper of such corporation or person shall exceed ten per centum of the unimpaired capital and ten per centum of the unimpaired surplus of the bank or bank and trust company However this restriction shall have no application whatsoever to the following

(1) Loans to the United States or loans secured by not less than the face amount of bonds or other interest-bearing obligations of the United States or bonds or other interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the United States is pledged

(2) Loans to the Commonwealth of Pennsylvania or any county or city thereof or an Authority which has been created as a body corporate and politic under any law of this Commonwealth or loans secured by bonds or other interest bearing obligations of the Commonwealth or of any county or city thereof or of any Authority which has been created as a body corporate and politic under any law of the Commonwealth or bonds or other interest-bearing obligations for the payment of the principal and interest on which the faith and credit of the Commonwealth or any county or city thereof of any Authority which has been created as a body corporate and politic under any law of this Commonwealth is pledged

(3) The discount of drafts or bills of exchange drawn in good faith against actual existing values

(4) The discount of trade acceptances or other commercial paper actually owned by the corporation or person negotiating it to the bank or bank and trust company and endorsed without restriction by such corporation or person

(5) The discount of notes secured by shipping documents warehouse receipts or other similar documents conveying or securing title to readily marketable non-perishable staple goods including live-stock when the actual market value of the property securing the obligations is not at any time less than one hundred fifteen per centum of the face amount of the notes secured by such documents and when such property is fully covered by insurance

B However a bank or a bank and trust company may in addition to the ten per centum authorized by this section lend to any corporation or person an additional fifteen per centum of the unimpaired capital and fifteen per centum of the unimpaired surplus of the bank or the bank and trust company if such additional fifteen per centum is secured by collateral having an ascertained market value of at least twenty per centum more than the amount of the liability so secured

C In computing the total liabilities of any individual to a bank or a bank and trust company there shall be included all liabilities to the bank or bank and trust company of any partnership or any unincorporated association of which he is a member any loans made for his benefits or for the benefit of such partnership or unincorporated association and any loans made to or for the benefit of a corporation of which he owns fifty per centum or more of the capital

In computing the total liabilities of any partnership or unincorporated association to a bank or a bank and trust company there shall be included all liabilities of its individual members to such bank or bank and trust company loans made for the benefit of such partnership or unincorporated association or any member thereof and loans made to or for the benefit of any corporation of which the partnership or unincorporated association or any member thereof owns fifty per centum or more of the capital

In computing the total liabilities of any corporation to a bank or a bank and trust company there shall be included all loans made for the benefit of the corporation and all loans to or for the benefit of any individual (to) or any partnership or incorporated association or any member thereof who owns fifty per centum or more of the capital of such corporation

A loan shall be deemed to be made for the benefit of a corporation or a person to the extent that the proceeds of such loan are transferred to such corporation or person

Section 2 This act shall become effective immediately upon its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Gilson,	Kunkel,	Rice,
Cavalcante,	Haluska,	Lanius,	Rodgers,
Dando,	Hennev,	Law,	Scarlett,
Deitrick,	Heyburn,	Mallery,	Shapiro,
Dent,	Homsher,	McCreesh,	Sipe,
DiSilvestro,	Howell,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Wolfenden,
Frey,	Kahle,	Pytko,	Huffman,
Gelder,	Kilgallen,	Reed,	Pres. Pro. Tem.

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 66, as follows:

An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas the judges of the Orphans' Courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by extending the provisions of the said section to the judges of the Orphans' Court of Dauphin County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas the judges of the Orphans' Courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" be and the same is hereby amended to read as follows

Section 5 The judges of the Courts of Common Pleas of Dauphin County and the judges of the Orphans' Court of Dauphin County shall receive three thousand dollars ($3,000) additional for trying civil cases for the Commonwealth

Section 2 This act shall become effective immediately upon final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gelder,	Kilgallen,	Reed,
Cavalcante,	Gilson,	Kunkel,	Rice,
Chapman,	Haluska,	Lanius,	Rodgers,
Dando,	Henney,	Law,	Scarlett,
Deitrick,	Heyburn,	Mallery,	Shapiro,
Dent,	Homsher,	McCreesh,	Sipe,
DiSilvestro,	Howell,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Wolfenden,
Frey,	Kahle,	Pytko,	Huffman,
			Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 1058, as follows:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties

Short Title Citation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Permanent Registration Act in Cities of the Second Class"

Section 2 The provisions of this act insofar as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments and shall not effect the validity of any registrations made prior to the enactment hereof except as herein provided

Section 3 Definitions (a) The word "Commission" shall mean any registration commission having jurisdiction in any city of the second class

(b) "Commissioner" shall mean a member of a registration commission

(c) "Oath" shall include affirmation and "Swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidate and polled a total vote in the State equal to at least two per centum of the largest

entire vote cast in the State for any elected candidate or any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any elected candidate in any county containing therein any city of the second class

(j) "Political body" shall mean any political body not recognized as a political party which has filed proper nomination papers as required by law

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registery list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the second class

(n) "City" shall mean only a city of the second class

(o) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the second class or to those of any county within which such city is located or to any school district with which it is coextensive

(p) "Public office" shall mean and include any National State judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service for a fixed fee or compensation except the office of notary public or commissioner of deeds

(q) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

(s) "County Election Board" or "County Board" shall mean the county board of elections of any county containing a city of the second class as now or hereafter provided for by the election laws of this Commonwealth

(t) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculating or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

Section 4 Registration Commission Membership Bipartisan Term of Office Vacancies Removal Compensation Oath of Office Organization Chairman Secretary Actions by Vote of Majority of Members Record of Proceedings Annual Report

(a) There shall be a registration commission in and for each city of the second class which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

(b) The registration commission shall consist of three commissioners who shall be qualified electors of the city not more than two of whom shall be enrolled members of the same political party who shall be appointed by the Governor with the advice and consent of the Senate and shall hold office for terms of fours years or until their successors qualify unless sooner removed or otherwise disqualified Provided however That the terms of office of the commissioners first appointed by the Governor under this act shall commence upon the date of their appointment and shall expire on the first Monday of January one thousand nine hundred forty-one Upon the appointment by the Governor of the registration commission for any such city the terms of office of the existing registration commission or commissioners of any such city shall terminate

(c) The Governor shall fill any vacancy in any such commission within ten days after the vacancy shall occur by appointing a qualified elector of the city to hold office during the remainder of the term of the commissioner whose place shall have become vacant

(d) The Governor may at any time remove any commissioner for cause and may appoint a duly qualified elector of the city as his successor for the remainder of his term

(e) Each commissioner shall receive compensation at the rate of four thousand five hundred ($4500) dollars per annum except the chairman who shall receive five thousand ($5000) dollars per annum

(f) As soon after their appointment as may be the members of each commission shall take the oath of office required by the Constitution if this Commonwealth and shall organize by selecting from their number a chairman and a secretary who shall not be members of the same party

(g) All actions of a commission shall be decided by a majority vote of all members except as may be otherwise provided herein

(h) Each commission shall keep a record in permanent form of all its proceedings and shall make an annual written report to the Governor

Section 5 Powers of Commission Regulation Enforcement Correction of Errors or Irregularities Cancellation of Registration Powers of Commissioners

(a) The commission may make regulations not inconsistent with this act or the laws of this Commonwealth (1) to govern the public sessions of such commissions and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the court of common pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct any error or any irregularity in registration and to cancel the registration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

(c) The Commission and any commissioner shall have power on its or his own motion (1) to summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses (4) to require the production of any relevant books and papers

(d) Each commissioner shall have power to administer oaths and affirmations Each person testifying before a commission or commissioner shall be first duly sworn or affirmed

Section 6 Employes Registrars Inspectors of Registration Duties Appointment Incompatible Offices

(a) The commission shall have power to appoint such assistants and employes as from time to time as it may deem necessary to carry out the provisions of this act and may at any time remove the same The commission may with the consent of the county commissioners appoint employes of the county commissioners to act as such for the registration commission without any additional compensation as such

(b) The employes to be appointed by the commission shall include (1) Registrars or clerks who shall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmations and (2) inspectors of registration who shall have and may exercise the powers conferred upon them by this act

(c) Registrars and inspectors of registration shall be qualified electors of the city No person who holds or is

a candidate for public or party office shall be appointed to or hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the commission

(d) No registrar or inspector of registration shall exercise any power of this office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and adress the date of his appointment and the length of time for which he shall have been appointed

(e) Each commission may appoint a chief clerk at a compensation not exceeding three thousand dollars ($3000) per annum who shall have authority to administer oaths and to sign vouchers

(f) Any inspector of registration when directed by the commission shall (1) Investigate all questions relating to the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building inn lodginghouse or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodging-house inn or hotel relating to or affecting the right of any person to vote or to be registered in such city

(3) Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

(4) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest

Section 7 Counsel Compensation Duties The Commission may employ special counsel at a compensation not exceeding three thousand ($3000) dollars per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a Court of Common Pleas as herein proveded

Section 8 Appropriations by County Commissioners Unexpended Balances of Appropriations Heretofore Made Additional Appropriations

(a) The county commissioners shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the commissioners counsel a sufficient number of registrars inspectors of registration and other assistants and employes and the fees of witnesses as herein provided and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account books stationery and other supplies which the commission shall consider necessary for the purposes of this act and for all other necessary expenses

(b) The county commissioners shall provide the commission with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

(c) Any unexpended balances of any appropriations heretofore made by the county commissioners for the purpose of carrying out any provision of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the effective date of this act All moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed

Section 9 Acts of Employes Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission by order of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any errors in the doing thereof

Section 10 Commissioners and Chief Clerk May Act as Registrars and Inspectors A commissioner or the chief clerk may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with law upon registrars and inspectors of registration respectively

Section 11 Immunity from Arrest Commissioners registrars and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge thereof for felony for wanton breach of the peace or for a criminal violation of this act

Section 12 Acts to be Done on Legal Holidays and Sundays No part of any day fixed for the performance of any duties by any person or official under this act shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof or the right of any person to any compensation herein provided for rendering any service required hereby or so as to relieve any person from doing on such day whatever is necessary for such purposes and such services are hereby declared to be necessary public services

Section 13 Records and Documents to Be Open to Public Inspection The records of such commission and all district registers street lists voting check lists voter's certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the city during ordinary business hours at any time when they are not necessarily being used by the commission or its employes having duties to perform in reference thereto Such public inspection thereof shall only be in the presence of a commissioner or authorized employe of a commission and shall be subject to proper regulation for safe-keeping of the records and documents and subject to the further provisions of this act

Section 14 Watchers at Places of Registration Privileges

(a) Any party or political body which now is or hereafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three qualified electors of the city to act as watchers without expense to the county at any place of registration during the time when it shall remain open for the registration of electors The commission shall appoint all such persons as watchers and shall provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to interrogate or challenge any person regarding his right to be registered and to inspect any papers produced by such person The registrars commission and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment And provided That not more than one watcher for any party or political body or citizens' organization rep-

resented shall be allowed in a place of registration at any one time

Section 15 Watchers or Attorneys at Sessions of Commission Any party or political body or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or political body or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at places of registration but the number who may be present at any one time may be limited by the commission to not more than three for any party or political body

Section 16 Candidates May Be Present at Proceedings Every candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any proceeding before any commission whenever any matters which may affect his candidacy are being heard

Section 17 Days and Hours of Registration Places of Registration Use of Polling Places Payment of Rentals Use of School Buildings Public Notice

(a) From and after the effective date of this act each commission or any commissioner or a registrar or clerk appointed by the commission shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sundays holidays the day of each election and each primary the thirty days next preceding each election and each primary and the thirty days next following each election and the five days next following each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate in accordance with the provisions of subsection (b) herein receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration

(b) The Commission may cause at least two registrars to sit not later than thirty days prior to the primary or election for the purpose of receiving personal applications for registration applications for change of party enrollment and removal notices from electors of any ward at a suitable and conveniently located place in said ward for at least one day prior to the election or primary continuously between the hours of 10 A M and 3 P M and between the hours of 7 P M and 10 P M

(c) The county board of elections shall cause any polling place to be open in proper order for use as a place of registration on each day when such polling place may be desired by the registration commission or required by the provisions of this act for use as a place of registration and the said county commissioners shall provide for the payment of all rentals for such polling places upon proper vouchers by the treasurer of the county

(d) The board of public education or school directors of each school district shall furnish suitable space in any public school building under its jurisdiction or control and shall cause the room or space to be open and in proper order for use as a place of registration on each day when such room or space may be desired by the registration commission for use as a place of registration in accordance with the provisions of this act Provided That such use shall not interfere with instruction for the conduct of which such board of public education or school directors shall be responsible

(e) The proper city authorities shall furnish suitable space in the city hall or other municipal building under their jurisdiction or control and shall cause the room or space to be open and in proper order for use as a place of registration on each day when such room or space may be desired by the commission for use as a place of registration Provided That such use shall not interfere with the use for which such room or space is primarily designed

(f) The commission shall publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by posting a notice thereof at its office and at least ten placards or notices thereof in conspicuous places throughout said ward at least three days prior to the date when the place shall be so open and shall also give notice of such time and place of registration by publication at least once in one newspaper of general circulation published in the city at least three days prior to the date when the place shall be so open and by such other newspapers publication as it deems desirable

Section 18 Registration Cards Preparation and Distribution (a) For the purpose or registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section nineteen of this act and the following affidavit

REGISTRATION AFFIDAVIT

State of Pennsylvania }
County of } ss:

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before me this ..... day of .....19....

.....
Signature of Voter

.....
Signature of Registrar

(b) Subject to the foregoing provisions of this section the Secretary of the Commonwealth shall prescribe the form of such registration cards

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards which binders can be locked The keys of all such binders shall at all times be retained by the commission

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

(e) Before ten o'clock ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the commission at its office all registration cards used or unused in his possession and shall account fully in writing for each missing card

(f) Unused registration cards may be reissued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 19 Manner of Registration (a) Every person claiming the right to be registered as an elector must appear in person before the commission a commissioner a registrar or a clerk at the office of the commission or at such other place as the commission shall have designated and answer the questions required to be asked in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with other information herein required shall be recorded in his presence by the register commissioner or clerk in permanent writing or typewritting in duplicate in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the room or rooms apartment flat or floor which he occupies

(6) the date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) if not naturalized personally the name of father mother or husband through whom naturalized (13) whether he is unable by reason of illiteracy to read the names on the ballot or on the voting machine labels (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) the designation of the political party of the elector for the purpose of voting at primaries (16) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar or clerk and dated by him (17) his height in feet and inches (18) the color of his hair (19) the color of his eyes and (20) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (21) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (22) the date of each election and primary at which the elector votes the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (23) the signature or initials of the election officer who enters the record of voting on the card

(d) The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration cards will be known as the General Registers when filed by election districts as the District Registers

(e) If the applicant shall allege inability to sign his name the registrar or clerk shall require him to present the affidavits subscribed in person before a registrar commissioner or clerk of two electors who are personally acquainted with the applicant and who know his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicant's inability to sign his name is not due to some apparent physical infirmity he shall first also be required to make and file with the registrar or clerk an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be led with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

(f) When the registration of an elector has been completed the registrar commissioner or clerk shall deliver to the registered elector a written or printed statement signed by such registrar commissioner or clerk setting forth the name and address of the elector his ward and district the fact of registration designation of party enrollment and the date thereof The commission upon request made at its office shall deliver such a written or printed statement to any person who is registered under the provisions of the existing registration law

(g) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from any city of the second class wherein he resided when entering such employment his wife or her husband shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the Auditor General under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the Auditor General or this Commonwealth or at the office of the department division or bureau of the Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street and number of his residence in the city

(h) For the purpose of carrying into effect the [provision] provisions of subsection (c) (13) of this section insofar as they relate to persons heretofore regitered under the provisions of the act entitled "An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commisions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties" approved the eighteenth day of January 1934 (Pamphlet Laws two hundred fifty one thousand nine hundred thirty-three thirty-four) the commission shall deliver to the election board of the proper county in order that the same may be delivered to the election officers for use at the fall primary and the municipal election to be held in the year 1937 a sufficient number of affidavits for use at each polling place setting forth that the elector is unable by reason of illiteracy to read the names on the ballot or on the voting machine labels

Any elector heretofore registered under the provisions of said act and affected by the provisions of subsection (c) (13) of this section shall subscribe to this affidavit by his signature or mark and all of said affdavits thus executed shall be returned by the election officers to the commission after the fall primary and municipal election of 1937 and the commission shall attach each of said affidavits in a permanent manner to the registration card of said voter in the district register and shall make a notation of said information on the registration card contained in the general register Any voter thus affected may also execute said affidavit by appearing personally at the office of the commission and the commission shall have on hand a suffcient number of said affidavits for this purpose Any affidavit thus executed shall also be attached to the registration card of said elector contained in the dis-

trict register and a notation of said information made on the registration card contained in the general register

Section 20 Who May Register Who May Vote Electors Need Register Only Once Exception Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will have obtained such qualifications before the next ensuing election shall be entitled to be registered as herein provided No person shall be permitted to vote at any election or primary held in such city unless he shall have been so registered except by order of a court of common pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by reason of his failure to vote during a period of two years as hereinafter provided

Section 21 Applicants to Register May be Challenged Procedure Challenge Affidavit (a) Any person claiming the right to register may be challeged by a registrar or by any commissioner or by any clerk or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them by his signature or mark and swear to their truth

(b) The affidavits of all persons so registered shall be filed with the duplicate registration affidavits and shall be returned with them to the office of the registration commission

(c) The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) Serial number (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family resides (6) if single where his parents resides (7) where applicant actually resided immediately before he took up his present residence (8) his residences for the four months immediately preceding the date of execution (9) the name of his present employer (10) the city street and number of his place of business (11) the name of his last employer and the year in which he left his employ (12) the city street and number of said last employer's place of business (13) sex of the applicant (14) his color (15) the date of his birth and (16) such distinguishing marks peculiarities and further information for identification as the commission shall prescribe

(d) The challenged applicant shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his residence in the election district If such challenged applicant shall establish his right to be registered as required by this act he shall be permitted to be registered

(e) Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe to an affidavit that at the last election at which he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason thereof

Section 22 Naturalized Applicants Applicants Whose Fathers Mothers or Husbands Were Naturalized All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certificate under the seal of the court in which his naturalization was effected before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father or mother during his minority may be registered either by the production of his father's or mother's original papers or a certified copy thereof or by making affidavit as to the court in which and time when his father or mother was naturalifed and that he the applicant was then less than twenty-one years of age and that he is unable to produce his father's or mother's papers or a certified copy thereof And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage stating therein the time when and the court in which such naturalization took place and that she is unable to produce his original naturalization papers or a certified copy thereof or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 23 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected" and the registrar commissioner or clerk shall note thereon the reason for the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 24 Appeal of Rejected Applicant Any person whose application to be registered has been denied by a registrar commissioner or clerk may file a petition with the commission not later than the fifteenth day prior to an election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar commissioner or clerk who rejected the petitioner's application for registration The commission if satisfied that the petitioner is entitled to be registered shall direct a registrar commissioner or clerk to register him in the usual manner and shall amend accordingly the records affected but any registrar clerk inspector of registration or qualified elector of the city may appear and show cause why the petitioner should not be registered

Section 25 General Register The duplicate registration cards for the entire city shall be placed in exact alphabetical order and shall be indexed and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These cards shall constitute the General Register of such city and shall not be removed from the office of the commission except upon order of a court of record of the county

Section 26 District Registers The original registration cards shall be filed by election districts and within each election district in exact alphabetical order and indexed The cards so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open to public inspection at all times subject to reasonable safeguards rules and regulations

Section 27 Removal Notices (a) The commission shall provide removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room or rooms apartment flat or floor if his residence is a portion only of a house (2) the street and number of

the address from which he was last registered (3) the date of his removal to his present residence and (4) space wherein the elector shall sign his name the removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date of hs removal into the new district Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's registration unless the signature thereon can be identified by the commission as the elector's signature in the general and district register Each removal notice to be effective must be received at the office of the commission at least thirty days prior to any primary or election which warning shall also be contained on the removal notice

(b) Any elector who removes his residence from one place to another within the same election district must notify the commission by filing a removal notice with the commission not later than ten days next preceding the primary or election

Section 28 Tranfer of Registration (a) Upon receipt not later than the thirtieth day next preceding any primary or election of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration card of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration card of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence

(b) When a request for transfer believed authentic by the commission is received at the office of the commission and shows thereon a removal within the period of two months next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration card of the elector from the district register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any such case the commission shall advise the elector promptly in writing of its action

(c) If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector promptly notify the elector that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration

(d) No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission or before a registrar at any registration place designated by the commission and establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar a commissioner or clerk who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party with which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the elector's card attesting his registration

(b) At any time not later than the tenth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is no longer a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at least twenty-four hours prior to presentation of the same by delivering a copy of the petition to him personally or by leaving it with an adult member of the family with which he resides If at the hearing of any such petition the elector against whom the petition is filed appears and swears or affirms that at the last general or municipal election at which he voted he voted for a majority of the candidates of the party with which he is enrolled at the time of said hearing all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise the party enrollment of such elector shall be forthwith cancelled

(c) Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least ten days prior to the next succeeding primary or election personally make application under oath to the commission or a registrar or a clerk thereof to have such fact entered on his registration card together with the exact nature of his physical disability which entry shall be made accordingly

(d) When the commission shall ascertain that any elector who has declared his need for assistance is no longer illiterate or no longer suffers from the physical disability stated by him or has voted without assistance it shall forthwith cancel on his registration card the entry relating to illiteracy or physical disability which authorized him to have assistance and shall forthwith notify such elector by mail of its action

Section 30 Reports of Deaths from Registrars of Vital Statistics Cancelling Registration Correction if Person is Falsely Reported Deceased Reports of Removals from Municipal Officers Departments and Bureaus certain Public Utility Corporations and Real Estate Brokers and Rental Agents Notice

(a) The registrar of vital statitics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than tweny years of age Said written report shall contain the full name of the decedent his last residence address the date of his birth if available and the date of his death The commission shall forthwith cancel the registration of each reigstered elector so reported

(b) Any person falsely reported deceased by any registrar of vital statistics may appear in person before a registrar commissioner or clerk at the office of the commission in such city and approve his identity and the commission thereupon shall correct its record accordingly

(c) All municipal officers departments bureaus and all public utility corporations furnishing electricity gas water or steam to householders in any city shall report in writing at least once a month to the commission upon forms

supplied by the commission all cases of discontinuance of their service to residence to gether with the names of the persons who contracted for such service and the addresses to which such persons have removed if known to them All real estate brokers and rental agents shall report in writing from time to time to the commission upon the request of the commission all cases of residence property managed by them which have been vacated by the tenants thereof together with the names of such tenants and the addresses to which they have removed if known to them The commission shall forthwith senc to each such person who is found to be registered as an elector from the address given in any of the foregoing reports and to all the members of his family and household who are electors registered from the same address the notice provided for by section thirty-one of this act and shall proceed thereupon in accordance with the provisions of that section

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensusing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his acutal name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the city by either of the methods provided for in subsections (a) and (b) above

(d) Upon the return by the post office of any such notice which it his been unable to deliver at the given address because the addressee can not be found there or upon the report by the Post Office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector

Section 32 Canvass of Registered Voters

(a) The commission may at any time by individual commissioners or by inspectors of registration verify the registration in any election district of such city by visiting each building from which an elector is registered and such other buildings as the commission may deem necessary and shall make a record of the name and address of each person registered who shall not be found to reside at the address from which he is registered Or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered and shall leave at the address of each such person a notice requiring him to appear personally at the office of the commission on or before a date and hour which the notice shall appoint and which shall be not later than the tenth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector and the commission shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered the envelope containing such confirmation to be plainly marked that it is not to be forwarded

(b) At the expiration of the time specified in the notice the comission shall cancel the registration of each such person who has not personally appeared and proved his qualifications as an elector

(c) For the purpose of facilitating any such canvass the commission may when necessary appoint special inspectors of registration in number not exceeding double the number of election districts which the commission shall determine to canvass

(d) Such special inspectors shall have and may exercise the powers conferred by this act upon inspectors of registration They shall be qualified electors of the city and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs

(e) The commission shall instruct each special inspector in his duties

Section 33 Comparison and Correction of Registers Preliminary Street Lists

(a) Commencing thirty days prior to each election or primary the commission shall compare and correct the general and district registers

(b) Three months after each municipal election and seven months after each general election the commission shall prepare for each election district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers

(c) The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even-numbered year and the first day of July in each odd-numbered year shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties political bodies candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or political body upon the writen application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having ot is purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his writen request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 34 Corrected Street lists Posting Commencing not later than the thirtieth day prior to each primary and election the commission shall prepare for each election district a corrected street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists Said lists shall be distributed in the same manner as required for the distribution of preliminary street lists in section 33 (c) herein Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 35 Petitions to Strike Off Names At any time not later than the tenth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affidavits of at least two adult persons sufficient grounds for such cancellation and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could

not be found at the place given in the district register as his residence and that the person in charge thereof to be mentioned by name in said petition had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no such person is residing at the address given whereupon the commission shall forthwith cancel the registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done

Section 36 Delivery of District Registers to County Election Boards

(a) Not later than noon of the third day preceding an election or primary the commission shall deliver to the county election board of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county election boards now are or hereafter may be required to deliver the same Provided That the registration commission shall not deliver to the county election board the registration card for use at the polls on election day of any person who has removed from one election district to another within two months of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are delivered to the county election board

(b) District registers when so delivered to the county election board shall be contained in suitable binders so constructed and locked that the name address voting record and other data on each card may be visible and that entries may be made on each card but that the cards cannot be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the number of the district and ward Said binders shall be enclosed within a case or container and shall be locked and sealed by the commission before delivery to the county election board

Section 37 Persons Registered Are Entitled to Vote at General or Municipal Elections if Identified by Signature Proviso Evidence of Registration Discrepancies Persons Registered and Enrolled May vote at Primaries if Identified by Signatures Proviso Persons Not Registered are Not Entitled to Vote Challenging of Persons Registered Voter's Certificates Voting Check List Elections and Primaries Counting Et Cetera of Names Checked as Having Voted Sealing of Registers and Voting Check Lists Return of Voting Check List and Registers

(a) Any person whose name is in the district register of any election district in such city and who upon applying to vote shall have signed his name and address to a voter's certificate in the form hereinafter provided for as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violated any law of this Commonwealth prohibiting bribery at elections provided that if the signature on the voter's certificate as compared with the signature as recorded in the district registrar shall not be deemed authentic by any of the election officers such elector shall not be denied the right to vote for that reason but shall be considered challenged as to identity and required to make the affidavit and produce the evidence as provided in subsection (e) of this section

(b) No elector shall be required to sign a voter's certificate as a means of identification if he shall have been unable to sign his name when registered or if having been able to sign his name when registered he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote each elector shall estbalish his identitl to the satisfaction of the election officers and in such case a voter's certificate shall be prepared for him by one of the election officers upon which the facts as to such disability shall be noted and attested by the signature of such election officer

(c) No person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate

(d) Any person who is registered and also enrolled as a member of a political party and who upon applying to vote shall have established his identity by signing his name and address or otherwise as herein required at elections and is otherwise qualified may vote as a member of said party at any primary succeeding such registration without being subject to any challenge regarding his party membership No elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election and any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a non-partisan ballot according to any law providing for same at any primary election

(e) No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authoritv of this Commonwealth shall be entitled to vote at any election or primary without being personally registered as an elector in the election district in which he offers to vote except by order of the Court of Common Pleas as herein provided regarding appealed cases Any person although personally registered may be challenged by any qualified elector watcher overseer or election officer at any election or primary as to his identity as to his continued residence in the election district or as to any alleged violation of the laws of this Commonwealth prohibiting bribery at elections and if challenged as to identity or residence he shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his identity or continued residence in the election district and if challenged as to bribery he shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received

(f) The county election board shall cause to be printed for each election district in the city a suitable number of Voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

VOTER'S CERTIFICATE

(Primary) (Election) .....19....

I hereby certify that I am qualified to vote at this (primary) (election)

Signature .....

Address .....

..... Pennsylvania

Approved .....

Number of stub of ballot issued (or number of admission to voting machines) .....

(and party at primary) .....

The voter's certificate shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the county election board After a voter's certificate has been prepared by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations hereinabove required have been made thereon one of the election officers who made the comparison shall sign his name or initials thereon and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the

same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have printed or written thereon the words "Voting Check List" and the number of the district and ward and date of the primary or election The voter's certificates so bound shall constitute the voting check list of the district All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the voting check list

(g) The district registers herein provided for shall constitute the ballot check list of the district As each voter is found to be qualified and votes the election officer in charge of the district register shall write or stamp the date of the election or primary the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at the primaries a letter or abbreviation designating the party in whose primary he votes and shall sign his name or initials in the proper space on the registration card of such voter contained in the district register After the polls are closed the names of all electors on the district register marked or stamped as having voted shall be immediately counted and the results compared with the number of persons voting shown by the voting check list and numbered lists of voters and announced and the cause of any difference ascertained if possible the ballot-box or voting machine is oppened The district register and the voting check list shall be immediately locked and sealed and shall be returned to the custody of the registration commission by the judge of election immediately upon completion of the count and tabulation of the votes cast in the district

Section 38 Examination of District Registers Report of Indications of Fraud to District Attorney (a) Immediately following each election or primary the commission shall cause each district register to be examined

(b) In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance with the procedure outlined in Sections 31 and 32 herein

(c) The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed

(d) Whenever the registration card of any registered elector shall have been entirely up so that the entries required to be made thereon by this act can no longer be made the commission shall have prepared and attached to such registration cards in each register a supplemental card Each supplemental card shall be printed in a color different from the registration cards It shall have the same serial number as the registration card followed by the letter "A" "B" etc according to the number of supplemental cards attached to each registration card Each supplemental card shall have space thereon for the entry of the surname of the registered elector his Christian name or names the street and number of his residence the ward and election district in which he resides and to which he may from time to time together with his street address in each such district and the other data required to be given upon such removal the date of each election and primary at which the elector votes and the signature or initials of the election officer who enters the record of voting on the card Each supplemental card shall be attached to the registration card to which it relates by permanent fasteners in such a manner that the contents of the registration card may be examined and the entries required by this act may be made on the supplemental card Whenever supplemental cards are attached to the registration card of any elector the registration card shall be stamped with the words "supplemental cards attached" together with the date thereof

Section 39 Cancellation of Registration Upon Failure to Vote Within Two Years Request for Reinstatement Within three months after the municipal election held in the year one thousand nine hundred and thirty-seven and within three months after each general and municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each elector who has been registered for a period of at last two years and who is not recorded as having voted at any election or primary within the period of two years immediately preceding the date of said municipal or general election the commission shall send to such elector by mail at his address appearing upon his registration card a notice setting forth that the records of the commission indicate that he has not voted within a period of two years and that his registration will be cancelled at the expiration of ten day from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of two years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar or a clerk in the manner provided by this act

Section 40 Cancellation Removal and Preservation of Registration Cards Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration cards of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such card shall be kept for five years after which the commission may destroy it

Section 41 Correction by Commission of Errors in Cancellation of Registrations Whenever the registration of an elector has been cancelled through error such elector may petition the commission for the reinstatement of his registration not later than the tenth day preceding any primary or election and after a hearing on said application if error on the part of the commission is proved the commission shall reinstate the registration of such elector

Section 42 Appeals to Court Time of Hearing Notice Postponement Hearing Decision of Court Costs and Fees (a) Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of such city whose rights are impaired by any general order made by the commission not including refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper court of common pleas not later than the seventh day preceding any election or primary setting forth why he feels that an injustice has been done any praying for such order as will give him relief Thereupon any judge of the court shall fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

(b) Any judge of the court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

(c) If after any such public hearing the court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate

to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

(d) The court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner provided however that in all cases where an appeal is sustained by the court the costs advanced by the appellant shall be ordered refunded

Section 43 Production of Documents Et Cetera at Appeals At the written request of any person taking an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 44 Subpoenas and Witness Fees (a) Any person filing any petition of any kind with the commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon condition that all witnesses so subpoenaed shall be paid two dollars and fifty cents each per day as witness fees in the manner herein provided

(b) The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the county commissioners in the same manner as other necessary expenses of such commission are to be provided for

(c) All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a Court of Common Pleas The commission shall have the benefit of the process of said courts if necessary to enforce any subjoena issued by such commission

(d) No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission No such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it is issued shall have deposited with the commission an additional day's witness fees for each witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commission shall disburse the fees deposited with it by any person among those witnesses who have appeared in response to subpoena issued and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay fees to any summoned by the commission taking their receipts therefor so long as there are sufficient funds available for such payments provided however that in all cases where the petition of the elector is sustained all costs advanced by him for witness fees and subpoenas shall be refunded to the elector so petitioning

(e) The commission shall pay over to the county treasurer all fees received for subpoenas The accounts of such commission respecting disbursements of witness fees out of appropriations made to such commission by the county commissioners shall be subject to audit from time to time by the county controller

Section 45 Crimes and Penalties (a) Any person who wilfully disobeys a lawful order of the commission or of a commissioner or refuses to obey its or his subpoenas duly issued and served under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

(b) Any wilful false statement made under oath by any person regarding any material matter or thing relating to any subject investigated heard or acted upon by any registrar commissioner clerk judge watcher inspector of registration court or commission by virture of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(c) Any registrar commissioner or clerk who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to vote registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than (3) months nor more than five (5) years

(d) Any person who applies for registration or who notifies the commission of a change of his residence address knowing or having reason to know that he is not entitled to be registered or have his residence address changed or any person who declares as his residence a place or address which he knows is not his legal residence or who falsely personates another in an application for registration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(e) Any registrar commissioner clerk or assistant or employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered either at the office of the commission or before a registrar appointed by the commission at a place properly designated as provided herein or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made except upon an order of the Court of Common Pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(f) Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the provisions of this act (except that of a person in actual military or naval service or a person having an order of court as aforesaid) or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(g) Any commissioner registrar clerk inspector of registration or other officer assistant or employe or any person partnership or corporation upon whom a duty is laid by this act who shall wilfully delay neglect or refuse to perform such duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(h) Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by

this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(i) Any person who neglects or refuses to furnish to any commissoner or to any inspector of registration any information which he is herein authorized to obtain or to exhibit any records papers or documents herein authorized to be inspected by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(j) Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand of any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided or who shall wilfully hinder or delay or attempt to hinder or delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(k) Any person who intentionally interferes with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(l) Any registrar commissioner clerk assistant or employe of a commission or any other person who knowingly and wilfully prevents a person from being registered or who by coercion threats of bodily injury or intimidation prevents or attempts to prevent any person from being registered or from changing his political enrollment in accordance with the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceedingly one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(m) Any registrar commissioner clerk assistant or employe of a commission or any other person who unlawfully destroys or attempts to destroy any card book paper affidavit or other record of the commission or who unlawfully removes or attempts to remove same from the office of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

Section 46 Effective Date Partial Invalidity Legislative Intent

(a) Except as otherwise provided therein this act shall become effective immediately upon its final enactment

(b) It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any parts or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 47 Repeal of Prior Laws Proviso

(a) The following act of Assembly and amendments and supplements thereto are hereby repealed absolutely insofar as they affect the personal registration and enrollment of voters in cities of the second class

(1) An Act entitled "An act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics and boards of school directors and imposing penalties" approved January eighteenth one thousand nine hundred and thirty-four (Pamphlet Laws two hundred fifty special session one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four)

(b) All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

(c) The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded

(d) The provisions of this act shall not affect any act done or any suit or prosecutions pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such acts so repealed respecting any act done or omitted prior to such repeal

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gelder,	Kilgallen,	Reed,
Cavalcante,	Gilson,	Kunkel,	Rice,
Chapman,	Haluska,	Lanius,	Rodgers,
Dando,	Henney,	Law,	Scarlett,
Deitrick,	Heyburn,	Mallery,	Shapiro,
Dent,	Homsher,	McCreesh,	Sipe,
DiSilvestro,	Howell,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Wolfenden,
Frey,	Kah,	Pytko,	Huffman, Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 776, on final passage reading, entitled:

An Act to amend the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, one hundred seventy-seven), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the

salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, by modifying the procedure for the sale of unserviceable property and enlarging the scope of the appropriation of the Manufacturing Fund; clarifying the provisions pertaining to the furnishing of State automobiles from the temporary fleet; authorizing the purchase of liability insurance covering State officers or employes operating vehicles loaned by the Federal government; prohibiting contractors with the Commonwealth from requiring or receiving refunds of part of any premium wage or wages required by their contract to be paid to their employes; providing for the demolition or destruction of certain military stores in certain cases; authorizing the transfer of surplus products between State institutions; further defining the working hours and duties of State employes; amplifying the supervision of the Department of Welfare over inmates in, and the transfer of inmates from, State penal and correctional institutions; empowering the Department of Welfare to enforce compliance with its orders to remedy unfavorable conditions in State and supervised institutions; eliminating the office of business manager in State institutions under the Department of Welfare; authorizing the Department of Welfare to fix and establish service charges at State-owned medical and surgical hospitals; authorizing the Department of Property and Supplies to establish standards for the operation of certain State equipment, and to make periodical surveys of the buildings, equipment, land, and improvements of State institutions; further modifying and regulating the procedure to be followed for construction projects; making further provision for bid performance bonds of bidders for State contracts; extending the scope of the work of the State Park Commission; further regulating purchases made directly by departments, boards and commissions; requiring counties to pay compensation and expenses of special attorneys in criminal cases; authorizing the Governor to grant commissions to State pilots; providing for the disposal of accumulated files of papers no longer needed or useful in the Commonwealth; providing for the promogulation of rules and regulations by, and enlarging the powers of the Department of Forests and Waters and the Water and Power Resources Board; further regulating the maximum price that may be paid for land acquired for State forestry purposes; prescribing the membership and powers and duties of the State Park Commission; creating and prescribing the powers and duties of Regional State Park Boards; eliminating the limitation on the amount per acre that may be paid for land acquired for State park purposes; eliminating the Board of Game Commissioners and extending the provisions of the Code to its successor, the Pennsylvania Game Commission; eliminating the Public Service Commission of the Commonwealth of Pennsylvania, and extending the provisions of the Code to its successor, the Pennsylvania Public Utility Commission; transferring the State Athletic Commission from the Department of Military Affairs to the Department of Revenue, and the State Board of Undertakers from the Department of Public Instruction to the Department of Health; eliminating the State Aeronautics Commission, the Pennsylvania Alcohol Permit Board, and the Board of Trustees of Cumberland Valley State Institution for Mental Defectives, and the Anatomical Board; and generally further reorganizing and clarifying the conduct of the administrative work of the Commonwealth.

go over in its order.

The PRESIDENT. Is there objection?

Mr. RICE. Mr. President, this is a Senate Bill, and if this bill is going to pass at all, it ought to pass today. The bill was amended yesterday at the request of the Senator from Tioga, Mr. Owlett, and I think this bill ought to be voted upon now.

The PRESIDENT. The Chair hears objection.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 776, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by modifying the procedure for the sale of unserviceable property and enlarging the scope of the appropriation of the Manufacturing Fund clarifying the provisions pertaining to the furnishing of State automobiles from the temporary fleet authorizing the purchase of liability insurance covering State officers or employes operating vehicles loaned by the Federal government prohibiting contractors with the Commonwealth from requiring or receiving refunds of part of any premium wage or wages required by their contract to be paid to their employes providing for the demolition or destruction of certain military stores in certain cases authorizing the transfer of surplus products between State institutions further defining the working hours and duties of State employes amplifying the supervision of the Department of Welfare over inmates in and the transfer of inmates from State penal and correctional institutions empowering the Department of Welfare to enfroce compliance with its orders to remedy unfavorable conditions in State and supervised institutions eliminating the office of business manager in State institutions under the Department of Welfare authorizing the Department of Welfare to fix and establish service charges at State-owned medical and surgical hospitals authorizing the Department of Property and Supplies to establish standards for the operation of certain State equipment and to make periodical surveys of the buildings equipment land and improvements of State institutions further modifying and regulating the procedure to be followed for construction projects making further provision for bid performance bonds of bidders for State contracts extending the scope of the work of the State Park Commission further regulating purchases made directly by departments boards and commissions requiring counties to pay compensation and expenses of special attorneys in criminal cases authorizing the Governor to grant commissions to State pilots providing for the disposal of accumulated files of papers no longer needed or useful in the Commonwealth providing for the promulgation of rules and regulations by and enlarging the powers of the Department of Forests and Waters and the Water and Power Resources Board further regulating the maximum price that may be paid for land acquired for State forestry purposes prescribing the membership and powers and duties of the State Park Commission creating and prescribing the powers and

duties of Regional State Park Boards eliminating the limitation on the amount per acre that may be paid for land acquired for State park purposes eliminating the Board of Game Commissioners and extending the provisions of the Code to its successor the Pennsylvania Game Commission eliminating the Public Service Commission of the Commonwealth of Pennsylvania and extending the provisions of the Code to its successor the Pennsylvania Public Utility Commission transferring the State Athletic Commission from the Department of Military Affairs to the Department of Revenue and the State Board of Undertakers from the Department of Public Instruction to the Department of Health eliminating the State Aeronautics Commission the Pennsylvania Alcohol Permit Board and the Board of Trustees of Cumberland Valley State Institution for Mental Defectives and the Anatomical Board and generally further reorganizing and clarifying the conduct of the administrative work of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Sections 201 202 203 210 221 222 301 303 401 427 31 443 507 508 511 522 701 709 712 906 907 1402 1802 1804 1806 2110 2304 2307 2311 2312 2315 2318 2319 2402 2403 2404 2405 2406 2407 2408 2409 and 2414 of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers College abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" are hereby amended or further amended as the case may be to read as follows

Section 201 Executive Officers Administrative Departments and Independent Administrative Boards and Commisions The executive and administrative work of this Commonwealth shall be performed by the Executive Department consisting of the Governor Lieutenant Governor Secretray of the Commonwealth Attorney General Auditor General State Treasurer Secretary of Internal Affairs and Superintendent of Public Instruction by the Executive Board and the Pennsylvania State Police by the following administrative departments Department of State Department of Justice Department of the Auditor General Treasury Department Department of Internal Affairs Department of Public Instruction Department of Military Affairs Insurance Department Department of Banking Department of Agriculture Department of Forests and Waters Department of Mines Department of Highways Department of Health Department of Labor and Industry Department of Welfare Department of Property and Supplies and Department of Revenue and by the following independent administratvie boards and commissions [Board of Game Commissioners] Pennsylvania Game Commission Board of Fish Commissioners and the [Public Service Commission of the Commonwealth of Pennsylvania] Pennsylvania Public Utility Commission

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective administrative departments mentioned in the preceding section as follows

In the Department of State
State Employes' Retirement Board
In the Department of Justice
Board of Pardons
Board of Commissioners on Uniform State Laws
In the Treasury Department
Board of Finance and Revenue
In the Department of Internal Affairs
Board of Property
[State Aeronautics Commission]
In the Department of Public Instruction
State Council of Education
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Pennsylvania Historical Commission
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Home for Training in Speech of Deaf Children Before They Are of School Age which shall hereafter be known as Board of Trustees of Home for Training in Speech of Deaf Children
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion, State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
[State Board of Undertakers]
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers
In the Department of Military Affairs
Armory Board of the State of Pennsylvania
Board of Trustees of Pennsylvania Soldiers' and Sailers' Home
[State Athletic Commission]
In the Department of Banking
Board to License Private Bankers
Pennsylvania Securities Commission
In the Department of Agriculture
State Farm Product Show Commission
In the Department of Forests and Waters
Water and Power Resources Board
Geographic Board

Lake Erie and Ohio River Canal Board
Pennsylvania State Park and Harbor Commission of Erie
Washington Crossing Park Commission
Valley Forge Park Commission
Fort Washington Park Commission
In the Department of Mines
Anthracite Mine Inspectors
Bituminous Mine Inspectors
In the Department of Highways
State Bridge Commission
In the Department of Health
Sanitary Water Board
[Anatomical Board]
State Board of Undertakers
In the Department of Labor and Industry
Workmen's Compensation Board
Workman's Compensation Referees
State Workmen's Insurance Board
In the Department of Welfare
State Council for the Blind
[Pennsylvania Alcohol Permit Board]
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial Reformatory hereafter to be known as Board of Trustees of Pennsylvania Industrial School
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Fairview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Pennhurst State School
Board of Trustees of Polk State School
[Board of Trustees of Cumberland Valley State Institution for Mental Defectives]
Board of Trustees of Selinsgrove State Colony for Epileptics
In the Department of Property and Supplies
Board of Commissioners of Public Grounds and Buildings
State Art Commission
In the Department of Revenue
State Athletic Commission

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 203 Advisory Boards and Commissions The following advisory boards and commissions are placed in and made parts of the respective administrative departments as follows

In the Department of Military Affairs
State Military Reservation Commission
State Veterans Commission
In the Department of Forests and Waters
State Forest Commission
State Parks Commission
Bushy Run Battlefield Commission
Regional State Park Boards
In the Department of Health
Advisory Health Board
In the Department of Labor and Industry
Industrial Board
In the Department of Welfare
State Welfare Commission
In the Department of Property and Supplies
General Galusha Pennypacker Monument Commission

Section 210 Compensation of Members of Administrative Boards and Commissions (a) Annual salaries shall be payable in equal semi-monthly installments as follows

To the Commissioner of Fisheries six thousand dollars

To the Chairman of [The Public Service Commission of the Commonwealth of Pennsylvania] the Pennsylvania Public Utility Commission ten thousand five hundred dollars as provided by law

To the members of [The Public Service Commission of the Commonwealth of Pennsylvania] the Pennsylvania Public Utility Commission other than the chairman each ten thousand dollars as provided by law

(b) The members of the [Board of Game Commissioners] Pennsylvania Game Commission and of the Board of Fish Commissioners other than the Commissioner of Fisheries shall not receive any compensation

(c) Except as in this act otherwise provided the members of departmental administrative boards and commissions and of advisory boards and commissions shall serve without compensation

Section 221 Office Hours All administrative offices of the State Government shall be open for the transaction of public business at least eight hours each day except Saturdays Sundays and legal holidays [On Saturdays when not legal holidays such offices shall be open for business for at least three hours] The hours when such offices shall open and close shall from time to time be determined by the Executive Board

Section 222 Work-Hours and Vacations Each employe of an administrative department of an independent administrative board or commission or of a departmental administrative board or commission if employed for continuous service shall work during such hours as the head of the department or the board or commission shall require but not less than [thirty-eight] thirty-five hours per week Such employe shall be entitled during each calendar year to fifteen days' leave of absence with full pay and in special and meritorious cases where to limit the annual leave to fifteen days in any one calendar year would work peculiar hardships the extent of such leave with pay may in the discretion of the head of the department or of the board or commission be extended but any such extension shall not be for more than fifteen days except with the approval of the Executive Board in the case of employes of departments or of independent administrative boards or commissions and in the case of employes of departmental administrative boards or commissions of the departments with which such boards or commissions are respectively connected This section shall be construed to mean that the pay of such employe shall cease upon the expiration of the granted leave regardless of his or her continuation thereafter upon the rolls of the department board or commission The annual leave of absence with pay shall be exclusive of Saturdays Sundays and legal holidays

Section 301 [Board of Game Commissioners The Board of Game Commissioners shall consist of eight competent citizens of this Commonwealth no two of whom shall be from the same senatorial district The board shall annually elect a president and a vice-president from among its members It shall also appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive secretary who need not be a member of the board and who shall attend to the administrative work of the board

Five members of the board shall constitute a quorum

Members of the board shall be appointed to serve for terms of six years] Pennsylvania Game Commission The Pennsylvania Game Commission shall consist of eight competent citizens of this Commonwealth who shall be so appointed that they shall fairly represent the several geographical sections of the Commonwealth and shall be well informed on the subject of wild life conservation and

restoration The commission shall annually elect a president and a vice-president from among its members It shall also appoint to serve at its pleasure and with the approval of the Governor fix the compensation of an executive director who shall attend to the administrative work of the commission No member of the commission nor anyone who has served as a member thereof within one year shall be eligible for appointment as executive directors

Five members of the commission shall constitute a quorum

The members of the Board of Game Commissioners in office on the effective date of this act shall constitute the Pennsylvania Game Commission and shall hold their offices as members of the Pennsylvania Game Commissions until their successors are appointed as provided by law The original members of the commission shall be appointed for such terms as are prescribed by law and subsequent appointments of commissioners shall be for terms of eight years and shall be staggered as provided by law

Section 303 [The Public Service Commission of the Commonwealth of Pennsylvania The Public Service Commission of the Commonwealth of Pennsylvania shall consist of seven members who shall have the qualifications and be appointed as now provided by law

A member designated by the Governor as now provided by law shall be the chairman of the commission during such member's term of office When present the chairman shall preside at all meetings but in his absence the member who has served on the Commission for the longest period of time shall preside and shall exercise for the time being all of the powers of the chairman In addition to the authority now conferred by law the chairman shall have power as often as he may deem the work of the commission requires (a) to designate the time and place for the conducting of investigations inquiries and hearings (b) to assign cases to a commissioner or commissioners for hearing investigation inquiry study or other similar purpose (c) to assign cases to special agents or examiners for the taking and receiving of evidence and (d) to direct and designate officers and employes of the commission to make investigations inspections inquiries studies and other like assignments for report to the commission

The commission may appoint a secretary to hold office at its pleasure Such secretary if appointed shall have such powers and shall perform such duties not contrary to law as the commission shall prescribe and shall receive such compensation as the commission with the approval of the Governor shall determine He shall have power and authority to designate from time to time one of the clerks appointed by the commission to perform the duties of the secretary during his absence and the clerk so appointed shall possess for the time so designated the powers of the secretary of the commission

The terms of the members of the commission shall be ten years

The offices of counsel of marshall and of investigator of accidents as they exist under The Public Service Company Law are hereby retained appointments thereto to be made as now provided by law The compensation of counsel marshal and investigator of accidents shall be fixed by the commission with the approval of the Governor] Pennsylvania Public Utility Commission The Pennsylvania Public Utility Commission shall consist of five members who shall have the qualifications and be appointed in the manner and for such terms as now provided by law

A member designated by the Governor as now provided by law shall be the chairman of the commission during such member's term of office

The commission may appoint a secretary to hold office at its pleasure as now provided by law

Section 401 Boards fo Trustees of State Institutions The board of trustees of each of the State institutions hereinafter mentioned shall consist of nine members and the head of the department having supervision over the institution ex officio

The terms of the members of each such board shall be four years and until their successors are qualified

Five members of any such board shall constitute a quorum

Each such board shall annually elect a president and vice-president from among its members and a secretary and treasurer who need not be members of the board The secretary and treasurer may be the same person This section shall apply to

Board of Trustees of Thaddeus Stevens Industrial School
Board of Tustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Home for Training in Speech of Deaf Children
Board of Trustees of Pennsylvania Soldier's Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Millersville State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Lock Haven State Teachers College
Board of Trusteees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
Board of Trustees of Eastern State Penitentiary
Board of Trustees of Western State Penitentiary
Board of Trustees of Pennsylvania Industrial School
Board of Trustees of State Industrial Home for Women
Board of Trustees of Pennsylvania Training School
Board of Trustees of Allentown State Hospital
Board of Trustees of Danville State Hospital
Board of Trustees of Farview State Hospital
Board of Trustees of Harrisburg State Hospital
Board of Trustees of Norristown State Hospital
Board of Trustees of Warren State Hospital
Board of Trustees of Wernersville State Hospital
Board of Trustees of Torrance State Hospital
Board of Trustees of Ashland State Hospital
Board of Trustees of Blossburg State Hospital
Board of Trustees of Coaldale State Hospital
Board of Trustees of Connellsville State Hospital
Board of Trustees of Hazleton State Hospital
Board of Trustees of Locust Mountain State Hospital
Board of Trustees of Nanticoke State Hospital
Board of Trustees of Philipsburg State Hospital
Board of Trustees of Scranton State Hospital
Board of Trustees of Shamokin State Hospital
Board of Trustees of Laurelton State Village
Board of Trustees of Penhurst State School
Board of Trustees of Polk State School
[Board of Trustees of Cumberland Valley State Institution of Mental Defectives]
Board of Trustees of Selinsgrove State Colony for Epileptics

Section 427 State Athletic Commission The State Athletic Commission shall consist of three members who shall be appointed for terms of two years and the [Adjutant General] Secretary of Revenue ex officio

Each member of the commission except the [Adjutant

General] Secretary of Revenue shall receive a salary of five thousand dollars per annum

Two members of the commission shall constitute a quorum and the concurrence of at least two members of the commission shall be necessary to render valid any action by the commission

The commission may appoint such number of deputies as shall be approved by the Executive Board whose compensation shall be fixed by the commission with the approval of the Governor

The commission may with the approval of the [Adjutant General] Secretary of Revenue appoint a secretary who shall receive a salary to be fixed by the commission with the approval of the Governor

Section 431 Water and Power Resources Board The Water and Power Resources Board shall consist of five members four of whom shall be the Secretary of Forests and Waters the Secretary of Health the Commissioner of Fisheries and a member of [The Public Service Commission of the Commonwealth of Pennsylvania] the Pennsylvania Public Utility Commission to be designated by the Governor The fifth member shall be an engineer and shall receive [compensation for his services at such rate per diem as shall be fixed by the other members of the board but such compensation shall not exceed] salary of three thousand dollars per annum

The Secretary of Forests and Waters shall be chairman of the Board

Three members of the board shall constitute a quorum

Any investigation hearing or other proceeding which the board has power to undertake or hold may be undertaken or held by or before any member of the Board or by or before any official of the board designated by the board for such purpose provided all actions and orders shall be approved by a majority thereof

The board shall have authority to make and adopt rules and regulations for its procedure acts and orders not inconsistent with this act

Interim permits and orders may be issued and made by the chairman of the board or by any official of the board designated for such purpose by the board but such interim permits and orders shall be subject to subsequent approval or confirmation by the board

Section 448 Advisory Boards and Commissions The advisory boards and commissions within the several administrative departments shall be constituted as follows

(a) The State Military Reservation Commission shall consist of the Governor the Major General commanding the National Guard of Pennsylvania any Major General who commands has commanded or shall hereafter command the National Guard of Pennsylvania and who shall retire from the service subsequent to the first day of January one thousand nine hundred and thirty-three regardless of such retirement the Adjutant General the Brigadier Generals commanding brigades the Chief of Staff of the Twenty-eighth Division and two other members to be appointed by the Governor

The commission shall elect from among its members a chairman and a secretary

(b) The State Veterans' Commission shall consist of the Adjutant General ex-officio and five members all of whom shall have served in the armed forces of the United States while a state of war existed between the United States of America and another sovereign power and shall be members in good and regular standing of a Pennsylvania branch post lodge or club of a recognized national veterans organization active in this Commonwealth

Three members of the commission shall constitute a quorum

The commission shall select from its number a chairman and a secretary

(c) The State Forest Commission shall consist of four persons and the Secretary of Forests and Waters ex-officio who shall be chairman thereof

(d) The State Parks Commission shall consist of the Secretary of Forests and Waters the Secretary of Highways the Executive Director of the Pennsylvania Game Commission the Commissioner of Fisheries the Chairman of the several Regional State Park Boards and the chairman of the Pennsylvania Historical Commission [and four other citizens]

[Four] A majority of the members of the commission shall constitute a quorum

The State Parks Commission shall annually elect from among its members a chairman and vice-chairman

(e) Bushy Run Battlefield Commission The Bushy Run Battlefield Commission shall consist of the Secretary of Forests and Waters and the chairman and Secretary of the Pennsylvania Historical Commission ex-officio and six other members residing in the vicinity of the Bushy Run Battlefield State Park and having a knowledge of and interest in the history of the locality wherein said park is situated

The members of the commission shall annually elect a chairman and a secretary

Five members of the commission shall constitute a quorum

(f) The Advisory Health Board shall consist of the Secretary of Health and six members a majority of whom shall be physicians graduates of legally constituted medical colleges and of at least ten years' experience in the practice of their profession and one of whom shall be a civil engineer The Secretary of Health shall be chairman of the board

Three members of the board together with the Secretary of Health shall constitute a quorum

(g) The Industrial Board shall consist of the Secretary of Labor and Industry and four additional members one of whom shall be an employer of labor one a wage earner and one a woman The Secretary of Labor and Industry shall be a chairman of the board

Three members of the board shall be a quorum

The members of the Industrial Board other than the chairman shall receive fifteen dollars per day while in the performance of their official duties

(h) The State Welfare Commission shall consist of the Secretary of Welfare ex-officio and eight other members The Secretary of Welfare shall be chairman of the board The Secretary of Welfare and four other members of the board shall constitute a quorum

(i) The General Galusha Pennypacker Monument Commission shall consist of the Secretary of Property and Supplies the president of the Pennsylvania Academy of Fine Arts of Philadelphia and three other persons The Commission shall annually elect a president and secretary

Three members of the commission shall constitute a quorum

(j) The Regional State Park Boards shall consists of the Secretary of Forests and Waters and five other members three of whom shall reside in the region where the particular board of which they are members functions

Each Regional State Park Board shall annually elect from its membership a chairman and a vice-chairman

The Secretary of Forests and Waters shall appoint a secretary for each Regional State Park Board

Four members of a Regional State Park Board shall constitute a quorum

Section 507 Purchases It shall be unlawful for any administrative department other than the Department of Property and Supplies or for any independent administrative board or commission or for any departmental administrative body board or commission or for any advisory board or commission to purchase or contract for the purchase of any stationery paper printing binding ruling lithographing engraving envelopes or other printing or binding supplies or any fuel supplies furniture furnishings or equipment except

(a) Any departments boards or commissions which by law are authorized to purchase materials or supplies and pay for the same out of fees or other moneys collected by them or out of the moneys appropriated to them by the General Assembly Provided That every such department board and commission shall make its purchases through the Department of Property and Supplies as purchasing agency and all such purchases shall conform to the effective supplies contracts of the Department of Property and Supplies unless in any case the Board of Commissioners of Public Grounds and Buildings shall speci-

ficially authorize a departure from such effective supplies contracts

(b) Any department board or commission having charge of a State institution which may purchase perishable foodstuffs [and fuel] for such institution directly and may purchase any article directly if it can after competitive bidding purchase the same f o b the institution for a price [equal to or] less than the Department of Property and Supplies can furnish it f o b the institution but all articles purchased directly hereunder shall conform to the specification contained in the effective supply contracts of the Department of Property and Supplies or if the article be not included in the effective supply contracts then to the standard specification if any adopted by the Department of Property and Supplies for the commodity purchased unless the Board of Commissioners of Public Grounds and Buildings shall have specifically authorized a departure from such specification

In all other cases such departments boards or commissions shall make purchases through the Department of Property and Supplies as purchasing agency and all purchases made by the Department of Property and Supplies as purchasing agency hereunder shall conform to the specifications contained in the effective supply contracts of the department or if the article be not included in the effective supply contracts then to the standard specifications if any adopted by the department for the commodity purchased unless the Board of Commissioners of Public Grounds and Buildings shall specifically authorize a departure from such effective supply contracts or specifications

(c) Any department board or commission which shall have been authorized in writing by the Department of Property and Supplies to make purchases in the field not exceeding a specified amount but records of all such purchases shall be transmitted periodically to the Department of Property and Supplies in such form as it may require In so far as practicable purchases under this paragraph shall be made from contractors having effective supplies contracts with the Department of Property and Supplies and shall be in accordance with applicable specifications in such contracts otherwise such purchases shall be made from the lowest of at least two bidders

Section 508 Erection Repairs or Alterations of and Additions to Buildings (a) No administrative department except the Department of Property and Supplies and no administrative board or commission shall except as in this act otherwise specifically provided erect or construct or contract for the erection or construction of any new building or make or contract for making any alterations or additions to an existing building involving an expenditure of more than [ten thousand ($10,000)] one thousand dollars ($1,000) and in any case in which any other department or any board of commission is by this act authorized to erect or construct buildings or make alterations or additions such erection or construction shall be under the [general] complete supervision and shall be the responsibility of the Department of Property and Supplies

[(b) All repairs to or alterations of existing buildings of the Commonwealth involving expenditures of more than one thousand dollars ($1,000) shall be subject to inspection by and the general supervision of the Department of Property and Supplies which shall be notified thereof at least ten days prior to the execution of the contract or if the work is not to be done under contract then at least ten days prior to the commencement of the work and all plans and specifications for repairs to or alterations of buildings under the control of the departmental administrative boards and commission shall be subject to approval by the departments with which such boards or commissions are respectively connected]

(b) The Department of Property and Supplies shall make at least once every two fiscal years a survey of all buildings equipment land improvements connected with and comprising each State institution After making and survey the Department of Property and Supplies shall prepare a report setting forth in detail the results of the survey including the needs of such institution with respect to the maintenance of and repairs improvements laterations and additions to its buildings lands and equipment The Department of Property and Supplies shall file a copy of such report with the Governor and the department or departmental administrative board having supervision or control of the institution Such reports shall be used so far as practical as a guide in formulating the biennial budgetary requests for appropriations for the maintenance of any repairs improvements alterations and additions to the buildings lands and equipment of State institutions

(c) All plans and specifications for new buildings and for alterations or additions to existing buildings shall be subject to the approval of the Department of Property and Supplies and in addition thereto shall also be subject to the approval of the department board or commission using or intending to use the building being erected or constructed or to which an alteration or addition is being made [and in] with respect to the type and general character of the proposed building the floor layouts radiation natural light artificial illumination ventilation medical equipment or other equipment of a nature peculiar to the building for which the plans and specifications are being prepared In the case of buildings used by or for the use of departmental administrative boards or commissions the plans and specifications shall also be approved with respect to the above mentioned matters by the department with which the board of commission is connected

(d) Buildings may be erected or constructed or alterations or additions made wholly or partially by the labor of employes or inmates or patients of State institutions if in the judgment of the agency responsible for the management of such institutions and of the Department of Property and Supplies the work can be properly and safely done by such employes inmates or patients In such cases the Department of Property and Supplies [or such agency of the State Government] or outside supervising engineer or engineering concern as it may approve shall have full and direct [supervision] responsibility for the management of the work and [in all cases the Department of Property and Supplies shall have the right to inspect and generally supervise the work] the department board or commission using or intending to use the building shall have complete charge of such employes inmates or patients

Section 511 Sale and Transfer of Surplus Products All departments boards and commissions may sell for the best price obtainable but not less than the current market price for similar products any surplus products of the soil meats live stock timber or other materials raised or grown upon or taken from property of the Commonwealth administered by such departments boards or commissions or their by-products respectively Transfers may be made of such products by and between State institutions under the control and management of such departments boards or commissions

As used in this section "surplus" shall mean products meats live stock timber or other materials or their by-products respectively which cannot conveniently and economically be used in connection with the proper maintenance of the institution park or other property administered by the department board or commission involved but under no circumstances shall live trees be cut for sale unless and until the Department of Forests and Waters has approved the cutting of such trees and no sales or transfers shall be made under this section by any departmental administrative board or commission without the approval of the department with which such board or commission is connected

The proceeds of the sale of any products of the soil meats live stock timber or other materials sold by any department board or commission under the provisions of this section shall be paid into the State Treasury through the Department of Revenue and credited to the General Fund unless the expenses of such department board or commission are paid wholly or mainly out of a special fund in which case such proceeds shall be credited to the proper special fund Any questions arising hereunder shall be determined by the Governor and his decision shall be certified to the Department of Revenue and the Treasury Department

Every department board or commission which sells or transfers any product of the soil meats live stock timber or other materials under the provisions of this section shall keep an accurate record of the dates quantities and prices of all sales or transfers which records shall at all times be subject to audit by the Department of the Auditor General

The Executive Board shall prescribe rules and regulations prescribing the manner in which transfers shall be made under this section

Section 522 Wage Specifications in Contract for Public Works The specifications upon which contracts are entered into by the Commonwealth for the construction alteration or repair of any public work shall as far as possible contain the minimum wage or wages which may be paid by the contractor or his subcontractors for the work performed by laborers and mechanics employed in such public work and such laborers or mechanics shall be paid not less than such minimum wage or wages and shall not be required to refund directly or indirectly any part of such wage or wages The contractor shall submit to the Commonwealth certified detailed payrolls giving names classifications hours worked rates per hour and total paid on each pay day The contractor shall also certify that he is not receiving or requiring or will not receive or require directly or indirectly from any employe any refund of any such minimum wage or wages

Every contract entered into upon such specifications shall stipulate a penalty of an amount equal to twice the difference between the minimum wage contained in said specifications and the wage actually paid to each such laborer or mechanic for each day during which he has been employed at a wage less than that prescribed in said specifications Every officer or person designated as inspector of the work to be performed under any such contract or to aid in the enforcing of the fulfillment thereof shall upon observation or investigation report to the department board or commission which made the contract award all violations of minimum wage stipulations together with the name of each laborer or mechanic who has been paid less than that prescribed by the specifications and the day or days of such violation All such penalties shall be withheld and deducted for the use of the Commonwealth from any moneys due the contractor by the officer or person whose duty it shall be to authorize the payment of moneys due such contractor whether the violation of the minimum wage stipulation of the specifications is by the contractor or by any of his subcontractors

Section 701 The Governor The Governor shall have the power and it shall be his duty

(a) To take care that the laws of the Commonwealth shall be faithfully executed

(b) To act as Commander-in-Chief of the Army and Navy of the Commonwealth and of the Militia except when they shall be called into active service by the United States Government

(c) To cause to be published through the Department of Property and Supplies from time to time for the information of the public bulletins of the work of the State Government

(d) To prescribe and require the installation of a uniform system or systems of bookkeeping accounting and reporting for the several administrative departments boards and commissions except for the Department of the Auditor General and the Treasury Department but before prescribing and requiring such installation the Governor shall consult with the Department of the Auditor General

(e) To prescribe forms for accounts and financial records reports and statements for the several administrative departments boards and commissions except the Department of the Auditor General and the Treasury Department but before prescribing such forms the Governor shall consult with the Department of the Auditor General

(f) To approve or disapprove all investments by departments boards or commissions of funds administered by such departments boards or commissions

(g) To submit to the General Assembly a State budget

(h) After each biennial appropriation to the Department of Property and Supplies (1) for the purchase of stationery paper printing binding ruling lithographing color printing engraving paper envelopes and other printing and binding supplies (2) for fuel supplies furniture furnishings repairs alterations and improvements (3) for automobiles and (4) for rentals of branch offices after making proper deductions for the needs of the legislative and judicial departments to allocate and from time to time to re-allocate to the several administrative departments boards and commissions such portions of such appropriations as will fairly represent the needs of the departments boards and commissions for the biennium taking into consideration the right of any such department board or commission to pay its necessary expenses or purchase furniture materials or supplies out of fees or other moneys received by or moneys specifically appropriated to it

Every administrative department board or commission shall be limited to its right to make requisition upon the Department of Property and Supplies to the amount allocated to it unless the Governor shall subsequently permit the Department of Property and Supplies to honor requisitions in excess of such amount

(i) To do all other acts make all appointments fill all vacancies exercise all the powers vested in him and perform all the duties imposed upon him as provided and required by the Constitution and laws of this Commonwealth

(j) To grant to pilots engaged in the aeronautical work of the Department of Revenue commissions of such grades as the Governor may prescribe

Section 709 Executive Board The Executive Board shall have the power

(a) To standardize the qualifications for employment and all titles salaries and wages of persons employed by the administrative departments boards and commissions except the Department of the Auditor General and the Treasury Department In establishing such standards the board may

(1) Take into consideration the location of the work and the conditions under which the service is rendered

(2) Establish different standards for different kinds grades and classes of similar work or service

(b) To approve or disapprove the establishment of bureaus and divisions by the administrative departments other than the Department of the Auditor General and the Treasury Department and by the independent administrative boards and commissions and to investigate duplication of work of the several administrative departments boards and commissions and the efficiency of the organization and administration thereof and the better coordination of such departments boards and commissions

(c) To approve or disapprove as provided by this act the payment of extra compensation to employes of administrative departments boards or commissions who are employed at fixed compensation

(d) To determine from time to time the hours when the administrative offices of the State Government shall open and close

(e) To approve or disapprove extensions of leaves of absence with pay for employes of administrative departments or of independent administrative boards or commissions

(f) To make rules and regulations defining the expenses for which officers and employes of the executive branch of the State Government may be reimbursed

(g) To determine by what members of independent administrative boards and commissions fidelity bonds shall be given to approve or disapprove recommendations of department heads or of independent administrative boards or commissions for the bonding of officers or employes of their departments or members or officers or employes of departmental administrative boards or commissions or officers or employes of independent administrative boards or commissions to fix the amounts of the bonds of all such members officers or employes required to give bond and to require any bond or bonds to be executed by a surety or sureties even though the Commonwealth may have established its own indemnity fund as elsewhere in this act provided

(h) To approve or disapprove the establishment of

branch offices outside of the Capital city by or for administrative departments boards or commissions

(i) From time to time to determine within what limits the Department of Property and Supplies shall procure liability insurance covering claims for damages against the Commonwealth and State officers and employes arising out of the operation of State automobiles by such officers and employes

(j) From time to time to determine the number and type of automobiles to be purchased by the Department of Property and Supplies acting either on its own behalf or as purchasing agency for any other department except the Department of the Auditor General and the Treasury Department or for any board or commission and to make rules and regulations for the use of State automobiles by State officers and employes except the Department of the Auditor General and the Treasury Department

(k) To approve or disapprove requests for and to direct the disposal of files of correspondence reports records or other papers which are not needed for the current or anticipated future operations of any administrative department board or commission

Section 712 The Pennsylvania State Police Force The various members of the Pennsylvania State Police are hereby authorized and empowered

(a) To make arrests without warrant for all violations of the law which they may witness and to serve and execute warrants issued by the proper local authorities They shall have all the powers and prerogatives conferred by law upon members of the police force of cities of the first class and upon constables of the Commonwealth

(b) To act as game protectors and as forest fish or fire wardens and for the better performance of such duties

(1) Seize all guns boats decoys traps dogs game fish shooting paraphernalia or hunting or fishing appliances or devices used taken or had in possession contrary to the laws of this State Any article so seized shall be held subject to such disposition as the Commissioner of Fisheries or the [Secretary of the Board of Game commissioners] Executive Director of the Pennsylvania Game Commission or the Secretary of Forests and Waters may respectively determine

(2) Seize and take possession of all birds animals or fish which have been taken caught or killed or had in possession or under control or which have been shipped or are about to be shipped contrary to any law of this State

(3) Search without warrant any boat conveyance vehicle or receptacle when there is good reason to believe that any law has been violated the enforcement or administration of which is imposed on or vested in the Board of Fish Commissioners or the [Board of Game Commissioners] Pennsylvania Game Commission or in the Department of Forests and Waters

(4) Serve subpoenas issued for any examination investigation or trial had pursuant to any law as aforesaid

(5) Purchase game or fish for the purpose of securing evidence

Section 906 Deputy Attorneys General In addition to such deputy attorneys general as may be appointed to assist in the conduct of the regular work of the department the Attorney General with the approval of the Governor shall have power

(a) To appoint and fix the compensation of such special deputy attorneys general as may be required to represent and advise the Workmen's Compensation Board and any other departments boards and commissions which may require the services of counsel to such an extent as to render it reasonably necessary to assign deputy attorneys general exclusively to their work Provided That the office of counsel to the [Public Service Commission of the Commonwealth of Pennsylvania] Pennsylvania Public Utility Commission shall be retained such counsel to be appointed by the Attorney General as now provided by law The Attorney General as now provided by law may also from time to time with the approval of the Governor appoint such assistant counsel to the [Public Service Commission] Pennsylvania Public Utility Commission as may be required for the proper conduct of its work The compensation of the counsel and assistant counsel of the [Public Service Commission] Pennsylvania Public Utility Commission shall be fixed by the commission with the approval of the Governor as now provided by law

(b) From time to time appoint and fix the compensation of special deputy attorneys general and special attorneys to represent the Commonwealth or any department board or commission thereof in special work or in particular cases

(c) To appoint and fix the compensation of deputy attorneys general to represent the Commonwealth and the several departments boards and commissions thereof in all legal matters arising in any city or county other than the State capital except as otherwise provided in this act Provided That the same deputy attorney general may be assigned to two or more cities or counties in the discretion of the Attorney General

Section 907 Special Attorneys in Criminal Cases When the president judge in the district having jurisdiction of any criminal proceedings before any court of oyer and terminer general jail delivery or quarter sessions in this Commonwealth shall request the Attorney General to do so in writing setting forth that in his judgment the case is a proper one for the Commonwealth's intervention the Attorney General is hereby authorized and empowered to retain and employ a special attorney or attorneys as he may deem necessary properly to represent the Commonwealth in such proceedings and to investigate charges and prosecute the alleged offenders against the law Any attorney so retained and employed shall supersede the district attorney of the county in which the case or cases may arise and shall investigate prepare and bring to trial the case or cases to which he may be assigned He shall take the oath of office required by law to be taken by district attorneys and shall be clothed with all the powers and subject to all the liabilities imposed upon them by law The compensation for services rendered and necessary expenses incurred by such attorney or attorneys shall be fixed by the Attorney General and shall be paid by the county in which the case arose

Section 1402 Pennsylvania National Guard The Department of Military Affairs has the power and its duty shall be

(a) To keep in its custody all books and accounts and military property of the Commonwealth issued by it pertaining to the Pennsylvania National Guard

(b) To distribute all orders from the Commander-in-Chief and perform such other duties as the Commander-in-Chief shall direct

(c) To make returns periodically as required of the Pennsylvania National Guard and report of their arms uniforms accoutrements and ammunition according to such forms as may be prescribed by the Secretary of War of the United States and to forward a copy thereof to the Secretary of War of the United States

(d) To pay the troops and make all other disbursements authorized by law by requisition presented to the Auditor General in the usual way

(e) To supply to all officers of the Pennsylvania National Guard such copies of drill regulations manuals of rifle practice service manuals and military publication forms and books prescribed for use of the United States Army as the Governor as Commander-in-Chief may designate

(f) To supply to all organizations of the Pennsylvania National Guard all necessary military stores arms and equipment

(g) With the approval of the Governor as Commander-in-Chief to sell or exchange from time to time such military stores belonging to the Commonwealth as are found to be unserviceable or in state of decay or which it may be deemed for the best interests of the Commonwealth to sell or exchange but if the department is unable to obtain a bid for the property it may be demolished or destroyed The destruction of the property shall be witnessed by three disinterested officers of the Pennsylvania National Guard and their certificate shall

constitute proper authority to issue a voucher for marking off the property All moneys received for stores so sold shall be paid into the State Treasury through the Department of Revenue

(h) To audit and adjust all claims incident to the organization training discipline maintenance and service of the Pennsylvania National Guard other than fixed allowances and to pay such claims when audited and adjusted but all claims paid thereunder shall be subject to audit by the Department of the Auditor General

(i) Subject to the approval of the Governor as Commander-in-Chief to procure and issue from time to time to the Pennsylvania National Guard such flags standards and guidons as may be necessary which shall however as far as practical be similar in style to those of the United States Army

(j) Appoint a board of not less than three commissioned officers of the Pennsylvania National Guard for the purpose of investigating claims for damages based on injuries to persons or damages to property arising out of accident or negligence and incident to the organization training discipline maintenance and service of the Pennsylvania National Guard and upon the recommendation of the board so appointed to adjust and pay such claims for damages Provided however That each such claim shall be in an amount not exceeding two hundred and fifty dollars ($250) And provided further however That all claims paid hereunder shall be subject to audit by the Department of the Auditor General

Section 1802 Forest Powers and Duties The Department of Forests and Waters shall have the power and its duty shall be

(a) With the approval of the State Forest Commission to acquire in the name of the Commonwealth by purchase gift lease or condemnation and hold as State forests subject to the conditions of any such lease and subject to such reservations if any of mineral rights stumpage rights rights of way or other encumbrances as the department and the State Forest Commission deem to be consistent with such holding any lands which in the judgment of the department the Commonwealth should hold manage control protect maintain utilize and regulate as State forest [Provided That the] The purchase price of any such lands shall not exceed ten dollars per acre [and that the] except the price paid for interior holdings and farms and marginal farms along State forest lands which shall not exceed twenty dollars per acre The amount expended for the acquisition of lands for State forest purposes in any biennial appropriation period shall not exceed the appropriation for that purpose for such period

(b) To purchase and hold as State forest unseated vacant or unappropriated lands lands advertised for sale for taxes and land sold for taxes as may now or hereafter be provided by law

(c) To hold manage control protect maintain utilize develop and regulate the occupancy and use of all lands heretofore or hereafter acquired owned leased and maintained as State forests together with the resources thereof

(d) To divide the State into such convenient forest districts as it deems economical and effective to administer protect develop utilize and regulate the occupancy and use of the lands and resources of the State forests to protect all forest land in the State from forest fires fungi insects and other enemies to promote and develop forestry and knowledge of forestry throughout the State to advise and assist landowners in the planting of forest and shade trees to obtain and publish information respecting forest lands and forestry in the State to assist in Arbor Day work and promote and advance any other activity in local forestry which the department may deem helpful to the public interest and to execute the rules and regulations of the department for the protection of forests from fire and depredation It may also assign district foresters to take active charge of such forests districts and also foresters forest rangers and other help for the administration of such forest districts as the Secretary of Forests and Waters may deem necessary for the accomplishment throughout the State of the purposes for which the department is established

(e) To cooperate with the authorities of townships boroughs and cities of this Commonwealth in the acquisition and administration of municipal forests as may now or hereafter be provided by law

(f) With the advice of the State Forest Commission to establish such rules and regulations not inconsistent with law for the control management protection utilization development occupancy and use of the lands and resources of the State forests as the department deems proper to conserve the interests of the Commonwealth Such rules and regulations shall be compatible with the purposes for which the State forests are created namely to provide a continuous supply of timber lumber wood and other forest products to protect the watersheds conserve the waters and regulate the flow of rivers and streams of the State and to furnish opportunities for healthful recreation to the public

The net receipts arising out of the occupancy and use of the State forests hereunder shall be paid into the State Treasury through the Department of Revenue and shall belong to and form part of the State School Fund

(g) Whenever it shall appear that the welfare of the Commonwealth with reference to reforesting and the betterment of the State forests with respect to control management protection utilization development and regulation of their occupancy and use will be advanced by selling or disposing of any of the timber on the State forests to dispose of such timber on terms most advantageous to the State Provided That the department is authorized and directed to set aside within the State forests unusual or historical groves of trees or natural features especially worthy of permanent preservation to make the same accessible and convenient for public use and to dedicate them in perpetuity to the people of the State for their recreation and enjoyment And the said department is hereby empowered with the advice of the State Forest Commission to make and execute contracts or leases in the name of the Commonwealth for the mining or removal of any valuable minerals that may be found in said State forests whenever it shall appear to the satisfaction of the department that it would be for the best interests of the State to make such disposition of said minerals And provided further That any proposed contracts or leases of valuable minerals exceeding three hundred dollars in value shall have been advertised once a week for three weeks in at least two newspapers published nearest the locality indicated in advance of awarding such contract or lease Such contracts or leases may then be awarded to the highest and best bidder who shall give bond for the proper performance of the contract as the department shall designate

(h) To appoint and with the approval of the Governor fix the compensation of a chief forest fire warden and such district forest fire wardens and to appoint and fix the compensation of such local forest fire wardens and other assistants as shall be required for the prvention control and extinction of forest fires

(i) To establish and administer auxiliary forest reserves in the manner and under such terms and conditions as may now or hereafter be provided by law

(j) To distribute young forest trees as provided by law to those desiring to plant them

(k) To furnish information and issue certificates and requisition necessary for the payment of such fixed charges in lieu of taxes on State forests and auxiliary forest reserves to school districts road districts and counties as May now or hereafter be provided by law

(l) To sell or exchange State forest land as provided by law whenever it shall be to the advantage of the State forest interests Provided that such action has been authorized by resolution of the State Forest Commission unanimously adopted at a meeting at which a majority of its members are present and voting and has been approved by the Governor

Section 1804 Waters The Department of Forests and Waters shall have the power and its duty shall be

(a) To study consider and determine upon a public policy with regard to the conservation marketing and equitable distribution of the water and power to be derived from the utilization of the water resources of the Commonwealth to the restoration development and improvement of transportation by water to the supply of water and power for municipal domestic and industrial use and to the conservation of water resources by the aid of forestation

(b) To investigate or examine dams walls wing walls wharves embankments abutments projections bridges and other water obstructions determine whether they are unsafe need repair alteration or change in their structure or location or should be removed notify owners to repair alter or change the structure or location or remove the same repair alter or change the structure or location or remove the same in emergencies without notice and at the cost of the owners and apply for injunctions to enforce compliance with or restrain the violation of the law in regard to the safety of dams or the derogatory effect of walls wing walls wharves embankments abutments projections bridges or other water obstructions upon the regiment of streams or the violation of any lawful order or notice the department of the Water and Power Resources Board in regard thereto The power of the department under this paragraph shall extend to and include all types of water obstructions regardless of the date when such obstructions were constructed and whether or not the same were constructed by express or implied permission of the Commonwealth or any agency thereof

(c) To collect such information relative to the existing conditions of the water resources of the State as in the opinion of the department shall be necessary for the utilization of waters and for the conservation purification development and equitable distribution of water and water power resources and in particular for the use of such citizens and communities as may be in need of extended facilities for these purposes

(d) To establish and maintain gauging stations on rivers and their tributaries

(e) To issue bulletins during freshet and flood conditions forcasting gauge heights and the times thereof

(f) To maintain a complete inventory of all the water resources of the Commonwealth collect all pertinent data facts and information in connection therewith classify tabulate record and preserve the same and upon the basis thereof determine with the approval of the Water and Resources Board the points at which storage reservoirs may be constructed for flood control for municipal and domestic supply hydraulic and hydoelectric power steam raising steam condensation navigation and other utilization and generally to devise all possible ways and means to conserve and develop the water supply and water resources of the Commonwealth for the use of the people thereof

(g) To construct maintain and operate works for water storage flood control channel improvement or other hydraulic purposes

Section 1806 Parks The Department of Forests and Waters shall have the power and its duty shall be

(a) To supervise maintain improve regulate police and preserve all parks belonging to the Commonwealth except the Pennsylvania State Park at Erie Washington Crossing Park Valley Forge Park and Fort Washington Park

(b) For the purpose of promoting healthful outdoor recreation and education and making available for such use natural areas of unusual scenic beauty especially such as provide impressive views water falls gorges creeks caves or other unique and interesting features to acquire in the name of the Commonwealth by purchase gift lease or condemnation any lands which in the judgment of the department should be held controlled protected maintained and utilized as State park lands Such lands may be purchased or accepted subject to the conditions of any such lease and subject to such reservations if any of mineral rights rights of way or other encumbrances as the department may deem not inconsistent with such holdings Provided however That the amount expended for the acquisition of lands for State park purposes shall not exceed the amount specifically appropriated for such purposes [nor shall the purchase cost exceed fifty dollars per acre]

(c) To establish such rules and regulations not inconsistent with law for the control management protection utilization development occupancy and use of the lands and resources of State parks as it may deem necessary to conserve the interests of the Commonwealth Such rules and regulations shall be compatible with the purposes for which State parks are created

(d) To see that conveniences and facilities for the transportation shelter comfort and education of people shall be so designed and constructed as to retain so far as may be the naturalistic appearance of State park areas surroundings and approaches and conceal the hand of man as ordinarily visible in urban industrial and commerical activities

(e) To lease for a period not to exceed ten years on such terms as may be considered reasonable to any citizen or organization of this Commonwealth a portion of any State park whether owned or leased by the Commonwealth as may be suitable as a site for temporary buildings to be used for health recreational or educational purposes or for parking areas or concessions for the convenience and comfort of the public

(f) To study counsel and advise in reference to gifts of lands or money for park purposes

(g) To counsel and advise in reference to the development of park lands by concessionaries with facilities and equipment for the accommodation and education of the public

Section 2110 Sanitary Water Board Subject to any inconsistent provisions in this act contained the Sanitary Water Board shall have the power and its duty shall be

(a) To exercise all the powers and perform all the duties vested in and imposed upon the Commissioner of Health the Governor and the Attorney General or any of them by sections four and five and sections seven to eleven inclusive of the act approved the twenty-second day of April one thousand nine hundred and five (P. L. 260) entitled "An act to preserve the purity of the waters of the State for the protection of the public health" which reads as follows

"Section 4 No person corporation or municipality shall place or permit to be placed or discharge or permit to flow into any of the waters of the State any sewage except as hereinafter provided But this act shall not apply to waters pumped or flowing from coal mines or tanneries nor prevent the discharge of sewage from any public sewer system owned and maintained by a municipality provided such sewer system was in operation and was discharging sewage into any of the waters of the State at the time of the passage of this act But this exception shall not permit the discharge of sewage from a sewer system which shall be extended subsequent to the passage of this act

"For the purpose of this act sewage shall be defined as any substance that contains any of the waste products or excrementitious or other discharges from the bodies of human beings or animals

"Section 5 Upon application duly made to the Commissioner of Health by the public authorities having by law the charge of the sewer system of any municipality the Governor of the State the Attorney General and the Commissioner of Health shall consider the case of such a sewer system otherwise prohibited by this act from discharging sewage into any of the waters of the State and whenever it is their unanimous opinion that the general interests of the public health would be subserved thereby the Commissioner of Health may issue a permit for the discharge of sewage from any such sewer system into any of the waters of the State and may stipulate in the permit the conditions on which such discharge may be permitted Such permit before being operative shall be recorded in the office of the recorder of deeds for the county wherein the outlet of the said sewer system is located Every such permit for the discharge of sewage from a sewer system shall be revocable or subject to modification and charge by the Commissioner of Health

on due notice after an investigation and hearing and an opportunity for all interested therein to be heard therein being served on the public authorities of the municipality owning maintaining or using the sewage system The length of time after receipt of the notice within which the discharge of sewage shall be discontinued may be stated in the permit but in no case shall it be less than one year or exceed two years and if the length of time is not specified in the permit it shall be one year On the expiration of the period of time prescribed after the service of a notice of revocation modification or change from the Commissioner of Health the right to discharge sewage into any of the waters of the State shall cease and terminate and the prohibition of this act against such discharge shall be in full force as though no permit had been granted but a new permit may thereafter again be granted as hereinbefore provided

"Section 7 The penalty for the discharge of sewage from any public sewer system into any of the waters of the State without a duly issued permit in any case in which a permit is required by this act shall be five hundred dollars and a further penalty of fifty dollars per day for each day the offense is maintained recoverable by the Commonwealth at the suit of the Commissioner of Health as debts of like amount are recoverable by law The penalty for the discharge of sewage from any public sewer system into any of the waters of the State with out filing a report in any case in which a report is required to be filed shall be fifty dollars recoverable by a like suit

"Section 8 All individuals private corporations and companies that are at the time of the passage of this act are discharging sewage into any of the waters of the State may continue to discharge such sewage unless in the opinion of the Commissioner of Health the discharge of such sewage may become injurious to the public health If at any time the Commissioner of Health considers that the discharge of such sewage into any waters of the State may become injurious to the public health he may order the discharge of such sewage discontinued

"Section 9 Every individual private corporation or company shall discontinue the discharge of sewage into any of the waters of the State within ten days after having been so ordered by the Commissioner of Health

"Section 10 Any individual private corporation or company that shall discharge sewage or permit the same to flow into the waters of the State contrary to the provisions of this act shall be deemed guilty of a misdemeanor and shall upon conviction be punished by a fine of twenty-five dollars for each offense and a further fine of five dollars per day for each day the offense is maintained or by imprisonment not exceeding one month or both at the discretion of the court

"Section 11 Any order or decision under this act of the Commissioner of Health or that of the Governor Attorney General and Commissioner of Health shall be subject to an appeal to any Court of Common Pleas of the county wherein the outlet of such sewer or sewer system otherwise prohibited by this act is situated and said court shall have power to hear said appeal and may affirm or set aside said order or decision or modify the same or otherwise fix the terms upon which permission shall be granted But the order or decision appealed from shall not be superseded by the appeal but shall stand until the order of the court as above"

Provided That it shall require the affirmative votes of three of the members of the board to authorize the granting of a permit for discharging sewage into any of the waters of the State under section five of the said act

(b) To exercise all other powers not contrary to law formerly exercised by the Department of Health or the Commissioner of Health with regard to granting permits for the erection of sewage disposal works or plants and the construction of sewers or sewer systems

(c) To exercise all the powers not contrary to law exercised by the former Department of Fisheries the former Commissioner of Fisheries and the former Water Supply Commission of Pennsylvania with regard to the prevention of pollution of the waters of this Commonwealth

(d) To investigate hold hearings upon and determine any question of fact regarding the purity of water supplied to the public by any [public service company] public utility over which the [Public Service Commission] of the Commonwealth of Pennsylvania] Pennsylvania Public Utility Commission has jurisdiction whenever said commission shall certify such question to the board

The findings of the board upon any such questions shall be incorporated in and made a part of the determination or decision of said commission of the controversy or other proceeding in connection with which the question arose and shall be binding upon the parties to such controversy or other proceeding unless either party shall take an appeal from the commission's determination or decision as may now or hereafter be provided by law

(e) To make rules and regulations for the effective administration and enforcement of the laws of this Commonwealth prohibiting the pollution of the waters thereof

(f) To study investigate and from time to time report ways and means of eliminating from the streams and waters of the Commonwealth so far as practicable all substances and materials which pollute or tend to pollute the same and to determine and recommend methods of preventing pollution detrimental to the public health or to the health of animals fish or aquatic life or detrimental to the use of waters for recreational purposes The board shall have the power to investigate the character of all wastes discharged into or deposited on the banks of the streams or waters of the Commonwealth and shall make similar investigations and recommendations with regard to the matter of preventing pollution of the waters of interstate streams which touch the boundaries of the Commonwealth

(g) To call upon the Department of Health to make such inspections conduct such investigations and to do such other acts as may be necessary and proper in the exercise of the powers and the performance of the duties of the board

Section 2304 Visitations and Inspections The Department of Welfare shall have the power and its duty shall be

(a) To make and enforce rules and regulations for the visitation examination and inspection of all supervised institutions

(b) To visit and inspect at least once in each year all State and supervised institutions to inquire and examine into their methods of instruction discipline detention imprisonment care or treatment the care treatment government or management of their inmates or those committed thereto or being imprisoned detained treated or residing therein the official conduct of their inspectors trustees managers directors or other officer or officers charged with their management by law or otherwise or having the management care custody or control thereof the buildings grounds premises and equipment thereof or connected therewith and all and every matter and thing relating to their usefulness administration and management and to the welfare of the inmates thereof or those committed thereto or being imprisoned detained treated or residing therein

For these purposes the Secretary of Welfare or other officer inspector or agent of the department shall have free and full access to the grounds premises and buildings of and to all the records books or papers of or relating to any such State or supervised institution and full opportunity to interrogate or interview any inmate thereof or any person or persons committed to or being imprisoned detained treated or residing therein and all persons connected with any such State or supervised institution as officers or charged with the management thereof by law or otherwise or in any way having the care custody control or management thereof or connected therewith as employes are hereby directed and required to give to the Secretary of Welfare or to such officer inspector or agent of the department such means facilities and opportunity for such visitation examination inquiry and interrogation as is hereby provided and required or as the department by its duly ordained rules or regulations may require

(c) Whenever upon the visitation examination and

inspection of any State or supervised institution any condition is found to exist therein which in the opinion of the department is unlawful unhygienic or detrimental to the proper maintenance and discipline of such State or supervised institution or to the proper maintenance custody safety and welfare of the inmates thereof or of the persons committed thereto or being treated detained or residing therein to direct the officer or officers charged by law with or in any way having or exercising the control government or management of such State or supervised institution to correct the said objectionable condition in the manner and within the time specified by the department whereupon it shall be the duty of such officer or officers to comply with the direction of the department If such officer or officers shall fail to comply with such direction the department may request the Department of Justice to institute appropriate legal proceedings to enforce compliance therewith or the department may withhold any State money available for such institution until such officer or officers comply with such direction

(d) To cause to be visited and examined any person found by an inquisition to be insane and to authorize such visiting and examining by an officer or agent of the department or any board of visitors or by a physician and to apply to the court having jurisdiction over the committee or guardian of such insane person or to a judge of a Court of Common Pleas of the county in which the insane person is a resident or detained to make such orders for the maintenance custody or care of the insane person and for the care and disposition of the property of the insane person as the case may require

Section 2307 Recommendations The Department of Welfare shall have the power and its duty shall be from time to time to recommend and bring to the attention of the officers or other persons having the management of the State and supervised institutions such standards and methods as may be helpful in the government and administration of such institutions and for the betterment of the inmates therein whereupon it shall be the duty of such officers or other persons to adopt and put into practice such standards and methods

Section 2311 Restoration The Department of Welfare shall have the power and its duty shall be

(a) To require and supervise the transfer of inmates [of one penitentiary to another under any law providing therefor] from one State penal or correctional institution to any other State penal or correctional institution

(b) To formulate and put into operation plans for the classification of State penal or correctional institutions and also to formulate and put into operation a program for the classification of inmates so that the inmates may be grouped in those institutions which have the proper facilities

[(b)] (c) To request from any or all magistrates chiefs of police sheriffs district attorneys courts judges probation officers and all others concerned in the control apprehension trial and punishment of criminals and delinquents in this Commonwealth periodical reports as to the number and kind of crimes reported the numbers age sex color nativity and offenses of criminals and delinquents arrested tried and otherwise disposed of the sentences imposed and whether executed or suspended the number placed on probation and the reason therefor the number of probation officers and the nature of the oversight exercised over those placed on probation and for the purpose of verifying the reports so made the department shall have the power to make such further inquiry or investigation as may seem to it necessary and it shall be the duty of all such migistrates and other officers to make such reports at such time or times and to furnish such facilities for investigation and such cooperation as the department may require

Section 2312 Inmate Labor The Department of Welfare shall have the power and its duty shall be

(a) To establish maintain and carry on industries in the Eastern State Penitentiary the Western State Penitentiary the Rockview Penitentiary the new Eastern State Penitentiary at Graterford the Pennsylvania Industrial Reformatory at Huntingdon and such other penal or correctional institutions of this Commonwealth as it may deem proper in which industries all persons sentenced to such institutions who are physically capable of such labor may be employed at labor for not to exceed eight hours each day other than Sundays and public holidays Such labor shall be for the purpose of doing printing or of manufacturing and producing supplies or for the preparation and manufacture of building material for the construction or repair of any State institution or in the work of such construction or repair or for the planting of seed trees or the performance of other work in State forests or for the purpose of industrial training or instruction or in the manufacture and production of crushed stone brick tile and culvert pipe or other material suitable for draining roads of the State or in preparation of road building and ballasting material

(b) To determine the amount kind and character of the machinery to be erected in each of the said penitentiaries reformatory or other penal or correctional institutions of the Commonwealth and the industries to be carried on therein having due regard to the location and convenience thereof with respect to other institutions to be supplied to the machinery therein and the number and character of inmates

(c) To contract to sell or sell the article manufactured or produced in the said industries carried on in the said penitentiaries reformatory or other penal or correctional institutions which cannot be used therein to the Commonwealth or to any county city borough township school district or poor district thereof or to any State institution or to any educational or charitable institution receiving aid from the Commonwealth or to the Government of the United States or any department bureau commission or agency thereof or to any other State or political subdivision thereof or to any institution receiving aid from the Government of the United States or of any other State

(d) To arrange for the employment of inmates of such institutions at such work or labor wihtin or upon the grounds of such institutions as may be necessary for the maintenance of the institutions or the raising of food products therefor

(e) To charge to each such institution such rate per diem as may be paid by the department to such inmate hereunder for his services for the work or labor of each inmate engaged in work or labor within or upon the grounds of such institution for the maintenance of the institution or the raising of food products therefor

Also to collect from each such institution for any manufactured supplies or products used by it the same price per article used as it would receive upon the sale of such article in similar quantities to the Commonwealth or any other agency to which it is authorized to sell articles manufactured or produced by inmate labor All amounts collected by the Department of Welfare from such institutions hereunder shall be paid through the Department of Revenue into the Manufacturing Fund in the State Treasury and all such amounts shall be considered a part of such institutions' maintenance expense

(f) To charge to each such institution in like manner for the labor of all inmates engaged in preparing materials for the construction of buildings or in doing construction work such payments to be made by the institutions out of funds available for construction work All moneys received hereunder shall be paid into the Manufacturing Fund through the Department of Revenue

(g) Through the Department of Revenue to pay into the Manufacturing Fund the proceeds of all sales of manufactured products made under this section and all moneys received for the labor of inmates in State forests or elsewhere than on the grounds of the institutions This clause shall not however apply to the sale of surplus foods products or products of the soil as elsewhere in this act permitted

(h) To pay out of the Manufacturing Fund [for the machinery equipment and material required or used in the carrying on of the industries in the said penitentiaries reformatory or other institutions under the provisions hereof and all salaries of superintendents managers salesmen clerks and others employed in the management of the industries and the wages as hereinafter provided for the labor of the inmates of said penitentiaries reformatory or other institutions in such industries] all expenses neces-

sary for the proper conduct of the work of the department pertaining to the establishment maintenance and carrying on of industries in the State penal and correctional institutions including the payment of salaries wages and other compensation of superintendents managers supervisors chairmen clerks assistants and other employes engaged in the operation and management of such industries the payment of wages for the labor of inmates of such institutions the payment of rentals and other expenses for offices rooms garage space and other accommodations outside of the Capitol buildings either in or outside the City of Harrisburg the erection construction alteration or repair of buildings necessary to house such industries the payment of premiums for workmen's compensation insurance covering officers and employes and for surety bonds for such officers and employes as may be required by law to furnish such bonds the purchase and the payment of the operating cost of motor vehicles required for full-time use including premiums and liability insurance covering such motor vehicles ofr officers and employes operating them the payment of mileage charges to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use the purchase of machinery equipment furniture materials supplies and commodities the payment of charges to the Department of Property and Supplies for any purchases or service made through the Puchasing Fund and for the payment of all other necessary expenses

Estimates of the amounts to be expended from the Manufacturing Fund shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations and it shall be unlawful for the Department of the Auditor General to honor any requisition for expenditures or moneys out of this appropriation in excess of the estimates approved by the Governor Subject to this provision the Department of the Auditor General shall from time to time draw warrants upon the Treasury Department for the amounts specified in such requisitions not exceeding however the amount in the Manufacturing Fund at the time of the making of any such requisitions

(i) To require that an account shall be kept by the proper officers of each said penitentiary reformatory and other correctional institution of the labor performed by inmates In such account shall be shown the time each inmate is actually engaged in work the rate of wage at which he is to be paid which shall be regulated by the department In no case shall the amount be less than ten cents for each day of labor actually performed The rate of compensation shall be based both upon the pecuniary value of the work performed and also on the willingness industry and good conduct of the inmate All amounts payable to inmates hereunder shall be paid to the institution out of the Manufacturing Fund to be disbursed or held by such institution in the manner following

Three-fourths of the amount of wages payable to an inmate of such penitentiary reformatory or other institution or the entire amount if the inmate so wishes shall constitute a fund for the relief of any person or persons dependent upon such inmate and shall be paid upon the order of the board of trustees of the penitentiary reformatory or other institution in which the inmate is a prisoner to the person or persons establishing such dependency to the satisfaction of such board at such time or times as said board may order

All sums credited to any inmate and not paid to a dependent or dependents shall be paid to the inmate on his discharge from the penitentiary reformatory or other institution in which he was a prisoner Provided however That subject to the rules and regulations of the board of trustees of the penitentiary reformatory or other institution in which such inmate is a prisoner the whole or any part of said sum may be paid to him during his imprisonment for his present needs such rules and regulations to be subject to the approval of the department

(j) To have and exercise supervision over the labor employed in the aforesaid industries and to make rules and regulations for carrying on such industries

(k) To the extent to which it is unable to provide work for every physically able inmate of such institutions to authorize the several boards of trustees of such institutions to permit inmates to engage in such work or industries as the department may approve and which they are able to provide from other sources but all such work shall be performed the products thereof sold and the proceeds thereof disposed of under the rules and regulations of the department covering the same

(l) To supervise the establishment in other State institutions of industries classes in occupational therapy and other means for the employment and training of inmates or patients

Section 2315 State Institutions With regard to State institutions the department shall have the power and its duty shall be

(a) To determine the capacity of such institutions

(b) To determine and designate the type of persons to be received by such institutions the proportion of each type to be received therein and the districts from which persons shall be received by such institutions

(c) To issue requisitions upon the Auditor General for warrants to be drawn by the Auditor General upon the State Treasurer in favor of such institutions for the payment out of moneys specifically appropriated to the department for the purpose of the expenses of administering operating maintaining and developing such State institutions

(d) To require the submission to the department of any contract for repairs alterations or equipment which any such State institution desires to make and to approve or disapprove such proposed contract No such contract shall be vaild without the approval of the department as evidenced by the signature of the Secretary of Welfare

(e) To fix and establish charges for all services rendered by State-owned medical and surgical hospitals

Section 2318 Boards of Trustees of State Institutions The board of trustees of each State institution within the Department of Welfare shall have general direction and control of the property and management of such institution It shall have the power and its duty shall be

(a) Subject to the approval of the Governor to elect a superintendent or warden of the institution who shall subject to the authority of the board administer the institution in all its departments [and if the board shall deem it advisable a business manager]

(b) On nomination by the superintendent or warden from time to time to appoint such officers and employes as may be necessary

(c) To fix the salaries of its employes in conformity with the standards established by the Executive Board

(d) Subject to the approval of the Secretary of Welfare to make such by-laws rules and regulations for the management of the institution as it may deem wise

The boards of trustees of the several State institutions shall exercise the foregoing powers in the management of the following institutions

Board of Trustees of Eastern State Penitentiary of Eastern State Penitentiary at Philadelphia

Board of Trustees of Western State Penitentiary of Western State Penitentiary at Pittsburgh and of the State Penitentiary at Rockview

Board of Trustees of Pennsylvania Industrial School of Pennsylvania Industrial Reformatory hereafter to be known as Pennsylvania Industrial School at Huntingdon

Board of Trustees of State Industrial Home for Women of State Industrial Home for Women at Muncy

Board of Trustees of Pennsylvania Training School of Pennsylvania Training School at Morganza

Board of Trustees of Allentown State Hospital of Homeopathic State Hospital for the Insane at Allentown

Board of Trustees of Danville State Hospital of State Hospital for the Insane at Danville Pennsylvania

Board of Trustees of Farview State Hospital of State Hospital for the Criminal Insane at Farview.

Board of Trustees of Harrisburg State Hospital of Harrisburg State Hospital at Harrisburg

Board of Trustees of Norristown State Hospital of State Hospital for the Insane of the Southeastern District of Pennsylvania at Norristown

Board of Trustees of Warren State Hospital of State Hospital for the Insane at Warren Pennsylvania

Board of Trustees of Wernersville State Hospital of State Asylum for the Chronic Insane of Pennsylvania at South Mountain

Board of Trustees of Torrance State Hospital of Western State Hospital for the Insane Torrance

Board of Trustees of Ashland State Hospital of State Hospital for Injured Persons of the Anthracite Coal Regions of Pennsylvania at Ashland

Board of Trustees of Blossburg State Hospital at Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Blossburg

Board of Trustees of Coaldale State Hospital of State Hospital at Coaldale Schuylkill County

Board of Trustees of Connellsville State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Connellsville

Board of Trustees of Hazleton State Hospital of State Hospital of the Middle Coal Field of Pennsylvania at Hazleton

Board of Trustees of Nanticoke State Hospital of State Hospital of Luzerne County at Nanticoke

Board of Trustees of Philipsburg State Hospital of Cottage State Hospital for Injured Persons of the Bituminous and Semi-Bituminous Coal Regions of Pennsylvania at Philipsburg

Board of Trustees of Scranton State Hospital of State Hospital of the Northern Anthracite Coal Regions of Pennsylvania at Scranton

Board of Trustees of Shamokin State Hospital of State Hospital of the Trevorton Shamokin and Mount Carmel Coal Fields of Pennsylvania at Shamokin

Board of Trustees of Locust Mountain State Hospital of Locust Mountain State Hospital at Shenandoah

Board of Trustees of Laurelton State Village of Pennsylvania Village for Feeble-Minded Women at Laurelton

Board of Trustees of Pennhurst State School of State Institution for the Feebleminded and Epileptic of Eastern Pennsylvania at Pennhurst

Board of Trustees of Polk State School of State Institution for the Feeble-Minded of Western Pennsylvania at Polk

Board of Trustees of Selinsgrove State Colony for Epileptics of the State Colony for Epileptics at Selinsgrove

Section 2319 [Board of Trustees of Cumberland Valley State Institution for Mental Defectives The Board of Trustees of Cumberland Valley State Institution for Mental Defectives shall when and as the legislature shall appropriate money for the purpose cooperative [cooperate] with the Department of Property and Supplies as provided in this act in the erection on the property at New Cumberland Cumberland County Pennsylvania acquired by the Commission for the Selection of a Site and the Erection of a State Institution for Inebriates of a State institution for mental defectives

Upon the completion of such institution the board of trustees shall manage and control the same as provided in the proceeding section of this act Provided That the Superintendent of such institution shall always be a physician experienced in the treatment of mental diseases and mental defectives] New Pennsylvania Industrial School and Maximum Security State Prison Upon the erection construction and completion of the new Pennsylvania Industrial School and the Maximum Security State Prison pursuant to law the Department of Welfare shall manage and control the same and shall have such powers and duties with respect thereto as are provided by law

Section 2402 Grounds Building and Monuments in General The Department of Property and Supplies shall have the power and its duty shall be

(a) Subject to the powers by this act vested in the Board of Commissioners of Public Grounds and Buildings to control and supervise the State Capitol Buliding and the public grounds and buildings connected with the State Capitol including the State Arsenal] and the Executive Mansion and to make or supervise the making of all repairs alternations and improvements in and about such grounds and buildings including the furnishing and refurnishing of the same and also to have general supervision over repairs alterations and improvements to all other buildings lands and property of the State except as in this act otherwise provided

(b) To employ such captains sergeants of police and police officers as may be necessary to preserve good order in the Capitol grounds and buildings and fix their compensation Provided however That the number and compensation of such captains sergeants and officers shall be subject to the approval of the Governor Such captains sergeants and officers shall be known as the Capitol Police

(c) To employ such help as may be reasonably necessary for the cleaning care and preservation of the Capitol grounds and buildings and the furnishings therein for operating the mechanical plants in the Capitol buildings and the Executive Mansion and for service at the Executive Mansion

(d) To contract in writing for and rent proper and adequate offices rooms or other accommodations outside of the Capitol buildings for any department board or commisison which cannot be properly and adequately accommodated with offices rooms and accommodations in the Capitol buildings and in all cases in which the head of a department for such department or for a departmental administrative board or commission within such department or an independent administrative board administrative board or commission with the approval of the Executive Board has established or is about to establish a branch office in any city or place outside of the capital city with the approval of the Board of Commissioners of Public Grounds and Buildings to contract in writing for and rent such offices rooms and other accommodations as shall be proper and adequate for such department board or commission The department shall rent such garages or contract for such garage space as may be necessary for the accommodation of State-owned automobiles either in or outside of the capital city at such rentals or rates as it shall deem reasonable The department may also if the General Assembly shall have appropriated funds therefor lease any lands which may be necessary for use by any department board or commission in the exercise of its powers or the performance of its duties It shall be unlawful for any other department board commission or agency of the State Government to enter into any leases but the Department of Property and Supplies shall act only as agent in executing leases for departments boards and commissions the expenses of which are paid wholly or mainly out of special funds and in such cases the rentals shall be paid out of such special funds

(e) To employ and with the approval of the Governor fix the compensation of such capable superintendents of construction engineers or inspectors as may be necessary properly to supervise building repairing altering adding to or improving State buildings in cases in which the work is not being done directly by or under contract with the Department of Property and Supplies Such superintendents engineers or inspectors shall see that the plans and specifications prepared and adopted for such new buildings or for repairs alterations additions or improvements to existing buildings shall be faithfully carried out and shall be subject to appeal to and final decision by the head of the department define determine and decide all questions of the proper interpretation of the plans and specifications which may be raised during the progress of the work

(f) Out of funds appropriated to the department therefor to purchase or condemn land with or without buildings thereon for the purpose of adding the same to any of the public lands or parks or for use as sites for or in connection with arsenals armories military reservations intermediate landing fields hospitals normal schools teachers' colleges penal or correctional institutions or other institutions of the Commonwealth whenever in the judgment of the Governor the purchase or condemnation of such land is necessary or whenever such purchase or condemnation shall have been authorized by law and an appropriation shall have been made therefor The condemnation of land hereunder shall be in the manner pro-

vided by the act approved the fifteenth day of July one thousand nine hundred and nineteen (Pamphlet Laws nine hundred seventy-six entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor" its amendments and supplements Except as otherwise in this act expressly provided no other department board or commission of the State Government shall hereafter exercise the right of eminent domain for any of the purposes aforesaid any other act of Assembly heretofore enacted to the contrary notwithstanding

(g) To erect or supervise the erection of all monuments which may now or hereafter be authorized by law and to maintain and care for all monuments belonging to the Commonwealth which may now or hereafter be erected Provided That with regard to any monument which comes within the jurisdiction of an advisory board in the Department of Property and Supplies the exercise of the powers hereby vested in the department shall be subject to approval or disapproval by such advisory board

(h) Whenever loss or damage by fire or other casualty shall occur to any structure building equipment or other property owned by the Commonwealth and be reported to the department to make an examination thereof and in its discretion subject only to the approval of the Governor to rebuild restore or replace the property damaged or destroyed and for that purpose to have plans and specifications prepared and contracts executed and to supervise the erection construction or replacement thereof such rebuilding restoration or replacement to be in substantial accord with the original character use and purposes of the property damaged or destroyed The cost of the materials furnished and work and labor performed under such contracts shall be certified by the department to the Auditor General who shall issue his warrant against the State Insurance Fund of this Commonwealth which warrant shall be paid by the State Treasurer in the manner provided by law Provided That whenever the department shall have taken such action as will involve expenditures from said fund it shall forthwith certify the probable amount of expenditure to the State Treasurer who shall forthwith take such action as is necessary to provide funds sufficient to meet the obligations so entered into

(i) To rent to individuals firms or corporations such real estate owned by the Commonwealth as is not being used in connection with the work of any department board or commission thereof upon such terms and conditions as the Secretary of Property and Supplies may prescribe with the approval of the Governor in writing Provided however That no lease executed under the authority hereby conferred shall be for a longer term than one year and so on from year to year

(j) From time to time to rent to persons associations or corporations upon such terms as shall be approved by the Board of Commissioners of Public Grounds and Buildings the auditorium in the South Office Building Number Two when it shall not be required for the Commonwealth's use

(k) To establish standards for and supervise generally the operation of all mechanical and electrical equipment used in connection with the operation of any State institution or other State building

Section 2403 Standards and Purchases The Department of Property and Supplies shall have the power and its duty shall be

(a) To formulate and establish standards or specifications whenever practicable for articles materials supplies furnishings and equipment used by administrative departments independent administrative departmental administrative and advisory boards and commissions but no specification shall be fixed as a standard until it shall be approved by a majority of the departments boards and commissions using the article material or supply described in the specifications

(b) To enter into contracts for supplying all stationery printing paper and fuel used in the legislative and departments of the Government and for repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees All such contracts shall be awarded to the lowest responsible bidder below such maximum price and under such regulations as are prescribed by this act and shall be subject to the approval of the Governor the Auditor General and the State Treasurer

(c) To purchase in like manner (exclusive of the requirement as to maximum price) all other furniture materials or supplies required by the legislative and other departments of the State Government except as otherwise provided in this act

(d) To distribute stationery paper and fuel to the legislative and other departments of the government and arrange for the repairing and furnishing the halls and rooms used for the meetings of the General Assembly and its committees upon requisition of the Governor or of the appropriate administrative department or independent administrative board or commission or the proper officer of the General Assembly or of the judicial department as the case may be Provided That all requisitions for furniture materials or supplies required by any department administrative board commission or officer or any advisory board or commission shall be made by the administrative department with which such departmental administrative board commission or officer or such advisory board or commission is connected And provided further That the department shall not without the consent of the Governor honor any requisition from any administrative department board or commission after the amount of any biennial appropriation for furniture stationery materials and supplies allocated to such department board or commission by the Governor shall have been expended for such department board or commission

(e) To act as the purchasing agency for any administrative department or independent administrative or departmental administrative board or commission which by law is authorized to purchase materials or supplies and pay for the same out of fees or other moneys collected by it or out of moneys specifically appropriated to it by the General Assembly except that all departments boards and commissions requiring perishable food-stuffs [or fuels] for use in State institutions may purchase such food-stuffs [and fuel] directly and any department board or commission having charge of a State institution which is able after competitive bidding to purchase any article for a less price f o b the institution than the price at which such article can be furnished by the Department of Property and Supplies f o b the institution may purchase such article directly All purchases made by the Department of Property and Supplies as purchasing agency under this clause shall conform to schedule unless the Board of Commissioners of Public Grounds and Buildings shall specifically authorize a departure from schedule and all purchases made directly for any State institution shall conform to the specification contained in the schedules or in the article be not included in the schedules then to the standard specification if any adopted by the Department of Property and Supplies for the commodity purchased unless the Board of Commissioners of Public Grounds and Buildings shall have specifically authorized a departure from such specification

(f) To collect and furnish on request market prices and such other information as will be serviceable in purchasing to any institution receiving State funds directly or indirectly

(g) To authorize any other department or any board or commission to make direct purchases in the field not exceeding a specified amount but the department shall require records of all such purchases to be transmitted to it periodically in such form as it may prescribe In so far as practicable purchases under this paragraph shall be made from contractors having effective supplies contracts with the Department of Property and Supplies and shall be in accordance with applicable specifications in such contracts otherwise such purchases shall be made from the lowest of at least two bidders

Section 2404 Bonds and Liability Insurance The Department of Property and Supplies shall have the power and its duty shall be

(a) To procure from a corporation or corporations authorized by law to act as sureties in the Commonwealth of Pennsylvania good and sufficient bonds which shall be approved by the Attorney General and filed with the State Treasure to meet the requirements of law in the case of all State officers and employes required by statute to give surety bonds to the Commonwealth for the faithful performance of their official duties or to account for State funds in their possesion Provided That if and when the Commonwealth shall establish its own indemnity fund such bonds shall be purchased only in such cases as the Executive Board may require

(b) To produce liability insurance covering vehicles owned by the Commonwealth and operated by State officers or employes or State officers or employes operating vehicles loaned by the Federal government and in its discretion excess fire insurance on State buildings and any other kind of insurance which it may be lawful for the Commonwealth or any department board commission or officer thereof to carry and for which an appropriation has been made to the department

The department shall pay for such insurance out of the moneys appropriated to it except that it shall not pay for insurance covering officers employes or property of the departments boards and commissions whose expenses are wholly paid out of funds other than the General Funds of the State Treasury and except officers employes and property of State institutions Insurance covering the officers employes and property of such departments boards and commissions shall be paid for out of the special funds appropriated to them and insurance covering the officers employes and property of State institutions shall be paid for out of the moneys appropriated for their maintenance

All automobile liability insurance procured by the Department of Property and Supplies hereunder shall protect both the Commonwealth and the State officer or employe opertaing the vehicle against claims for damages for injury to person or property within such limits as the department with the approval of the Executive Board shall prescribe

Section 2405 Sale of Unserviceable Property The Department of Property and Supplies shall have the power and its duty shall be to receive from the several administrative departments and independent administrative and departmental administrative boards and commissions unserviceable personal property of this Commonwealth to issue a receipt therefor make a complete record thereof and if no other department board or commission is able to make use of the same presently then as soon as convenient to sell the same either at public auction or private sale in the city of Harrisburg or elsewhere as may be deemed advisable Except in the case of perishable property such sales shall if the department deems it feasible in view of the value of the property involved be advertised in not exceeding five newspapers of the Commonwealth once a week for three weeks such advrtisements to state the time place and conditions of any such sale but if after such advertising the department is unable to obtain a bid for the property it may be demolished or destroyed Provided That when the unserviceable property is located [at a State institution] outside the city of Harirsburg the [department] Department of Property and Supplies in its discretion may authorize [such institution] the department board or commission having possession of the same without advertising to obtain at least two bids in the locality where the property is located Such bids shall be referred to the [department] Department of Property and Supplies and if it believes that the property will not realize a higher net sale price if transported to the Capitol for sale the department may authorize the [institution] department board or commission having possession of the same to sell the property locally to the highest bidder to take a proper receipt therefor and to transmit the proceeds to the [department] Department of Property and Supplies to be by it paid into the State Treasury through the Department of Revenue And provided further That whenever any department board or commission shall deliver to the Department of Property and Supplies any unserviceable personal property and at the same time requisition the said department to furnish new property of a similar character to replace the unserviceable property delivered as aforesaid or request said department as purchasing agency to purchase new property of a similar character the Department of Property and Supplies [with the approval of the Board of Commissioners of Public Grounds and Buildings] shall endeavor to exchange the unserviceable property for or on account of the purchase price of the new property about to be purchased but such unserviceable property shall not be delivered for or on account of the purchase price of any property at a lower valuation than the price which such unserviceable property would bring if sold in the open market for cash and to the extent that advertising any such unserviceable property for sale may be necessary to establish its market value the Department of Property and Supplies is authorized and directed to advertise as hereinabove provided The Department of Property and Supplies shall obtain from the person partnership or corporation to which any personal property is delivered in exchange under the authority of this section a receipt therefor describing such personal property and specifying the value at which it was taken in exchange and such receipt shall be delivered to the Auditor General attached to the requisition for the payment of the balance of the purchase price due for the new property purchased The proceeds of sales of personal property hereunder shall be transmitted by the Department of Property and Supplies to the Department of Revenue which shall transmit it to the Treasury Department to be credited to the fund out of which the property sold was originally purchased

Section 2406 Publications The Department of Property and Supplies shall have the power and its duty shall be

(a) To edit for publication all reports bulletins and other publications of the various departments boards and commissions of the State Government

(b) With the approval of the President pro tempore of the Senate and the Speaker of the House to determine the size and character of the various publications to be printed for the use of the General Assembly Provided That the quantity of any new publication for the members and officers of the General Assembly shall be fixed by act or resolution And provided That the members and officers of the General Assembly shall receive not less than the same number of advance sheets of the laws bills calendars journals Pamphlet Laws department reports and other publications as is now authorized by law which shall be distributed to the members and officers of the General Assembly only on the requisition of the librarian of the Senate and the resident clerk of the House of Representatives

With the approval of the Governor to determine the need size character quantity and method of distribution of the various publications to be printed for the use of or distribution by the several departments boards commissions and other agencies engaged in the administrative work of the State Government Provided That in the case of reports made by the several departments boards of commissions the department board or commission making the report shall be consulted with regard to the need size character quantity and method of distribution of such reports

With the approval of the Governor and of the Chief Justice of the Supreme Court of Pennsylvania to determine the size character quantity and method of distribution of the various publications to be printed for the use of the judicial department

Unless specifically authorized by act or resolution no public printing and binding shall be ordered performed or furnished by the department for the General Assembly or any department board commission or other agency of the State Government until a requisition for said work or materials has been presented to the depart-

ment duly signed by the chief clerk or librarian for the Senate the chief clerk or president clerk for the House of Representatives or the head or the person or persons who may be given such authority by the head of the department or the chief executive officer or other authorized representative of the board commission or other agency of the State Government making such requisition

(c) To compile and edit a State Manual which shall be published annually or biennially under such name as the department and the Governor shall determine The members and officers of the Senate and House of Representatives shall be given for distribution of said publication not less than the number that they were heretofore given of Smull's Legislative Hand Book The number to be published for the several State departments boards and commissions shall be fixed by the department with the approval of the Governor If in the judgment of the department it is deemed advisable to publish copies of said manual in addition to those herein authorized which can be sold at the cost of printing and binding the department is authorized to publish such additional copies and pay the amount realized from the sale of same to the State Treasurer through the Department of Revenue

(d) To enter into contracts for furnishing all printing used in the legislative and other departments of the government and the printing binding and distributing of the laws journals department reports and all other printing and binding lithographing cuts plates dies and supplies and material incident thereto which contracts shall be given to the lowest responsible bidder below such maximum price and under such regulations as are prescribed by this act and shall be subject to the approval of the Governor Auditor General and State Treasurer

(e) To distribute all documents upon requisition of the persons entitled to make requisition therefor by causing the same to be packed in packages or boxes addressed as reqired in the requisition and delivered personally at the office of the department or free at the post office express or freight office indicated in the requisition Provided That the department shall not without the consent of the Governor honor any requisition from any administrative department board or commission after the amount of any biennial appropriation for documents allocated to such department board or commission shall have been expended for such department board or commission

(f) To furnish blank requisition forms at cost to all persons entitled to make requisitions upon the department for documents stationery furniture or supplies of any character

(g) From time to time to solicit by advertising proposals for the purchase of all waste paper documents and other materials that have been accumulated and are no longer needed and the department is hereby authorized to make sale thereof by contract or contracts to the highest bidder upon such terms and conditions as it shall determine but the department shall have the right to reject any and all proposals for the sale The proceeds of any such sale shall be paid into the General Fund in the State Treasury through the Department of Revenue

(h) To publish advance sheets of the Pamphlet Laws and to transmit one copy thereof by mail to each department board and commission of the State Government to each prothonotary and to each law judge of the courts and to every county and public library of this Commonwealth and to each member of the General Assmbly Such copies shall be furnished without charge The department shall also mail to any persons who shall pay to it the sum of five dollars on ecopy of each such law enacted during any legislative session All moneys received hereunder shall be paid into the General Fund in the State Treasury through the Department of Revenue

(i) To copyright in the name of the Commonwealth all publications of the Commonwealth or of any department board or commission or officer thereof including the State Reports which under existing or future laws it shall be necessary to have copyrighter and such other publications as the Secretary of Property and Supplies with the approval of the Governor shall deem it advisable to copyright

(j) To distribute to the public upon payment to the department of such sum per copy as shall cover the cost of publication any documents published by the department for the Commonwealth or any department board commission or officer thereof which shall cost more than five cents per copy to publish except documents published for the Governor and the General Assembly which shall be distributed without charge as heretofore To administer this subsection the department may publish for free distribution to applicants therefor a price-list showing the publications which the department is prepared to furnish to the public and the charges for each such document All moneys collected by the department hereunder shall be paid through the Department of Revenue into the General Fund in the State Treasury except that if the cost of publishing any document sold by the department hereunder shall have been paid out of any special fund in the State Treasury the proceeds of the sale thereof shall be paid into such special fund through the Department of Revenue

Section 2407 Automobiles The Department of Property and Supplies shall upon the effective date of this act take over and thereafter assume responsibiiity for the maintenance and operation of all automobiles owned by the Commonwealth or any administrative department board or commission thereof except the Department of Highways

After the effective date of this act all automobiles required for use by the administrative departments boards commissions and officers of the State Government shall be purchased by the Department of Property and Supplies but in purchasing automobiles required for the use of any department board or commission having authority to purchase automobiles out of money appropriated to it the Department of Property and Supplies shall act as purchasing agency

The Department of Property and Supplies shall make or contract for the making of all repairs to automobiles owned by the Commonwealth except those operated by the Department of Highways unless in any case it shall specifically authorize any department board commission or officer to make or order the making of repairs to any specified automobiles and except emergency repairs necessarily made while any automobile is away from its garage

The Department of Property and Supplies may assign to any department board or commission such automobiles as may be required by it for full-time daily use and such automobiles shall be operated by employes of such departments boards or commissions The Department shall maintain a sufficient number of automobiles not assigned to departments boards or commissions to meet the requirements of departments boards and commissions which do not require the full-time daily use of automobiles and to meet extraordinary and occasional demands of all departments boards and commissions other than the Department of Highways Such automobiles with or without chauffeurs shall be furnished to departments boards or commissions upon requisition of the heads of the respective boards or commissions This paragraph shall not be construed to prohibit a State officer or employe from being reimbursed for the use of his own automobile on State business but all such reimbursements shall be made under and subject to the rules of the Executive Board regulating the payment of expenses to State officers and employes

The cost of oil gasoline tires repairs parts for and repairs to automobiles permanently assigned to departments boards and commissions shall be paid out of the appropriations to such departments boards and commissions but the Department of Property and Supplies shall contract for all such oil gasoline tires repair parts and repairs except that repairs may be made by the Department of Highways and if authorized as hereinbefore provided by other departments and by boards and commis-

sions For the use of other automobiles departments boards and commissions shall be billed by the Department of Property and Supplies upon a mileage basis at such amount per mile as the Department of Property and Supplies with the approval of the Governor shall determine Amounts payable for the use of such automobiles shall be paid out of the appropriations to such departments boards or commissions to the Department of Property and Supplies and shall be by it paid into the General Fund of the State Tresaury through the Department of Revenue

The Department of Property and Supplies shall require every administrative department including the Department of Highways and every independent administrative and departmental administrative board or commission to report to it monthly upon forms supplied by it and with such detail as it shall require the places to and from which each automobile was operated the mileage traveled the amount of oil and gasoline purchased the names of employes of the department board or commission operating each automobile the names of the employes of the department board or commission for whom the automobiles were operated and such other information as may be necessary to enable the Department of Property and Supplies to take and keep complete records of the use and cost of operation of all State automobiles except that it shall not be necessary for the Department of the Auditor General the Treasury Department or the Pennsylvania State Police to report the places to and from which or the names of the persons by or for whom automobiles were operated

The types and number of automobiles to be purchased by the Department of Property and Supplies hereunder shall be subject to approval by the Executive Board and the use of automobiles by State officers and employes shall be subject to the rules and regulations of the Executive Board

Section 2408 Procedure for Erection of Buildings and Alterations or Additions to Existing Buildings Whenever the General Assembly shall have appropriated money to the Department of Property and Supplies or to any other department or to any administrative board or commission for the erection of new buildings or sewage or filtration plants other service systems or athletic fields or other structures or for alterations or additions or repairs to existing buildings or to such plants systems fields or structures to cost more than [ten thousand dollars ($10,000)] one thousand ($1.000) the following procedure shall apply unless the work is to be done by State employes or by inmates or patients of a State institution or State institutions or unless the department board or commission to which the General Assembly has appropriated money for the foregoing purposes is by this act or by the act making the appropriation authorized to erect alter or enlarge buildings independently of the Department of Property and Supplies or under a different procedure

(a) If the appropriation is to a department other than the Department of Property and Supplies or to a board or commission such department board or commission shall notify the Department of Property and Supplies as soon as it is ready to have plans and specifications for the work prepared

(b) Promptly after such notice in such cases or promptly after any appropriation made to it becomes available the Department of Property and Supplies shall select an architect and if necessary an engineer or both to design the work and prepare the specifications therefor but in the case of a building to be done for the use of any other department or any board or commission (unless the building is on the Capitol grounds) the selection of the architect and engineer if any shall be subject to approval by such department board or commission and in case of departmental administrative boards or commissions by the departments with which such boards or commissions are respectively connected Any architect or engineer so selected and approved shall submit promptly the name or names of his associate architect or engineers to the Department of Property and Supplies for its approval

(c) The Department of Property and Supplies shall enter into a contract with the architect [and] [if any] which shall provide a date for the completion of the plans and specifications and that the plans and specifications must meet with the approval of the department board or commission for which the building is being erected altered or enlarged (unless the building is on the Capitol grounds) and in the case of departmental administrative boards or commissions of the departments with which such boards or commissions are respectively connected to the extent of the type and general character of the building the floor layouts radiation natural light artificial illumination ventilation medical equipment or other equipment of a nature peculiar to the building for which the plans and specifications are being prepared that the plans drawings and specifications must be approved by the Department of Property and Supplies that the exterior design of the buliding must be approved by the State Art Commission and that the plans and specifications must be approved by the Department of Labor and Industry and the Department of Health to the extent to which those departments respectively have jurisdiction to require the submission to them for approval of certain features of the building Such architect [and] or engineer [if any in preparing plans and specifications shall consult with the department board or commission for which the building is to be erected altered or enlarged [(unless the building is on the Capitol Grounds) but the Department of Property and Supplies shall insist upon the prompt completion of the plans and specifications within the time prescribed in the achitect's [and] or engineer's contracts unless it shall agree to an extension thereof

Every department board or commission whose approval of plans [or] and specifications is required hereunder shall within [sixty] twenty days after submission thereof by the architect or engineer approve or disapprove all sketches drawings specifications and other documents and shall inform the architect or engineer of decisions in such reasonable time as not to delay him in his work

(d) Upon the completion of the plans and specifications and their approval by all necessary State agencies the Department of Property and Supplies shall invite proposals by advertisements inserted at least three times in not less than six or more than twelve newspapers of large general circulation in different parts of the Commonwealth The first and last publications of any such advertisement shall be at least ten days apart and the department shall not advertise hereunder in more than three newspapers in the same county

(e) The department may invite proposals either for completely erecting altering or adding to any building or separately for parts of the work or both Whether it shall invite proposals for part of the work and if so for what parts shall rest within the sole discretion of the department

(f) All proposals shall be accompanied by certified or bank checks in such amounts or percentages of the amounts of the proposals as shall be specified in the advertisement and shall be publicly opened and tabulated at the time and place specified in the advertisement

(g) The department shall as soon as practicable award the contracts to the lowest responsible qualified bidder but it shall have the right to reject any or all bids to waive technical defects and to accept or reject any part of any bid if in the judgment of the department the best interests of the Commonwealth shall require it The successful bidder shall also deliver to the Commonwealth at the time of execution of the contract a surety bond having as surety a surety company authorized to transact business in this Commonwealth or two individual sureties approved by the Department of Justice in the amount of ten per centum (10%) of the contract price as surety against defective or inferior materials or workmanship which may develop during the period of one (1) year from the date of completion and acceptance of the work performed under the contract

(h) No proposal for any contract shall be considered unless accompanied by a certified or blank check as prescribed by the department at the time of advertising A bidder who shall have accompanied his proposal with a certified or bank check as aforesaid and to whom a contract shall have been awarded must within ten days after such award substitute for said check a surety performance bond for not less than fifty per centum (50%) or more than one hundred per centum (100%) of the bid price of the work as shall have been prescribed by the department in its invitation for proposals and an additional bond in a sum not less than fifty per centum (50%) and not more than one hundred per centum (100%) of the contract price of the work as prescribed by the department in its invitation for proposals conditioned that the contractor will promptly pay for all material furnished and labor supplied or performed in the prosecution of the work whether or not the material or labor enter into and become component parts of the building Such additional bond shall be held by the Department of Property and Supplies for the use of every party who whether as sub-contractor or otherwise has furnished material or supplied or performed labor in the prosecution of the work as above provided and who has not been paid therefor and among other things shall provide specifically that any such party may bring a suit thereon in the name of the Commonwealth for his their or its own use prosecute the same to final judgment for such sum or sums as may be justly due and have execution thereon Provided however That the Commonwealth shall not be liable for the payment of any costs or expenses of any such buit Each surety bond required hereunder shall have as surety a surety company authorized to transact business in this Commonwealth or two individual sureties approved by the Department of Justice

(i) No contract shall be valid or effective unless a certified copy thereof detail break-down sheet of the work and contract price of the work involved shall have been filed in the offices of the Auditor General the State Treasurer and the department board or commission for which the work is to be done promptly after the execution of the contract

(j) The enforcement of all contracts provided for by this section shall be under the control and supervision of the Department of Property and Supplies In the event that the Department of Property and Supplies and the contractor cannot agree on any of the general conditions of the contract and on the specifications such disagreement shall be subject to decision by the Department of Justice and its decision shall be final

(k) The Department of Property and Supplies shall examine all bills on account of the contracts entered into under the provisions of this section and if they are correct the department shall certify that the materials have been furnished or that the work or labor has been performed in a workmanlike manner and in accordance with the contract approve the bills and issue its requisition therefor or forward its certificate to the proper department board or commission as the case may be

(l) The Department of Property and Supplies shall have the right to engage the services of any consulting or supervising engineer or engineers whom it may deem necessary for the proper designing of or inspection or supervision of buildings erected altered or enlarged by the department hereunder

(m) Changes in the plans or specifications or both may be made after their approval only with the consent of all of the departments boards and commissions whose approval of the original plans or specifications or both was necessary hereunder

(n) If the appropriation is to a department other than the Department of Property and Supplies or to a board or commission the Department of Property and Supplies shall award and enter into the contract as agent for the department board or commission to which the appropriation was made

Section 2409 Method of Awarding Contracts for Stationery Paper Fuel Repairs Furnishings and Supplies The Department of Property and Supplies shall [on or before the first day of February in each year] notify the Governor the several administrative departments the independent administrative departmental administrative and advisory boards and commissions the chief clerks of the Senate and House of Representatives and the proper officers of the judicial department respectively to furnish at such times as the Department of Property and Supplies may require lists of all equipment furniture and furnishings supplies repairs alterations improvements fuel and all other articles that may be needed by their respective departments boards or commissions or the Senate or the House of Representatives for [the fiscal year beginning the first day of June next following] such periods as the Department of Property and Suplies shall prescribe excepting only perishable foodstuffs [and fuel] for the State institutions and repairs or alterations which are not to be made by the Department of Property and Supplies

Upon receipt of such lists the Department of Property and Supplies shall as far as practicable consolidate and classify the articles named therein taking care that there shall be full descriptions given with make and number of goods when possible and proper maximum price fixed and shall prepare annual semi-annual or quarterly schedules thereof as deemed for the best interests of the Commonwealth Whenever deemed necessary it shall have plans designs and specifications prepared of any equipment furniture or furnishings repairs alterations and improvements paying for the preparation of the same out of the funds appropriated to the department

The department shall state in the schedules that the work or articles for which the plans designs and specifications are prepared are to be done or furnished in accordance therewith and that the plans designs or specifications will be found in its office for inspection and copies of the same shall be furnished to the successful bidders The schedules shall state that bids will be received on one or more of the items of any classification of the schedules In such schedules the form of proposal shall be given and all other information which the department shall consider necessary for the bidder In preparing the lists or schedules the department shall in all cases give preference to goods of American production or manufacture The quantities given in the schedules shall be the estimated maximum quantities that are likely to be required during the term of contract but the schedule shall in all cases provide that the goods shall be furnished in greater or less quantity and at such times as the needs of the departments boards commissions and the Senate and House shall require

The schedules shall also provide whenever practicable a per diem penalty or forfeiture after a stated time for the failure of a contractor to finish or furnish the work or materials contracted for which penalty or forfeiture shall be deducted by the Auditor General from the amount of the contractor's bill before settlement is made when so directed to do by the department

The department after conferring with the heads of the various departments boards commissions and the chief clerks of the Senate and House shall have the power to make such changes in the schedules as may be deemed proper and may standardize any or all articles therein When the schedules have been finally prepared they shall be [printed in pamphlet] prepared in such form as the department shall deem advisable and shall be the schedules of stationery paper supplies fuel equipment furniture furnishings repairs alterations improvements and other matters and things needed for the public grounds and buildings the Senate and House of Representatives the several departments boards and commissions of the State Government and the Executive Mansion

The department shall not less than six weeks prior to the termination of schedule contracts now existing or that may be made in the future advertise the opening of bids for the annual semi-annual or quarterly schedules by advertising inserted for at least three days the first and last publication to be at least ten days apart in not less than six or more than twelve newspapers of extensive general circulation in different parts of the Commonwealth not more than three of which shall be published in any

one county invite sealed proposals for contracts to furnish all stationery supplies paper and fuel used by the Senate and House of Representatives the several departments boards and commissions of the State Government and the Executive Mansion and for repairing altering improving furnishing or refurnishing and all other matters or things required for the public grounds and buildings legislative halls and rooms connected therewith the rooms of the several departments boards and commissions and the buildings connected with the State Capitol and the Executive Mansion the advertisement shall contain a reference to the schedules so [printed] prepared by the department and as briefly as practicable invite bids for the furnishing of articles named in the schedules and give notice of the time and place where such bids will be received and when they will be opened

All proposals shall be delivered to the department on or before [twelve o'clock meridian] the hour designated in the proposal on the day set by the department following the date of the last advertisement and each bid shall be in duplicate one of which shall be marked "Duplicate Bid" Each bid together with the proper certified or bank check as provided for in this act shall be enclosed in an envelope securely sealed and shall be mailed or delivered to the department which shall retain all envelopes unopened until the time fixed for the opening thereof

The department shall on the date fixed for opening of bids at [twelve o'clock meridian] the hour designated in the proposal open and publish said proposals and as soon thereafter as practicable award the contracts to the lowest responsible bidded on each of the items of the several classifications of the schedules The department shall have the right to reject any or all bids The bids when opened shall be tabulated and shall be subject to examination by bidders A record of all bids shall be made by the department in a book kept for that purpose

When no proposal has been received or if for any reason the department shall reject all proposals the department shall reject all proposals the department shall advertise again for proposals giving at least fifteen days' notice of the time of receiving the same which proposals shall be opened awarded and approved in like manner as heretofore provided

[No] Except as hereinafter provided no proposal for any contract shall be considered unless such proposal is accompanied by a certified or bank check to the order of the State Treasurer in one-fourth the amount of the estimated contractor by a bond in such form and amount as may be prescribed by the department Any such bond shall be conditioned for the faithful performance of the terms of the contract if awarded and shall have as surety one surety company authorized to act as surety in this Commonwealh or two individual sureties approved by the Department of Justice

A bidder who shall have accompanied his proposal with a certified or bank check as aforesaid and to whom a contract shall have been awarded may within ten days after such award substitute for said check a bond as herein prescribed otherwise said check shall be retained in lieu of a bond

The department may in its discretion permit a bidder to file a bond for an annual period to cover proposals that may be made from time to time by such bidder during such period Such bond shall be in such amount as the department may determine and may be increased from time to time as the department may require in order to keep the same commensurate with proposals made from time to time by such bidder during such period Any such bidder to whom a contract shall have been awarded shall within ten (10) days after such award file a bond conditioned for the faithful performance of the terms of the contract

The department may in its discretion permit a bidder to file a bond to cover proposals made by and the performance of contracts awarded to any such bidder during an annual period Such bonds shall be in such amount as the department may prescribe and may be increased from time to time during the annual period by the department to keep the same commensurate with the contracts awarded to such bidder during such period

In the event that any contractor shall fail to fulfill or comply with the terms of any contract such contract shall be awarded to the next lowest responsible bidder and the department shall request the Department of Justice to bring suit against the failing contractor or his sureties to recover the loss sustained by the Commonwealth by the reletting

All contracts awarded shall be severally void unles first approved by the Governor the Auditor General and the State Treasurer and when so approved together with all checks or bonds given for their faithful performance be filed with the department which shall keep a record sof the same and shall within twenty days after the award certify copies of all said contracts to the Auditor General The bonds and certified checks of all unsuccessful bidders shall be returned to such bidders as soon as practicable after contracts have been awarded and approved but not later than sixty days after the date of opening the proposals

The enforcement of all contracts provided for by this act and of all similar contracts heretofore entered into and now in force shall be under the control and supervision of the department

The department shall receive from the contractor or contractors the articles mentioned in the schedules Articles contracted for must be furnished promptly It shall be the duty of the department to reject all articles not up to the standard required and if a contractor shall fail to exchange them for articles that meet the requirements prescribed or shall fail to deliver any article within a reasonable time the department may go into the open market and purchase articles to take the place of those adjudged to be of inferior quality or which have not been delivered and deduct the expense including any excess in price over that called for in the contract from the amount due the contractor from the Commonwealth If the amount due said contractor is not sufficient to meet such expenses and excess price paid for the articles purchosed the department may proceed against the contractor or his sureties under the bond aforesaid by proper action through the Department of Justice

In all cases where a lump sum contract containing a provision for partial payments on account of materials delivered and work done is entered into by the department a percentage to be fixed by the department of the amount due as set forth in the contract shall be withheld from the contractor by the Auditor General until the department shall certify that the contract has been fully complied with

The department except in those cases where the department acts in the capacity of purchasing agent shall examine all bills on accounts of contracts entered into under the provisions of this section and if they are correct the department shall certify that the materials have been furnished or that the work of labor has been performed in accordance with the contract and approve the bills When so approved the bills shall be audited settled and paid by the Auditor General and State Treasurer in the manner provided by law

It shall be the duty of the department when the articles named in the schedules are received from the contractors to care for them properly in storage rooms and the department shall be held responsible for their safekeeping

The Board of Commissioners of Public Grounds and Buildings shall provide suitable storage rooms for the furniture stationery supplies and fuel that may be procured

Whenever the Governor the heads of departments the executive officers of independent administrative boards and commissions the chief clerks of the Senate and House of Representatives or the proper officers of the judicial department shall require any portion of the stationery supplies fuel furniture furnishings repairs alterations improvements and other matters or things appearing in the schedules for which contracts have been awarded by the board a requisition giving number and description of the item needed shall be made on the department which shall cause the article to be delivered taking a proper receipt therefor

Whenever any administrative department or any inde-

permanent administrative or departmental administrative board or commission shall call upon the department to purchase for it as purchasing agency any article named in the schedules if the department has such article on hand it may deliver the same to such department board or commission and forthwith [as purchasing agency for such department board or commission purchase another article to replace the article so delivered such replacement] bill such department board or commission for the cost of the same such bill to be paid for out of the appropriation available to the department board or commission for the purchase of the article

In the event that requisitions are made upon the department for any article of furniture furnishings stationery supplies fuel or any other matter or thing the want of which was not anticipated at the time of the making of the schedules the department may in its discretion invite proposals from at least two responsible bidders unless the article can be procured from only one source and when one proposal shall be invited such proposal or proposals together with such requisition or requisitions shall be submitted to the Board of Commissioners of Public Grounds and Buildings for approval or disapproval [at its next meeting] Provided however That the department may in its discretion purchase in the open market without inviting any proposal any such article costing less than fifty dollars but all such purchases shall be reported to the Board of Commissioners of Public Grounds and Buildings at its next meeting

Whenever any contract for the furnishing of materials for use in the construction or maintenance of highways exceeds five hundred dollars ($500.00) in amount and includes the performance of labor or the use of other materials in the delivery of such material to the site of the work or in the incorporation thereof into the completed structure the Department of Property and Supplies shall require the contractor to furnish an additional bond conditioned for the payment of labor and materials in the same manner as is required by paragraph (h) of section two thousand four hundred and eight of the Administrative Code to which this act is an amendment

Section 2414 State Art Commission Subject to any inconsistent provisions in this act contained the State Art Commission shall have the power and its duty shall be to examine and approve or disapprove the [exterior] design and proposed location of all public monuments memorials buildings or other structures except in cities of the first or second class in accordance with the act approved the first day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred three) entitled "An act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings requiring the approval of the commission of the design and location of all public monuments memorials buildings or other structures and certain private structures proposed to be erected anywhere in this Commonwealth other than in cities of the first and second classes" and any amendments thereto

Section 2 That article twenty-six of the said act is hereby amended to read as follows

Article XXVI

Powers and Duties of the [Board of Game Commissioners] Pennsylvania Game Commission and Its Enforcement Officers

Section 2601 Powers and Duties in General The [Board of Game Commissioners] Pennsylvania Game Commission shall subject to any inconsistent provisions in this act contained [continue to] exercise the powers and perform the duties by law vested in and imposed upon the said [board] commission

Section 2602 Enforcement of Game Laws The [Board Game Commissioners] Pennsylvania Game Commission shall have the power and its duty shall be

(a) To protect propagate and preserve the game furbearing animals and protected birds of the Commonwealth and to enforce by proper action and proceedings the law relating to the same

(b) To appoint such number of game protectors as the Governor shall approve at such compensation as the Governor shall approve to assist the [board] commission in the proper discharge of its duties and such number of deputy game protectors as the Governor shall approve Deputy game protectors shall not receive any compensation for services rendered or expenses incurred in the performance of their duties unless specifically employed for special duties by written order of the [secretary of the board] executive director of the commission

The [secretary of the board] executive director of the commission shall be the Chief Game Protector and shall have the direction supervision and control of the other game protectors

Section 2603 Special Hunters' Licenses The [Board of Game Commissioners] Pennsylvania Game Commission shall have the power to issue special deer licenses special licenses to persons of known scientific attainment agents of public museums teachers of ornithology breeders taxidermists and fur dealers and other special licenses upon such terms and conditions and upon payment of such fees as may from time to time be provided by law

Section 2604 State Game Refuges and Farms The [Board of Game Commissions] Pennsylvania Game Commission shall have the power to acquire lands with or without mineral reservations by purchase lease or gift and to establish and maintain State Game Refuges and Game Farms State Game Propagation Areas and Special Preserves for the protection and propagation of game as may now or hereafter be authorized by law

Section 2605 Powers of Game Protectors Each member of the [Board of Game Commissioners] Pennsylvania Game Commission the executive [secretary] director of the [board] commission each game protector and each deputy game protector shall have the power

(a) To enforce all the laws relating to game or other wild birds or wild animals and to go upon any property outside of buildings posted or otherwise in the performance of his duty

(b) To execute all warrants and search warrants for the violation of the laws relating to game or other wild birds or wild animals

(c) To serve subpoenas issued for the examination investigation and trial of all offenses against the laws relating to game or other wild birds or wild animals

(d) To carry firearms or other weapons concealed or otherwise in the performance of their duties

(e) To arrest without warrant any person found in the act of violating any provisions of the laws relating to game or other wild birds or wild animals or in pursuit immediately following such violations or any person whom they have reason to suspect as being an unnaturalized foreign born resident when such person has in possession a firearm or a dog of any kind

(f) To call upon any citizen of this Commonwealth for assistance in making arrests

(g) To search without warrant and examine any person or any boat conveyance vehicle game bag game coat or other receptacle for game or any camp tent or cabin in the presence of any person stopping at or belonging to such camp tent or cabin or any roster when he has reason to believe and has stated to the suspected person or persons in charge his reason for believing that any of the laws relating to game or other wild birds or wild animals has been violated

(h) To secure and execute search warrants and in pursuance thereof to enter any building enclosure or car and to break open any apartment chest locker box trunk crate basket bag package or container and to examine the contents thereof

(i) At any time in any manner or for any purpose to seize and take possession of all birds or animals which have been caught taken or killed or had in possession or under control or which have been shipped or are about to be shipped contrary to the laws of this Commonwealth (j) To seize all guns shooting or hunting paraphernalia traps dogs boats decoys or other appliances used in violation of any of the laws relating to game or other wild birds or wild animals when making an arrest or found in the execution of a search warrant

(k) To administer any oath required by the provisions or relative to any violation of any law relating to game

found in a camp or in possession under control or other wild birds or wild animals and where game is found in a camp or in possession or under control of any individual or hunting party to question such person or persons under oath relative to the taking ownership or possession of the same

Section 3 That article twenty-eight of the said act is hereby amended to read as follows

Article XXVIII

Powers and Duties of the [Public Service Commission of the Commonwealth of Pennsylvania] Pennsylvania Public Utility Commission

Section 2801 Powers and Duties in General [The Public Service Commission of the Commonwealth of Pennsylvania shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in and imposed upon the said commission] The Pennsylvania Public Utility Commission shall continue to exercise the powers and perform the duties by law vested in and imposed upon such commission

[Section 2802 Public Company Law The Public Service Commision of the Commonwealth of Pennsylvania shall have the power and its duties shall be

(a) To administer and enforce the act approved the twenty-sixth day of July one thousand nine hundred and thirteen entitled "An act defining public service companies and providing for their regulation by prescribing and defining their duties and liabilities prescribing defining and limiting their powers and regulating their incorporation and to a limited extent regulating municipal corporations engaged or about to engage in the business of public service companies creating and establishing a Public Service Commission for the regulation aforesaid prescribing and defining the powers and duties of such commission and its officers including the exclusive power to regulate the construction alteration relocation or abolition of the crossings of railroads corporations street railway corporations or other public service companies and of public highways by the tracks or other facilities of said companies providing for the ascertainment by the commission of the expense and damage resulting from such construction alteration relocation or abolition and for the payment of such expense and damages severally or proportionately by the public service companies interested the State or municipal corporation concerned and giving persons whose property is thereby taken injured or destroyed authority to sue the Commonwealth for damages in such cases providing for the terms salaries and compensation of the members of the commission its officers counsel and employes prescribing and regulating the practice and procedure before such commission and upon appeal and judicial review of its orders and determination by the Courts of Common Pleas and giving the Court of Common Pleas of Dauphin County exclusive jurisdiction of such appeals in certain cases and of all injunctions mandamus or other appropriate proceedings to enforce the provisions of this act and the orders of the commission and to restrain such orders subject to an appeal to the Supreme Court prescribing penalties fines and imprisonment for the violation of the provisions of this act and for the violation of the orders of said commission making it the duty of the Public Service Commission to enforce the provisions of the act approved the nineteenth day of June one thousand nine hundred and eleven entitled 'An act to promote the safety of travelers and employes on railroads by compelling common carriers by railroad to properly man their trains' by amending section nine thereof repealing the act approved the thirty-first day of May one thousand nine hundred and seven which provided for the appointment of the Pennsylvania State Railroad Commission and sections one and two of the act approved the fourth day of June one thousand eight hundred and eighty-three entitled 'An act to enforce the provisions of the seventeenth article of the Constitution relative to railroads and canals' and an act entitled 'To provide the maximum car service charges including car storage charges that railroad companies and corporations or associations may charge and collect on each car loading and not unloading within the free time for unloading cars and fixing the free time that shall be allowed for unloading cars' approved the twenty-fourth day of May Anno Domini one thousand nine hundred and seven and the proviso of clause three and the provisos of clause seven of section thirty-four of the act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved the twenty-ninth day of April one thousand eight hundred and seventy-four and all other legislation inconsistent with or supplied by this act" as amended and supplemented

(b) To certify to the Sanitary Water Board any question of fact regarding the purity of water supplied to the public by any public service company over which it has jurisdiction when any such question arises in any controversy or other proceeding before it and upon the determination of such question by the Sanitary Water Board to incorporate the findings of the board thereon in its decision upon the controversy or other proceeding out of which the question arose

Section 2803 Elevated and Underground Railways The Public Service Commission of the Commonwealth of Pennsylvania shall have the power and its duty shall be to exercise the powers and perform the duties heretofor by law vested in and imposed upon the board consisting of the Governor the Secretary of the Commonwealth and the Attorney General by the act approved the twentieth day of June one thousand nine hundred and one (Pamphlet Laws five hundred and seventy-seven) entitled "An act providing that no company hereafter formed for the purpose of construction and operation of a passenger railway either elevated or underground or partly elevated or partly underground with incidental surface rights shall be incorporated except where the same shall be located upon streets in thickly populated regions and until the necessity for such railways shall have been passed upon by a board consisting of the Governor the Secretary of the Commonwealth and the Attorney-General after notice" which reads as follows

"Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That hereafter no letters patent shall be issued to any company nor shall any corporation be otherwise created for the construction of an elevated or underground or partly elevated and party underground passenger railway except the same shall be located upon over under across through or along a street road or highway in a thickly populated locality where the surface travel is congested nor unless and until the necessity for the construction and operation of said railway shall have been passed on and approved by a board consisting of the Governor the Secretary of the Commonwealth and the Attorney General after thirty days' public notice published as shall be prescribed by said board"]

Section 4 That at the end of Article five of the said act the following new section is hereby added

Section 524 Disposition of Useless Records Except as otherwise provided by law whenever any administrative department board or commission shall have an accumulation of files of correspondence reports records or other papers which are not needed or useful in the transaction of the current or anticipated future work of such department board or commission and which date back a period of four years and more it shall be the duty of the head of such department board or commission to submit to the Executive Board a report of that fact accompanied by a concise statement of the condition quantity and character of such papers If the Executive Board shall be of the opinion that such files of correspondence reports records or other papers or any part thereof are not needed or useful in the transaction of the current or anticipated future work of such department board or commission the head of such department board or commission shall place such files or any part thereof as the case may be in the custody of the Department of Property and Supplies and such department is hereby authorized to dispose of the same as waste paper in the

manner prescribed in this act for the sale of unserviceable property Provided however That the Executive Board with the approval of the Department of Public Instruction may direct that any such files of correspondence reports records or other papers or any part thereof that are of historical interest be turned over to the Department of Public Instruction for preservation for historical purposes

Section 5 That at the end of Article eighteen of the said act the following new sections are hereby added

Section 1822 Powers and Duties of the State Parks Commission The State Parks Commission shall have the power and its duty shall be

(a) To act as a central advisory agency for all State parks and parkways and all places of historic scientific scenic or wild life interest which are or may hereafter be under the jurisdiction of the Department of Forests and Waters

(b) To formulate and recommend to the Department of Forests and Waters plans for acquisition of lands improvements construction management use and extension of parks parkways and other places of historic scientific scenic or wild life interest which are or hereafter may be under the jurisdiction of the Department of Forests and Waters and plans for the establishment of a park policy for the Commonwealth

(c) To make available in its discretion information on parks and recreational facilities and to advise as to connections and relations between State parks and other parks within the Commonwealth

(d) To assist in the preparation of State park budgets to be submitted to the General Assembly

(e) To divide the Commonwealth into not less than four (4) park regions to be governed by Regional Park Boards as herein provided for

(f) To adopt such rules and regulations not inconsistent with law for the control management protection development and use of State parks as it may deem proper in aid of its powers and to insure a wise and orderly use of State parks and other places of interest which are or may hereafter be under the jurisdiction of the Department of Forests and Waters

Section 1823 Powers and Duties of State Park Boards The Regional State Park Boards shall act as advisory agents to the State Parks Commission and to the Department of Forests and Waters and shall formulate and recommend through the assistant executive officers appointed by the Department of Forests and Waters of their respective Park Regions plans for the location acquisition development construction use and extension correlation and management of State parks parkways and places of historic scientific scenic or wild life interest which are or may hereafter be under the jurisdiction of the Department of Forests and Waters

Section 6 That at the end of Article twenty-five of the said act the following new section is hereby added

Section 2503 State Athletic Commission The State Athletic Commission shall subject to any inconsistent provisions in this act contained continue to exercise the powers and perform the duties by law vested in such commission It shall administer the laws allowing and regulating boxing sparring and wrestling matches and exhibitions within this Commonwealth

Section 7 The members (exclusive of the ex officio member) officers and employes of the State Athletic Commission which is transferred by this act from the Department of Military Affairs to the Department of Revenue shall continue to be the members officers and employes of such commission and to perform their usual duties upon the same terms and conditions as heretofore until removed or appointed to other positions Such members officers and employes shall retain all accrued retirement rights and their services shall be deemed to be continuous as if such commission had not been transferred as aforesaid

Section 8 The following acts and parts of acts are hereby repealed as respectively indicated

Sections one thousand four hundred eight and two thousand three hundred twenty-one of the act to which this act is an amendment absolutely

The act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws eight hundred seventy-one) entitled "An act conferring upon the Department of Welfare subject to the approval of the proper board of trustees the power of fixing and establishing charges for services rendered by any State owned medical and surgical hospital" absolutely

Section 9 This act shall become effective on the first day of June one thousand nine hundred thirty-seven

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Barthold,	Haluska,	Kunkel,	Rice,
Cavalcante,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Shapiro,
Dent,	Howell,	Mallery,	Sipe,
DiSilvestro,	Jacobs,	McCreesh,	Sones,
Erce,	Jaspan,	McGinnis,	Stiefel,
Frey,	Kahle,	Pytko,	Wolfenden,
Gilson,	Kilgallen,	Reed,	Huffman,

NAYS—8

Chapman,	Ealy,	Homsher,	Pierson,
Deitrick,	Gelder,	Owlett,	Scarlett,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The PRESIDENT. (Lieutenant Governor Thomas Kennedy) in the Chair.

BILLS OVER IN ORDER

Mr. McGINNIS. Mr. President, I ask unanimous consent that Senate Bill No. 815, on final passage entitled:

An Act relating to motor vehicles new and used creating a motor vehicle dealers' commission establishing its jurisdiction powers and duties and creating and providing for approved motor vehicle appraisers establishing their powers and duties regulating the sale trade-in allowance appraisals and information furnished the Commonwealth on motor vehicles new and used and establishing regulations concerning speedometers authorizing the Commission to establish periodical prices for used motor vehicles either sold or traded in establishing the appraisal value of motor vehicles new or used either for sale or used trade-in allowances providing for the licensing of motor vehicles dealers and salesmen and approved motor vehicle appraisers and the payment of fees therefor authorizing examination of the business papers and affairs of and requiring the filing of reports by licensees authorizing and empowering the Commission to hold hearings and to issue rules and orders and the issuance of subpoena by the Commission or its agents and conferring jurisdiction upon the Courts to punish contempts or to prohibit violations of orders of the Commission providing for appeals to the Courts from decisions of the Commission imposing penalties and making appropriation

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. JASPAN. Mr. President, I ask unanimous consent that Senate Bill No. 955, on final passage, entitled:

An Act authorizing and empowering cities of the first class with the consent of the Water and Power Resources Board of the Commonwealth of Pennsylvania to erect and construct waterworks as herein defined within and without their corporate limits to acquire property within and without their corporate limits by purchase lease gift and the power of eminent domain for such purposes to generate power and erect power plants stations and lines in connection therewith and to use sell and purchase water water power and electric energy within and without their corporate limits prescribing the powers and duties of such cities providing for the assessment of damages and repealing inconsistent laws.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill 1174, (House Bill No. 158), as follows:

An Act To preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts

ARTICLE I

General Provisions and Public Policy

Section 1 Definitions Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following words or phrases unless the context clearly indicates otherwise shall have the meanings ascribed to them in this section

"Board" shall be construed to mean the Sanitary Water Board in the Department of Health or its duly constituted successor

"Establishment" shall be construed to include any industrial establishment mill factory tannery paper or pulp mill garage oil refinery oil well boat vessel mine quarry and each and every other industry or plant or works in the operation of which industrial wastes are produced

"Industrial waste" shall be construed to mean any liquid gaseous or solid substance not sewage resulting from any manufacturing or industry

"Institution" shall include healing preventative mental health educational correctional and penal institutions almshouses and county and city homes operated by the State or any political subdivision thereof and whose sewage is not admitted to a public sewer system

"Municipality" or "municipal" shall be construed to include any county authority municipal authority city borough town township school district and institution as above defined

"Person" shall be construed to include any person copartnership association or private corporation

"Pollution" shall be construed to mean noxious and deleterious substances rendering unclean the waters of the Commonwealth to the extent of being harmful or inimical to the public health or to animal or aquatic life or to the use of such waters for domestic water supply or industrial purposes or for recreation

"Sewage" shall be construed to include any substance that contains any of the waste products or excrementitious or other discharge from the bodies of human beings or animals

"Waters of the Commonwealth" shall be construed to include any and all rivers streams creeks rivulets lakes dammed water ponds springs and all other bodies of surface and underground water or parts thereof whether natural or artificial within or on the boundaries of this Commonwealth

Section 2 Interpretation of Act A The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section B Headings shall not be taken to govern or limit the scope of the sections of this act The singular shall include the plural and the masculine shall include the feminine and neuter

Section 3 Discharge of Sewage and Industrial Wastes Not a Natural Use The discharge of sewage or industrial waste or any noxious and deleterious substances into the waters of this Commonwealth which is or may become inimical and injurious to the public health or to animal or aquatic life or to the uses of such waters for domestic or industrial consumption or for recreation is hereby declared not to be a reasonable or natural use of such waters to be against public policy and to be a public nuisance

ARTICLE II

Sewage Pollution

Section 201 Prohibition Against Discharge of Sewage No person or municipality shall place or permit to be placed or discharge or permit to flow or continue to discharge or permit to flow into any of the waters of the Commonwealth any sewage except as hereinafter provided in this act

Section 202 Extent of Applicability of Act to Existing Sewage Discharges Any municipality discharging sewage from any sewer system owned and maintained by the municipality and any person discharging sewage into or in such manner as to cause pollution of the waters of this Commonwealth without regard to the fact that such discharge began prior or subsequent to the twenty-second day of April one thousand nine hundred and five or whether such continued discharge has been by virtue of or without a permit issued by the Secretary of Health the Commissioner of Health or the Board in accordance with the provisions of an act approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred sixty) entitled "An act to preserve the purity of the waters of the State for the protection of the public health" shall discontinue the discharge of sewage into or in such manner as to cause pollution of the waters of this Commonwealth upon the order of the Board issued pursuant to the provisions of this act at such time as the Board shall be of opinion that such discharge of sewage is or may become inimical or injurious to the public health animal or aquatic life or to the use of the water for domestic or industrial consumption or recreation and on such notice any permit heretofore granted to such municipality or person for the discharge of sewage into the waters of the Commonwealth shall be deemed to be revoked and annulled Provided however That the discharge of sewage into a stream impregnated with acid coal mine drainings be permitted when the discharge of sewage does not create a condition inimical to the public interest

Section 203 Orders to Discontinue Existing Sewage Discharges Nuisances In the case of a municipality orders to discontinue existing discharges of sewage shall be by notice in writing (after investigation and hearing and an opportunity for all persons interested therein to be heard thereon) which notice shall be served personally or by registered mail on the corporate authorities of the municipality owning or maintaining and using the sewage system The length of time after receipt of the notice within which the discharge of sewage shall be discontinued shall be stated in the notice and shall in no case exceed two years

In the case of a person orders to discontinue existing discharges of sewage shall be by notice in writing served personally on such person or by registered mail addressed to the last known post office address of the person discharging the sewage and such notice shall specify a reasonable time not exceeding one year to be fixed by the Board within which the discharge of such sewage shall be discontinued

The continued discharge of sewage by persons or municipalities after the expiration of the time fixed in any such notice is hereby declared to be a nuisance and shall be abatable and punishable as provided in this act

Section 204 Penalty Any person who shall continue to discharge sewage or permit the same to flow into the waters of the Commonwealth contrary to the preceding provisions of this act or after the expiration of the time fixed in any notice from the Board to discontinue an existing discharge of sewage into the waters of the Commonwealth shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than twenty-five dollars and not exceeding one hundred dollars for each offense and a further fine of ten dollars for each day the offense is maintained and in default of the payment of such fine and costs the person or the member or members of any association or copartnership or the officer or officers of any corporation responsible for violation of this act shall be imprisoned in the county jail one day for each dollar of fine and costs unpaid

Section 205 Reports of Existing Municipal Sewers It shall be the duty of the corporate authorities having by law charge of the sewer system of each municipality in the Commonwealth from which sewage is being discharged into any of the waters of the Commonwealth to file with the Board from time to time upon the written demand of said Board a report of such sewer system which shall comprise such plans facts and information as the Board may require Such report shall be filed within a time specified by the Board in its written demand No municipal sewer system shall be exempt from the provisions of this act prohibiting the discharge of sewage into the waters of the Commonwealth for which a satisfactory report shall not be filed with the Board in accordance with this section The continued discharge of sewage from any such sewer system contrary to the provisions of this section is hereby also declared to be a nuisance and abatable as such

Section 206 Applications for Permits for the Discharge of Sewage Upon application duly made to the Board by the corporate authorities having by law the charge of the sewer system of any municipality or by any person the Board shall consider the case of any sewer system or the extension of any existing sewer system otherwise prohibited by this act from discharging sewage into any of the waters of the Commonwealth and shall if it finds as a fact that the discharge of sewage is necessary and not injurious to the public health or animal or aquatic life or for use for domestic or industrial consumption or recreation stipulate in a permit the conditions and the time during which such discharge into the waters of the Commonwealth may be permitted Such permit before being operative shall be recorded in the office of the recorder of deeds for the county wherein the outlet of said sewer system is located And in case the municipality or person fails or neglects to record such permit the Board shall cause a copy thereof to be so recorded and shall collect the cost of recording from the municipality or person No such permit shall be construed to permit any act otherwise forbidden by any of the laws of the Commonwealth or by any decree order sentence or judgment of any court or by the ordinances of any municipality or by the rules and regulations of any water company supplying water to the public or by laws relative to navigation

Section 207 Approval of Plans Designs and Relevant Data by the Sanitary Water Board All plans designs and relevant data for the construction of any new sewer system or for the extension of any existing sewer system by a municipality or for the erection construction and location of any treatment works or intercepting sewers by a person or municipality shall be submitted to the Board for its approval before the same are constructed or erected or acquired Any such construction or erection which has not been approved by the Board by written permit or any treatment works not operated or maintained in accordance with the rules and regulations of the Board is hereby also declared to be a nuisance and abatable as herein provided

Section 208 Revocation or Modification of Permits Every such permit for the discharge of sewage from a sewer system or extension or for the erection and construction of any sewer system or treatment works or intercepting sewers under the provisions of sections two hundred six and two hundred seven of this act shall be revocable or subject to modification and change by the Board on due notice (after an investigation and hearing and an opportunity for all known to be interested therein to be heard thereon) being served personally on or by registered mail addressed to the last known post office address of the corporate authorities of the municipality or the person owning maintaining or using the sewer system or the person or municipality operating the treatment works The length of time after the receipt of the notice within which the discharge of sewage or the treatment of sewage in such treatment works shall be discontinued shall be stated in the notice but in no case shall it exceed two years in the case of a municipality or a reasonable time not exceeding one year in the case of a person to be fixed by the Board

Section 209 Prohibition Against Discharge of Sewage Et Cetera After Revocation of Permit On the expiration of the period of time prescribed after the service of a notice of revocation modification or change of any such permit from the Board the discharge of sewage into any waters of the Commonwealth or treated sewage from treatment works shall cease and terminate and the prohibition of this act against such discharge or treatment shall be in full force as though no permit had been granted but a new permit may thereafter again be granted as hereinbefore provided A continuation of the discharge of sewage or the treatment of sewage after revocation or in violation of any modification and change of any such permit is hereby also declared to be a nuisance and shall be punishable and abatable as herein provided

Section 210 Municipal Financing of Pollution Abatement Any municipality upon whom an order of the Board is served to abate its discharge of untreated or inadequately treated sewage shall unless said order to abate said discharge be reversed on appeal take steps for the acquisition or construction of a sewer or sewerage system or sewage treatment works or both or for the repair alteration extension or completion of an existing sewer sewerage system or sewage treatment works or both as may be necessary for the treatment of its sewage in compliance with the order of the Board The cost of the acquisition construction repair alteration completion or extension of the sewer sewerage system or sewage treatment works as may be necessary to comply with said order shall be paid out of funds on hand available for such purpose or out of the general funds of such municipality not otherwise appropriated If there be no sufficient funds on hand or unappropriated then the necessary funds shall be raised by the issuance of bonds such bond issue to be subject only to the approval of the Department of Internal Affairs If the estimated cost of the steps necessary to be taken by such municipality to comply with such order is such that the bond issue necessary to finance such project would not raise the total outstanding bonded indebtedness of such municipality in excess of the constitutional limit imposed upon such indebtedness by the Constitution of this Commonwealth then and in that event the necessary bonds may be issued as a direct obligation of such municipality and retired pursuant to general law governing the issue of such bonds if the electors of the municipality shall vote in favor of the increase in indebtedness where the consent of the electors is required If the amount of such bonds necessary to be issued would raise the total outstanding bonded indebtedness of such municipality above such constitutional limitation on such indebtedness or if the consent of the electors cannot be secured or if such municipality by its corporate authorities shall determine against the issuance

of direct obligation bonds then such municipality shall be requested to issue non-debt revenue bonds and provide for the payment of the interest and principal of such bonds from funds to be raised by imposing a sewer rental or charge in accordance with and as authorized by the act approved the eighteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws twelve hundred eighty-six) entitled "An act empowering cities (except cities of the first class) boroughs incorporated towns and townships to charge and collect annual rentals for the use of certain sewers sewage systems and treatment works including charges for operation inspection maintenance repair depreciation and the amortization of indebtedness and interest thereon" or other legislation relating to the imposition and collection of such rentals and charges

The funds made available by the issuance of either direct obligation bonds or revenue bonds secured by rental charges as herein provided shall constitute a sanitary fund and shall be used for no other purpose than for carrying out such order or orders of the Board

The Attorney General at the instance of the Board may enforce this provision of the act by action of mandamus

Section 211 Revenue Bonds For the purpose of financing the cost and expense or its share of the cost and expense of constructing or acquiring or extending any sewer sewer system or sewage treatment works either singly or jointly with other municipalities a municipality may issue non-debt revenue bonds secured solely by a pledge in whole or in part of the annual rentals or charges imposed for the use of such sewer sewer system or sewage treatment works Said bonds shall not pledge the credit nor create any debt nor be a charge against the general revenues nor be a lien against any property of the municipality but shall be a lien upon and payable solely from the annual rentals or charges for the use of the sewer sewer system or sewage treatment works

Section 212 Issuance and Sale of Revenue Bonds Maturity Interest When a municipality shall issue any non-debt revenue bonds the corporate authorities thereof shall sell the same to the highest bidder after public notice by advertisement once a week for three weeks in at least one newspaper of general circulation published in the municipality or the county in which the municipality is situate Where bonds shall be advertised for sale as herein provided and no bids shall have been received then it shall be lawful for such municipality to sell the same at private sale for not less than par and accrued interest

All such bonds shall be payable in not more than thirty years from the date of their issue shall be issued in series payable in equal annual installments and shall bear interest at a rate not exceeding six per centum per annum

Section 213 Other Methods of Financing Preserved Anything in this act to the contrary notwithstanding any municipality shall have power to issue bonds revenue certificates or other obligations to finance in whole or in part the carrying out of any order or direction of the Board without regard to the restrictions limitations or provisions of this act relating to the issuance of bonds revenue certificates or other obligations provided that such bonds revenue certificates or other obligations are issued by the municipality in accordance with the provisions of any other law This act shall be construed to provide an alternative method for the issuance of bonds revenue certificates or other obligations by a municipality and not an exclusive method therefor

ARTICLE III

INDUSTRIAL WASTES

Section 301 Prohibition Against Discharge of Industrial Wastes No person shall place or permit to be placed or discharged or permit to flow or continue to discharge or permit to flow into any of the waters of the Commonwealth any industrial wastes except as hereinafter provided in this act

Section 302 Existing Industrial Wastes Discharges All persons who at the time of the passage of this act are discharging industrial waste into any of the waters of the Commonwealth shall discontinue the discharge of such industrial waste into said waters or into any municipal sewer system on notice from the Board when after due investigation the Board shall declare the dicharge of such industrial waste is or may become inimical or injurious to the public health or to animal or aquatic life or prevent the use of waters for domestic industrial or recreational purposes provided that any discharge that is inimical and injurious to the public health or to animal or aquatic life or to the use of the water for domestic or industrial consumption or recreational purposes shall nevertheless be deemed unlawful and a nuisance whether the Board shall so declare or not

Section 303 Information as to Kind and Character of Discharge Every person who on the effective date of this act shall be discharging or permitting to be discharged or has an establishment temporarily closed which in the future may discharge or permit to be discharged any industrial waste into the waters of the Commonwealth shall file with the Board within ninety days after the effective date of this act on forms prepared and supplied by the Board such information under oath as the Board may require with regard to such industrial waste including the kind characteristics and rate of flow thereof and concerning the treatment works if any either in operation or in contemplation It shall be the duty of such persons to apply to the Board for the forms necessary to comply with this provision The falsity of any of the information thus supplied is hereby declared to be perjury and punishable as such

Section 304 Water Surveys The Board shall have power to make a complete survey of the waters of the Commonwealth in order to ascertain the extent of pollution in each of said waters and the remedies to be employed to purify said waters It shall have power to adopt prescribe and enforce such rules and regulations not inconsistent with this act as may be deemed necessary for the protection of the purity of the waters of the Commonwealth or parts thereof and to purify those now polluted and to assure the proper and practical operation and maintenance of treatment works approved by it A violation of which rules and regulations after notice shall also constitute a nuisance under this act

Section 305 Investigations and Research In addition to any powers now possessed the Board shall investigate and ascertain as far as practicable all facts in relation to the pollution of the water of the Commonwealth by industrial waste Its agents may enter upon lands buildings and premises as may be necessary for its investigations It shall conduct scientific experiments and researches under its personal supervision or in colleges and universities for the purpose of ascertaining reasonable and practical means for the treatment of industrial waste so that when the same has been treated the effluent thereof when discharged into the waters of the Commonwealth shall not be injurious to the public health or to animal or aquatic life or prevent the use of the water for domestic industrial or recreational purposes

Section 306 Protection of Clean Waters After the effective date of this act no municipality or person shall ever discharge drain or permit to be washed into the clean waters of this State any sewage or industrial waste "Clean waters" are hereby defined to mean waters which are at the effective date of this act unpolluted and free from any discharge or drainage of industrial waste and from any authorized discharge or drainage of sewage but the Sanitary Water Board may permit discharge into such waters of sewage or industrial waste that has been completely treated

Section 307 Regulation of Establishments Erected or Opened or Reopened in the Future No person shall hereafter erect construct or open or reopen or operate any establishment which in its operation results in the discharge of industrial wastes which would flow or be discharged into any of the waters of the Commonwealth and thereby cause a pollution of the same unless such person shall first provide proper and adequate treatment works for the treatment of such industrial wastes approved by the Board so that if and when flowing or dis-

charged into the waters of the Commonwealth the effluent thereof shall not be inimical or injurious to the public health or to animal or aquatic life or prevent the use of water for domestic industrial or recreational purposes except when in the opinion of the Board such industrial waste is not inimical or injurious to the public health or to animal or aquatic life or to the use of the water for domestic industrial or recreational purposes and shall grant a permit for the discharge of such industrial waste into the waters of the Commonwealth But no permit shall ever be issued by the Board authorizing the discharge of untreated industrial waste into the clean waters of the State as above defined Public notice of every application for a permit under this section shall be given by notice published in a newspaper of general circulation published in the county where the permit is applied for once a week for four weeks But any such permit shall be revocable or subject to modification and change by the Board at any time thereafter upon reasonable notice served personally or by registered mail addrssed to the last known post office address of the holder of the permit and the owner or operator of such establishment may be required to install treatment works approved by the Board for the treatment of such industrial waste or for the deposition of solids in such industrial waste in the manner and to the extent as the Board may require The discharge of industrial waste into any of the waters of the Commonwealth from any such establishment contrary to the provisions of this section or without a permit or after the time fixed in the notice of the Board when a permit is revoked or in violation of any modification thereof is hereby declared to be a nuisance and to be punishable and abatable as herein provided The provisions of this section shall not apply to establishments existing at the date of the approval of this act which may hereafter be temporarily closed for a period not exceeding six months

Section 308 Approval of Plans Designs and Relevant Data by the Sanitary Water Board All plans designs and relevant data for the erection and construction of treatment works by any person for the treatment of industrial wastes shall be submitted to the Board for its approval before the words are constructed or erected Any such construction or erection which has not been approved by the Board by written permit or any treatment works not maintained or operated in accordance with the rules and regulations of the Board is hereby declared a nuisance and to be punishable and abatable as herein provided

Section 309 Penalties Any person who shall discharge any industrial wastes into the waters of the Commonwealth after the Board shall have given notice to discontinue the same as provided in section three hundred two shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars and a further fine of ten dollars per day for each day the offense is continued and in default of the payment of such fine and costs the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers thereof may be imprisoned in the county jail for a period not exceeding sixty days

Any person who shall continue to discharge any industrial waste into any of the waters of the Commonwealth contrary to the provisions of this act after conviction in a summary proceeding as above provided shall be guilty of a misdemeanor and upon conviction thereof in the Court of Quarter Sessions shall be sentenced to pay a fine of not less than five hundred dollars nor more than one thousand dollars and the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers thereof may be imprisoned in the county jail for a period of not more than one year

Section 310 Acid Mine Drainage and Silt The provisions of this article shall not apply to acid mine drainage and silt from coal mines until such time as the opinion of the Sanitary Water Board practical means for the removal of the polluting properties of such drainage shall become known

Article IV

PETTY POLLUTION

Section 401 Petty Pollutions Prohibited It shall be unlawful for any person to put or place into any of the waters of the Commonwealth any explosive or to put or to allow any substance of any kind or character injurious or inimical to the public health or to animal or aquatic life or to the uses of water for industrial purposes or for recreation to be turned into or to run or flow or wash or to be emptied into any of the waters of the Commonwealth

Any person violating the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars and in default of the payment of such fine and costs of prosecution the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers thereof shall be imprisoned in the county jail for a period of sixty days

Any person who shall continue to violate the provisions of this section after conviction in a summary proceeding as above provided shall be guilty of a misdemeanor and upon conviction thereof in the Court of Quarter Sessions shall be sentenced to pay a fine of not less than five hundred dollars nor more than one thousand dollars and such person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers thereof shall be imprisoned in the county jail for a period of not less than three months nor more than one year Each day during which this section is violated shall constitute a separate offense

Nothing contained in this section shall be construed to apply to any sewage or industrial waste the discharge of which is regulated or prohibited by the preceding sections of this act but this section shall apply to explosives and to all other substances injurious or inimical to the public health or animal or aquatic life or to the use of the water for domestic industrial or recreational purposes and to any sewage or industrial waste the discharge of which is not regulated or prohibited by the preceding sections of this act This section shall not be construed to prohibit the use of explosives for engineering purposes when a written permit has been given therefor by proper national state or municipal authorities

Section 402 Abatement of Petty Pollutions The violation of any of the provisions of the preceding section of this act is hereby declared to constitute a nuisance and to be abatable as herein provided

Section 403 Powers of Board The Board shall have power to adopt and promulgate reasonable rules and regulations for the purpose of preventing petty pollutions and to provide for and regulate the installation and maintenance of septic tanks or other methods of treatment whenever deemed necessary by the Board

Article V

Domestic Water Supplies

Section 501 Protection of Domestic Water Supplies In addition to the powers and authority hereinbefore granted power and authority is hereby conferred upon the Board after due notice and public hearing to make adopt promulgate and enforce reasonable orders and regulations for the protection of any source of water approved by the Commissioner of Health or the Department of Health for present or future supply to the public and prohibiting the pollution of any such source of water so approved rendering the same inimical or injurious to the public health or objectionable for public water supply purposes

Section 502 Penalty Any person violating any of said orders and regulations of the Board or refusing or omitting to comply with any direction or stipulation of the Secretary of Health made in accordance with said orders and regulations after thirty days' notice thereof shall upon conviction in a summary proceeding be sentenced to pay a fine of not less than one hundred dollars nor more than five hundred dollars and in default of the payment

of such fine and costs of prosecution the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers thereof shall be imprisoned in the county jail for a period of sixty days

Any person who shall continue to violate the orders and regulations of the Board or refuse or omit to comply with any direction or stipulation of the Secretary of Health after conviction in a summary proceeding as above provided shall be guilty of a misdemeanor and upon conviction thereof in the Court of Quarter Sessions shall be sentenced to pay a fine of not less than five hundred dollars nor more than one thousand dollars and the person or if such person be an association or copartnership then the members thereof or if such person be a corporation then the officers thereof shall be imprisoned in the county jail for a period of not less than three months nor more than one year

Section 503 Public Nuisances A violation of the orders and regulations adopted by the Board pursuant to section five hundred and one of this act shall constitute a nuisance and whenever such a pollution shall be maintained or continued contrary to such orders and regulations the same may be abatable in the manner provided by this act

Article VI

Procedure

Section 601 Abatement of Pollutions All pollutions hereinbefore declared to be nuisances or maintained contrary to the provisions of this act shall be abatable in the manner now provided by law or equity for the abatement of public nuisances In addition suits to abate pollution of any of the waters of the Commonwealth may be instituted in equity or at law in the name of the Commonwealth upon relation of the Attorney General or upon relation of any district attorney of any county or upon relation of the solicitor of any municipality affected after notice has first been served upon the Attorney General of the intention of the district attorney or solicitor to so proceed Such proceedings may be prosecuted in the Court of Common Pleas of Dauphin County or in the Court of Common Pleas of the county where the nuisance has been or is being committed or of any county through which or along the borders of which flows the water into which such pollution has been discharged at any point above and to that end jurisdiction is hereby conferred in law and equity upon such courts provided however that no action shall be brought by such district attorney or solicitor against any municipality discharging sewage under a permit of the Board heretofore issued or hereafter issued under this act and provided further that except in cases of emergency where in the opinion of the court the exigencies of the cases require immediate abatement of said nuisances the court may in its decree fix a reasonable time during which the person or municipality responsible for the nuisances may make provision for the abatement of the same

Section 602 Preliminary Injunctions In cases where the circumstances require it or the public health is endangered a mandatory preliminary injunction or special injunction may be issued upon the terms prescribed by the court notice of the application therefore having been given to the defendant in accordance with the rules of equity practice and in any such case the Attorney General the district attorney or the solicitor of any municipality shall not be required to give bond

Section 603 Summary Proceedings All summary proceedings under the provisions of this act may be brought before any magistrate alderman or justice of the peace of the county where the offense occurred or the unlawful discharge of sewage industrial waste or pollution was maintained or in the county where the public is affected and to that end jurisdiction is hereby conferred upon said magistrates aldermen or justices of the peace subject to appeal by either party in the manner provided by law In the case of any appeal from any such conviction in the manner provided by law for appeals from summary conviction it shall be the duty of the district attorney of the county to represent the interests of the Commonwealth

Section 604 Complaints Investigations Upon complaint made in writing by any responsible person to the Board it shall be the duty of the Board through its agents to investigate any alleged source of pollution of the waters of the Commonwealth and to institute appropriate proceedings under the provisions of this act to discontinue any such pollution if the offense complained of constitutes a violation of the provisions of this act

Section 605 Appeals Any order decision rule or regulation made by the Board shall be subject to appeal to the Court of Common Pleas of Dauphin County within thirty days from its entry by any person or municipality but in such appeal the decision rule or regulation of the Board shall be prima facie evidence of the correctness thereof and the burden to establish the incorrectness thereof shall be upon the appellant Said court may affirm or modify any such order decision rule or regulation if it be established by the appellant that the discharge of sewage or industrial waste or the erection maintenance or operation of any treatment works is not nor likely to become inimical or injurious to the public health or to animal or aquatic life or to the use of the water for domestic industrial or recreational purposes and if the court so finds it may set aside such order decision rule or regulation of the Board Any order (other than an order to discontinue the discharge of industrial waste) decision rule or regulation appealed from shall not be superseded by the appeal but shall be in force until the order of the court is made as above provided The setting aside of any order or decision of the Board by the court upon any such appeal shall not prevent or preclude said Board from again instituting subsequent proceedings against the same person or municipality when in its opinion the public health is endangered or animal or aquatic life destroyed or water rendered unfit for domestic industrial or recreational purposes subject to appeal as above provided

Section 606 Proceedings Where Waters Polluted from Many Sources Nothing contained in the laws of the Commonwealth shall estop the Board from proceeding under the provisions of this act against any particular municipality or person discharging sewage or industrial waste or other noxious or deleterious substance into the waters of the Commonwealth even though said waters are at the time polluted from other sources

Section 607 Public Records Evidence All papers records and documents of the Board and applications for permits pending before the Board shall be public records open to inspection during business hours and copies of all such public records and the rules and regulations of the Board certified by the Secretary of Health shall be received in evidence in all courts and elsewhere

Section 608 Existing Rules Regulations and Orders All rules and regulations heretofore adopted by the Board and all orders made and actions taken by the Board or the Secretary of Health under the provisions of law repealed by this act shall continue in force with the same effect as if such laws had not been repealed subject however to modification change or annulment as may be deemed necessary by the Board in order to comply with the provisions of this act

Section 609 Application and Permit Fees The Board is hereby authorized to fix and collect from persons and municipalities a reasonable filing fee for applications filed and for permits issued

Article VII

Scope and Purpose

Section 701 Existing Rights and Remedies Preserved The collection of any penalty under the provisions of this act shall not be construed as estopping the Commonwealth or any district attorney or solicitor of a municipality from proceeding in courts of law or equity to abate pollutions forbidden under this act or abate nuisances under existing law It is hereby declared to be the purpose of this act to provide additional and cumulative remedies to abate the pollution of the waters of this Commonwealth

and nothing in this act contained shall in any way abridge or alter rights of action or remedies now or hereafter existing in equity or under the common law or statutory law criminal or civil nor shall any provision in this act or the granting of any permit under this act or any act done by virtue of this act be construed as estopping the Commonwealth persons or municipalities in the exercise of their rights under the common law or decisional law or in equity from proceeding in courts of law or equity to suppress nuisances or to abate any pollution now or hereafter existing or enforce common law or statutory rights

ARTICLE VIII

REPEALER

Section 801 Repeal The following acts and parts of acts of Assembly are hereby repealed

Sections four five six seven eight nine ten and eleven of an act approved the twenty-second day of April one thousand nine hundred and five (Pamphlet Laws two hundred sixty) entitled "An act to preserve the purity of the waters of the State for the protection of the public health"

The act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred ninety-three) entitled "An act to preserve the purity of the sources of public water supplies hereafter approved authorizing the Advisory Board of the Department of Health to make orders and regulations therefor and the Commissioner of Health to enforce the same providing penalties for violation thereof and for abatement of nuisances by injunction"

All other acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Barthold,	Gilson,	Kilgallen,	Reed,
Cavalcante,	Haluska,	Kunkel,	Rice,
Deitrick,	Henney,	Lanius,	Rodgers,
Dent,	Heyburn,	Law,	Shapiro,
DiSilvestro,	Jacobs,	McCreesh,	Sipe,
Ealy,	Jaspan,	McGinnis,	Sones,
Eroe,	Kahle	Pytko,	Stiefel,
Frey,			

NAYS—9

Chapman,	Howell,	Owlett,	Scarlett,
Gelder,	Mallery,	Pierson,	Wolfenden,
Homsher,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 2055

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 21, 1937.

Resolved (if the Senate concur), That House Bill No. 2055, entitled:

An Act authorizing any county and city, in any county in which the county-seat is within the limits of such city to agree upon the joint management and control of all city hospitals and institutions and any or all county hospitals and institutions within the city and providing for the appointment of a board of managers and for professional staffs and employes and for the apportionment of costs and expenses

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1190, (House Bill No. 1186), as follows:

An Act authorizing school districts to make contracts of group accident insurance for the benefit of pupils in vocational schools at the expense of the school district defining the status of the school district and pupils under existing and future insurance laws and requiring school districts to make certain reports to the Department of Public Instruction

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any school district may make contracts of insurance with any insurance company authorized to transact business within this Commonwealth insuring all or any class of pupils in the vocational schools of the district under a policy or policies of group insurance covering accident insurance or any two or all of them and in such case shall agree to pay all of the premiums or charges for carrying such contracts and shall appropriate out of its treasury any money necessary to pay the same

Section 2 All contracts procured hereunder shall conform and be subject to all the provisions of any existing or future laws concerning group insurance The school district shall for the purposes of such laws be deemed to be the employer and the pupils in the vocational schools of the district shall be deemed to be the employes

Section 3 On or before the first day of November of each year each school district shall make a report to the Department of Public Instruction showing in such detail as the department may require whether or not and to what extent it is operating under the provisions of this act

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 The provisions of this act shall become effective on the first day of July one thousand nine hundred and thirty-seven

And said bill having been read at length the third time, and the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate agree on the bill?

Mr. SHAPIRO. Mr. President, these bills are appropriating money to create the erection of schools along vocational lines. This bill, I do not know who or what source is back of this bill, but it authorizes the taking out of group insurance for the benefit of these people for whom we are creating vocational schools and its seems to me that this can be nothing more or less than an attempt to establish for some insurance agent or company, and I cannot for the life of me understand why the Department of Public Instruction should be directed to take out group

insurance for vocational students that may not be in the school for more than one year, or two years at the most, or may not attend for the whole year, and yet we are asked to pass a law authorizing the taking out of group insurance by the Department of Public Instruction, first, for the purpose of protecting them against accidents, and everyone knows, or should know, that the Department is not responsible, or that the State is not responsible or liable for accidents or negligence in such cases; and, secondly, to allow them to take out life insurance policies on group insurance, at least that was the condition of the bill when it was in Committee, whatever kind of insurance it protected. I cannot see the necessity for this bill at all.

MOTION TO RECOMMIT BILL

I move that this bill be recommitted.

Mr. GILSON. Mr. President, I believe that Senator Ruth, the Chairman of the Committee on Education, is well informed on this bill and I do not believe that it would be proper courtesy, or advisable to take any action on this bill until Senator Ruth is present. Therefore, I ask that the bill go over in its order.

BILL OVER IN ORDER

Mr. SHAPIRO. Mr. President, I withdraw my motion and ask unanimous consent that it go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1192, (House Bill No. 1354), entitled:

An Act to further amend Section two thousand two hundred and twenty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An Act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by regulating the retirement of and providing additional retirement allowances for superintendents of schools and superintendents of building in districts of the first Class under certain circumstances and authorizing such school districts to provide for the payment of such additional allowances

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two thousand two hundred and twenty-three of an act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws 677) is hereby further amended to read as follows

Section 2233 The board of public education in each school district of the first class shall annually on the first Monday in January appoint a district superintendent to be designated and known as superintendent of schools and may also at the same time appoint a superintendent of building their duties and fix their salaries They shall be responsible to the board for the conduct of their respective departments shall make annual reports to the board and shall from time to time submit such plans and suggestions for the improvement of the schools and the school system as they shall deam expedient or as the board of public education may require Provided That the Superintendent of schools may be elected for a term of not more than six years and provided further That when a superintendent of schools in a district of the first class who has been employed in the public schools of the Commonwealth for fifteen or more years is retired from service under the operation of the State School Employes Retirement System the board of the school district may when the said Superintendent of schools has previously served as a teacher principal or superintendent of schools in public schools in the United States of America outside the Commonwealth provide for the payment to the said superintendent of schools annually during his said retirement of a sum equal to the difference between his annual retirement allowance based on his service in the public schools of the Commonwealth and according to his optional election at the time of retirement and the annual allowance to which he would have been entitled had he been given credit for his period of service as a teacher principal or superintendent of schools both outside and within the Commonwealth A superintendent of schools when thus retired may be designated by the board as superintendent emeritus And Provided further that when any person occupying the position of superintendent of buildings in a district of the first class who is under the superannuation retirement age fixed by the statutes governing the State School Employes' Retirement System but who has been employed in the public schools of the Commonwealth continuously for thirty years or more is retired under the operation of that system because of disability the board of the school district may provide for the payment to such superintendent of buildings annually during his said retirement of a sum equal to the difference between the annual retirement allowance actually paid to him under the said State School Employes' Retirement System according to his optional election at the time of retirement and the annual allowance to which he would have been entitled under said system had he served at the salary paid to him at the date of his retirement until the aforesaid superannuation age and then retired under an election to receive his benefits by way of an undiminished superannuation retirement allowance payable to him throughout life

Section 2 This act shall become effective on the date of its approval by the Governor.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gilson,	Kilgallen,	Reed,
Cavalcante,	Haluska,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Deitrick,	Heyburn,	Law,	Scarlett,
Dent,	Homsher,	Mallery,	Shapiro,
DiSilvestro,	Howell,	McCreesh,	Sipe,
Ealy,	Huffman,	McGinnis,	Sones,
Eroe,	Jacobs,	Owlett,	Stiefel,
Frey,	Jaspan,	Pierson,	Thompson,
Gelder,	Kahle,	Pytko,	Wolfenden,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

BILLS OVER IN ORDER

Mr. JASPAN. Mr. President, I ask unanimous consent that Senate Bill No. 1196, (House bill No. 1524), on final passage reading, entitled:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 589) entitled "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops barber schools and barber colleges and apprentices and students therein conferring certain powers and duties on the Department of Public Instruction and providing penalties" by modifying the provisions relating to barber schools the licensing of persons as barbers and the issuing of renewal student or apprentice permits providing additional grounds for suspension and revocation of permits and registrations discontinuing the use of the term "barber college" and prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE, Mr. President, I ask unanimous consent that Senate Bill No. 1241, (House Bill No. 1764 on final passage reading, entitled:

An Act relating to certain existing beneficial societies conferring certain rights powers and duties upon them their officers and members authorizing the payment of benefits by them in the event of sickness accident disability or death regulating such societies and corporations and limiting the amount for which they may issue membership certificates or policies providing for reserves imposing penalties and repealing certain existing laws and parts of law

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 178, entitled:

An Act to further amend section two of the act approved the eighteenth day of June one thousand nine hundred and nineteen (Pamphlet Laws four hundred ninety-eight) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for State aid for the transportation of pupils to and from consolidated schools" by requiring the recommendation of the county board of school directors before the approval of consolidated and joint consolidated schools in certain cases

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gilson,	Kilgallen,	Reed,
Cavalcante,	Haluska,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Deitrick,	Heyburn,	Law,	Scarlett,
Dent,	Homsher,	Mallery,	Shapiro,
DiSilvestro,	Howell,	McCreesh,	Sipe,
Ealy,	Huffman,	McGinnis,	Sones,
Eroe,	Jacobs,	Owlett,	Stiefel,
Frey,	Jaspan,	Pierson,	Thompson,
Gelder,	Kahle,	Pytko,	Wolfenden,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 298, as follows:

An Act regulating proceedings against attorneys-at-law for disbarment and contempt of court

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in every proceeding before any court of record of this Commonwealth except an appellate court for the disbarment of an attorney-at-law or wherein an attorney-at-law shall be charged with contempt of court such attorney-at-law shall have the right to demand a trial by an impartial jury which in the case of disbarment proceedings shall be a jury of the county wherein the attorney-at-law regularly practices and which in the case of contempt proceedings shall be a jury of the county wherein the alleged contempt was committed

In such proceedings for disbarment and contempt of court no change of venue shall be granted by the court except upon the written request of the attorney-at-law against whom the proceedings are had

In contempt proceedings the attorney-at-law shall have the right to file with the court at any time prior to the hearing a demand for the retirement from said proceedings of any judge if the alleged contempt arises from an attack upon the character or conduct of such judge Upon the filing of such demand the presiding judge shall designate some other judge to preside in such contempt proceeding

Section 2 This act shall become effective immediately upon final enactment

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. JACOBS. Mr. President, I would like to ask the sponsor of the bill, for my benefit, and I think for many others, the purpose of the bill.

Mr. CAVALCANTE. Mr. President, for the benefit of the Senator from Cumberland, I will explain that this bill is intended to free the legal profession from apparent collusion that now exists between it and the Judiciary, through the exercise of disbarment and contempt proceedings. It does appear to a great many of the attorneys that after they have spent a great number of years in colleges studying for the profession and then have passed the State Board examination and been admitted to the practice of the law, that they should not be summarily deprived of their profession, especially after the attorney has been practicing for thirty or forty years and is well advanced in years, without having his right before being disbarred to be determined by a jury of his peers. This bill merely provides that in case of disbarment and contempt proceedings the attorney

should stand on the same footing as any other citizen who has a very serious matter involved, and under the Constitution he should have the right to demand a trial by jury and have the matter determined by a jury of his peers. That is all this bill provides.

Mr. SHAPIRO. Mr. President, I should like to interrogate the Senator from Fayette.

The PRESIDENT. Will the Senator from Fayette permit himself to be interrogated?

Mr. CAVALCANTE. Mr. President, I guess so.

Mr. SHAPIRO. Mr. President, I suppose the Senator from Fayette knows that a member of the bar can be disbarred without the necessity of committing crime.

Mr. CAVALCANTE. Mr. President, yes, that is true.

Mr. SHAPIRO. Mr. President, will the Senator from Fayette tell me what charges will be submitted under this Act to the jury, to determine the question based on the contempt.

Mr. CAVALCANTE. Mr. President, the charges upon which the disbarment or the contempt is based.

Mr. SHAPIRO. Mr. President, there is nothing in the Act that sets up the procedure on which the question can be submitted to a jury.

Mr. CAVALCANTE. Mr. President, that is correct, but I do not want the Senator from Philadelphia to labor under the impression that that matter was not considered in the drawing up of this bill and reporting it out. We consulted very much at length with Mr. Fertig and it is his opinion that the procedure is provided for under the law as it now stands. That the Courts have the right to prescribe the rules governing the procedure. It is already covered by the law.

Mr. SHAPIRO. Mr. President, will the Senator from Fayette state if this bill has the endorsement of the Bar Association?

Mr. CAVALCANTE. Mr. President, while I did not solicit the blessing of that August Body, I do have letters from members of the Bar throughout the State, in their private capacities, supporting the bill and commending me for introducing the bill. Now I have no communication from any Bar Association or any member of the Bar opposing the bill.

Mr. SHAPIRO. Mr. President. I am obliged to the Senator from Fayette for his answers and I have no desire to question the motives back of this bill, and I think there is a great deal of merit in the position which he took in explaining the bill, but I am afraid if we are going to pass this kind of a law we are going to make the right to practice law a vested right. In my opinion it never has been, nor should it ever be. The practice of the law is a privilege to be exercised by those people who, under the rules and regulations of those people who have the right to set up rules and regulations as to what gives you the right to practice law. I have seen many cases in which some lawyers have been disbarred where they should not have been, and I know a number of cases where lawyers have not been disbarred who should have been, but that does not justify us in changing a rule which is substantial, and that is whether this Body has the right even without alteration to decide even after the people have voted to decide what are the qualifications of their members. The members of the Senate of the United States have the same right and the Courts should have that right to say who should have the privilege of practicing before them. We still have the right as members of the Body to appeal to the Supreme Court, which sits in judgment on the appeal.

Under the circumstances, it seems to me, that the public should have the right, since they have the right to say whether these members shall continue to be members of the bar, the public should have the right to have confidence in the fact that judges will not allow persons to practice law who have no right and who are not decent and respected and honorable persons in their profession. With all due respect to the Senator from Fayette, I hope he will not consider it any affront to him or his bill, but I want to vote against this bill and register my protest against creating a vested right to practice law. I do not think the right to practice law should be a vested right. It is one of those privileges that should remain a privilege and not a right.

Mr. LAW. Mr. President, It seems to me that this bill goes pretty far in that it allows a jury, who are not familiar with the ethics of the legal profession, to determine the question of disbarment, and it seems to me that if there is to be a jury trial, and there might be cases where it might be very well justified, it should be a special finding only of the fact, even with the question of fitness to be applied by the Court.

Mr. CAVALCANTE. Mr. President, of course, there are many situations that this bill is intended to correct, and the one that is uppermost in the minds is the one that we must take cognizance of, irrespective of how careful we want to be in talking about the integrity of the Courts of our Commonwealth and all over the United States, but there is this condition, that the Judges who sit on the benches of our Commonwealth are as human as the rest of us. They are amenable to political influence, they are amenable to all the other prejudices and morals that all other examiners are amenable to. The legal profession in these United States is an honorable profession, but it does seem in the past years that they who ought to know more about our government and the politics of our nation have not exercised the intelligence that their profession imposes upon them in order to defend the principles that are fundamental to our American institutions, principles that have been effected by decisions handed down by our Courts, and because of the fear of disbarment or contempt for any criticism that we might make of the Courts decision, we are under a sort of coercion and we have to keep our minds closed, we cannot criticize the decision, we cannot criticize the judge for any motives that he may have for rendering that decision, for fear that we will be brought into court for contempt proceedings or disbarment proceedings lodged against us. Now I say no matter how cautious we want to be in dealing with the integrity of our judiciary, nevertheless, the fact stares us in the face that the judiciary has in years past exercised that coercion, and I think that we ought to condemn that, we ought to free the legal profession so that they may properly criticize the opinion of the Court, publicly criticize a judge who renders a decision from improper motives and if the attorney who tried the case, who is familiar with the facts and might well know the motive behind the rendering of that decision. I say that the legal profession ought to be free from this fear and coercion that constantly is over them when decisions are made which are improper and which

should be brought to the public's attention. Now, that is the situation; however, I am not here to say that the bill can be drawn up in such language and with such provisions as to meet the opinions and desires of everybody, and I say that the bill is aimed at correcting that condition that holds the legal profession under a sort of a fear to come out publicly and criticize, or bring to the public's attention, a decision that may not be proper, or bring to the public's attention the motive behind that decision.

Mr. OWLETT. Mr. President, I merely want to rise and say that I find myself in agreement with the Senator from Philadelphia, Mr. Shapiro, in reference to this bill, and at the same time to say what seems to me that is not quite the fact with reference to criticism of the Court. Mr. President, I never heard of a disbarment proceeding that grew out of criticism of a judge. This Act includes not only contempt proceedings, not only disbarment proceedings, but contempt proceedings. At the present time the whole machinery is set up for the regulation of the Bar and the disbarment of the attorney who fails to follow the ethical standards set up for the practice of this profession. There has been a great effort in the last few years by the lawyers and the judges themselves to clean up the bar. We all know that the bar has been brought into disrepute in many instances in the last few years, because of the failure of lawyers to live up to the standards that have been prescribed for them. I think that this bill is a step backward in that attempt to clean up our bar and to bring it back to the position it has held. As I say, I agree with the Senator from Philadelphia. Mr. Shapiro and the Senator from Mercer, Mr. Law, and in spite of the fact that I recognize the high motive back of this by the sponsor, I do not think this bill should pass.

BILLS OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that this bill go over in its order.

Mr. CAVALCANTE. Mr. President, I have no objection.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL. Mr. President, I ask unanimous consent that Senate Bill No. 442, on third reading, entitled:

An Act to further amend section one of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred twelve) entitled "An act exempting free from the claims of all creditors the proceeds of certain life insurance and annuity contracts bona fide taken out by any person not exceeding one hundred dollars per month" extending the provisions of said act to certain other contracts and increasing the amount of such exemption.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL. Mr. President, I ask unanimous consent that Senate Bill No. 448, on third reading, entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred seven) entitled "An act relating to policies of life insurance or annuities" extending the provisions of said act to certain other contracts

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. DENT. Mr. President, I move that Senate Bill No. 488. (House Bill No. 99), on third reading, entitled:

An Act to re-enact and amend the title and the act approved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation hereunder" by changing adding to and increasing the schedules of compensation prescribing and changing certain presumptions and rules of evidence increasing the requirements to be met by employers desiring to be self-insurers conferring certain powers and duties upon the Department of Labor and Industry imposing additional duties and liabilities upon employers and insurance carriers including the cost of administering the workmen's compensation system including the rehabilitation of employes providing for the payment of compensation for certain second injuries and for the rehabilitation of injured employes and for the payment of re-opened cases after a certain lapse of time by the Commonwealth out of moneys required to be paid into the State Treasury by certain employers and insurance carriers in death cases where there are no dependents imposing new and changing certain existing penalties and generally amending clarifying and changing the provisions of said act

be recommitted to the Committee on Labor and Industry for the purpose of further consideration.

Mr. HEYBURN. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HUFFMAN. Mr. President, I ask unanimous consent that Senate Bill No. 525, (House Bill No. 935), on third reading, entitled·

An Act requiring counties of the third class to repay moneys heretofore recovered on forfeited recognizances in certain cases and providing for the recapture of such moneys from future fines and forfeited recognizances payable to law and library associations.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KAHLE. Mr. President, I ask unanimous consent that Senate Bill No. 534, on third reading, entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred eight) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the word 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" as amended naming medicinal agents which may be sold by storekeepers and removing intestinal enzymes and all liver products from the exception to the provision which prohibits the sale of medicines containing substances of glandular origin except by registered pharmacists and assistant pharmacists

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PYTKO. Mr. President, I ask unanimous consent that Senate Bill No. 602, on third reading, entitled:

An Act to amend section six and sections eleven and eighteen as amended of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" further regulating the administration of such Fund the fixing of premiums payable by subscribers the distribution of unexpended balances to subscribers the collection of accounts against subscribers and providing for the giving of certified copies of the records of the Fund showing liens against subscribers and fixing fees therefor

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McGINNIS. Mr. President, I ask unanimous consent that Senate Bill No. 608, on third reading, entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by further defining the duties of the secretary of the board of school directors

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 620 (House Bill No. 1075), entitled:

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An Act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the district attorney in counties of the third class to purchase and maintain police radio equipment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gelder,	Kilgallen,	Reed,
Cavalcante,	Gilson,	Kunkel,	Rice,
Chapman,	Haluska,	Lanius,	Scarlett,
Dando,	Henney,	Law,	Shapiro,
Deitrick,	Heyburn,	Mallery,	Sipe,
Dent,	Homsher,	McCreesh,	Sones,
DiSilvestro,	Huffman,	McGinnis,	Stiefel,
Ealy,	Jacobs,	Owlett,	Thompson,
Eroe,	Jaspan,	Pierson,	Wolfenden,
Frey,	Kahle,	Pytko,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. CHAPMAN. Mr. President, I ask unanimous consent that Senate Bill No. 660 (House Bill No. 793), on third reading, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by changing the requirements for free transportation of pupils; removing certain exemptions from the compulsory attendance act; providing for standards for vehicles used; requiring public liability insurance coverage; and authorizing the withholding of reimbursement in certain cases.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 663, entitled:

An Act to amend section one of the act approved the sixteenth day of April one thousand nine hundred and twenty-five (P. L. 244) entitled "An act applying to third class counties only and regulating the selection drawing and summoning of all jurors and talesmen and defining their qualifications in such counties creating a jury board and defining its powers and procedure providing for the appointment of a clerk to the jury board and fixing his maximum salary providing for the custody of the jury wheel and the filing and custody of jury lists providing for the public drawing of jurors and the methods thereof giving the trial judge the right to excuse jurors prescribing the time of challenging jurors or the array and regulating the procedure if array is quashed repealing all acts or parts of acts inconsistent therewith" by reconstituting the jury board.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barthold,	Gilson,	Lanius,	Rice,
Cavalcante,	Haluska,	Law,	Rodgers,
Chapman,	Henney,	Mallery,	Scarlett,
Dando,	Heyburn,	McCreesh,	Shapiro,
Deitrick,	Homsher,	McGinnis,	Sipe,
Dent,	Huffman,	Owlett,	Sones,
DiSilvestro,	Jacobs,	Pierson,	Stiefel,
Ealy,	Jaspan,	Pytko,	Thompson,
Eroe,	Kahle,	Rankin,	Wolfenden,
Frey,	Kilgallen,	Reed,	Woodward,
Gelder,	Kunkel,		

NAYS—1

Howell,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 744, entitled:

An Act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof.

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill?

Mr. OWLETT. Mr. President, I ask unanimous consent to amend page 9, line 13 by inserting after the words "such funds" the following: If at any time any contributing stock or mutual carrier as herein defined shall upon due notice to the Insurance Commissioner cease to transact the business of Workmens' compensation insurance, the contributions of such carrier at the time such carrier ceases to transact the business of workmens' compensation insurance shall be refunded provided that all its outstanding liability on workmens' compensation insurance shall have terminated; amend page 3, line 26 by striking out the word "March" and inserting thereof the word: "September"; amend page 4, line 2 by striking out the words "six months" and inserting thereof the word: year's; amend page 4, line 3 by striking out the words "December thirty-first" and inserting the words: "June thirtieth; amend page 4 line 4 by striking out the word "thirty-seven" and inserting the word: thirty-eight; amend page 4, line 10 by striking out the words "March and"; amend page 4, line 13 by striking out the words "six months" and inserting the word: year's; amend page 4, line 13 by striking out the word "respectively"; amend page 4, line 14 by striking out the words "December thirty-first and"; amend page 4, line 19 by striking out the word "March" and inserting the word: September; amend page 4, line 22 by striking out the words "December thirty-first" and inserting the words: June thirtieth; amend page 4, line 23 by striking out the word "thirty-seven" and inserting the word: thirty-eight; amend page 4, line 24 by striking out the word "semi-annual" and inserting the word: annual; amend page 5, line 4 by striking out the words "December thirty-first" and inserting the words: June thirtieth; amend page 6, line 8 by striking out the word "March" and inserting the word: September; amend page 6, line 13 by striking out the words "six months" and inserting the word: years; amend page 6, line 14 by striking out the words "December thirty-first" and inserting the words: June thirtieth; amend page 6, line 15 by striking out the word "seven" and inserting the word: eight; amend page 6, line 21 by striking out the words "March and"; amend page 6, line 24 by striking out the words "six months' periods" and inserting the words: year's period; amend page 6, line 25 by striking out the word "respectively"; amend page 6, line 25 by striking out the words "December thirty-first and"; amend page 7, line 2 by striking out the word "March" and inserting the word: September; amend page 7, line 6 by striking out the words "December thirty-first" and inserting the words: June thirtieth; amend page 7, line 8 by striking out the word "semi-annual" and inserting the word: annual; amend page 7, line 17 by striking out the words "December thirty-first" and inserting the words: June thirtieth.

The PRESIDENT. Is there objection?

Mr. OWLETT. Mr. President, for the information of the Senate, those are the amendments that were agreed upon yesterday by the Insurance Committee and were prepared by the Insurance Department.

Mr. SHAPIRO. Mr. President, I could not follow the amendments as they were read.

Mr. OWLETT. Mr. President, the bill as now drawn provides for the payment of one percent a year and the amendments make it annual installments. There is one more amendment, which provides that any company that ceases doing business in the Commonwealth, that after all of the losses have been paid by the Companies during the time they were in business then that they pay back their proportionate shares.

The PRESIDENT. Is there objection? The chair hears none.

The amendment were agreed to,

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to,

Ordered, That the bill as amended be printed for the use of the Senate.

BILL OVER IN ORDER

Mr. STIEFEL. Mr. President, I ask unanimous consent that Senate Bill No. 754, on third reading, entitled:

An Act to amend the title and to add a new subdivision (h) and two new sections six hundred and seventy-six and six hundred and seventy-seven to the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds association reciprocal and inter-insurance exchanges and fire insurane rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by establishing one or more rating bureaus for the classification of risks underwriting rules premium rates and schedule or merit rating plans applying to all classes of insurance except fidelity surety accident and health which may be transacted by any stock or mutual casualty company or exchange.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 783, entitled:

An Act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and providing for the payment of certain medical expenses creating a board for the administration thereof establishing certain funds from contributions by the Commonwealth and contribut-

ing state employes defining the uses and purposes thereof and the manner of payment therefrom providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member of dependents against certain third parties exempting annuities returns benefits and rights from taxation and judicial processes and providing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barthold,	Gilson,	Kunkel,	Rice,
Cavalcante,	Haluska,	Lanius,	Rodgers,
Chapman,	Henney,	Law,	Scarlett,
Dando,	Heyburn,	Mallery,	Shapiro,
Deitrick,	Homsher,	McCreesh,	Sipe,
Dent,	Howell,	McGinnis,	Sones,
DiSilvestro,	Huffman,	Owlett,	Stiefel,
Ealy,	Jacobs,	Pierson,	Thompson,
Eroe,	Jaspan,	Pytko,	Wolfenden,
Frey,	Kahle,	Reed,	Woodward,
Gelder,	Kilgallen,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS OVER IN ORDER

Mr. PYTKO. Mr. President, I ask unanimous consent that Senate Bill No. 790, on Third reading, entitled:

pose of rebuilding, restoring and replacing real and perpose of rebuilding, restoring and replacing real and personal property of the Commonwealth damaged or destroyed by fire or other casualty, and for insuring the Commonwealth against losses of public moneys due to embezzlement or theft thereof by, or malfeasance of, State officers and employes; providing for the investment of the moneys in such fund; prohibiting (with certain exceptions) the purchase of insurance or surety bonds for the above purposes; and making a repeal.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. MALLERY. Mr. President, I ask unanimous consent that Senate Bill No. 846, on Third reading, entitled:

An Act making an appropriation to the Department of Military Affairs to pay the traveling expenses of the respective Commanders of the Pennsylvania Departments of the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans of the World War or their representatives in accompanying the members of the United States Battle Monuments Commission to Europe to dedicate certain monuments.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. THOMPSON. Mr. President, I move that Senate Bill No. 850, on third reading, entitled:

An Act to consolidate revise and amend the penal laws of this Commonwealth.

be recommitted to the Committee on Judiciary General.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed.

BILLS OVER IN ORDER

Mr. THOMPSON. Mr. President, I ask unanimous consent that Senate Bill No. 876, on Third reading, entitled:

An Act creating in each county (except of the first class) as a separate corporation, and in each city of the first and second class as a part of the city government, an institution district for the care and maintenance of certain indigent persons and children; prescribing the powers and duties of county commissioners, county treasurers, city departments of public welfare, the State Department of Welfare and the State Department of Public Assistance in respect thereto; abolishing certain poor districts and terminating the terms of directors, overseers, guardians and managers of the poor and poor district auditors, and providing for the temporary employment of certain of them; providing for the transfer, vesting, sale and disposition of the property of poor districts and the payment of their obligations; revising, amending, changing and consolidating the law relating to the care of the poor; and repealing existing laws.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON. Mr. President, I ask unanimous consent that Senate Bill No. 878, on third reading, entitled:

An Act relating to the support of indigent persons publicly cared for or assisted; providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons; providing for guardians of the person and property of such persons; providing for the arrest and seizure and sale of the property of deserters; and providing procedure.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON. Mr. President, I ask unanimous consent that Senate Bill No. 879, on third reading, entitled:

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two years beginning June first one thousand nine hundred thirty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred and thirty-seven

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 899 (House Bill No. 1761), entitled:

An Act creating a commission to study certain conditions relating to municipal ordinances defining its powers and duties and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, as far as I can un-

derstand, this Senate Bill No. 899 creates a commission to interpret all misdemeanors committed in Pennsylvania, for the benefit of our citizens. I have been trying to ascertain how many misdemeanors there are in Pennsylvania. I failed to discover, and am of the opinion that this bill is highly unnecessary, and that the only way that you can discover misdemeanors is by committing one.

And on the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—10

Barthold,	Dent,	Haluska,	Kunkel,
Cavalcante,	Eroe,	Henney,	Stiefel,
Dando,	Gilson,		

NAYS—28

Chapman,	Homsher,	Lanius,	Rodgers,
Deitrick,	Howell,	Mallery,	Scarlett,
DiSilvestro,	Huffman,	McCreesh,	Shapiro,
Ealy,	Jacobs,	Owlett,	Sipe,
Frey,	Jaspan,	Pierson,	Sones,
Gelder,	Kahle,	Pytko,	Wolfenden,
Heyburn,	Kilgallen,	Rice,	Woodward,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 915, entitled:

An Act to amend the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred ninety-five) entitled "An act for the encouragement of agriculture and the holding of agriculture exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" as amended providing for aid to counties holding agricultural exhibitions.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, I don't want to make myself obnoxious to the Chairman of the Appropriation Committee, but I feel compelled to ask him whether this appropriation to the Department of Agriculture went through the Appropriation Committee.

Mr. RICE. Mr. President, I think if the Senator will read the bill he will find that it does not carry an appropriation.

Mr. WOODWARD. Mr. President, I apologize.

And on the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barthold,	Gilson,	Kunkel,	Rice,
Cavalcante,	Haluska,	Lanius,	Rodgers,
Chapman,	Henney,	Law,	Scarlett,
Dando,	Heyburn,	Mallery,	Shapiro,
Deitrick,	Homsher,	McCreesh,	Sipe,
Dent,	Howell,	McGinnis,	Sones,
DiSilvestro,	Huffman,	Owlett,	Stiefel,
Ealy,	Jacobs,	Pierson,	Thompson,
Eroe,	Jaspan,	Pytko,	Wolfenden,
Frey,	Kahle,	Reed,	Woodward,
Gelder,	Kilgallen,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 947, entitled:

An Act authorizing the Department of Public Instruction and its departmental administrative boards to post notices of suspensions and revocation of licenses and registration of persons engaged in professions or working at trades or occupations requiring licensing or registration by such department or boards on premises occupied by such persons as their offices or places of business and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. HEYBURN. Mr. President, I find myself wondering just what is back of this bill, will the sponsor explain it to me?

Mr. McCREESH. Mr. President, this bill requires the Department of Public Instruction to post notices of revocation of licenses, that is all the bill does.

Mr. SHAPIRO. Mr. President, this bill is a bill prepared at the request of the Department of Public Instruction, because of the number of instances where licenses have been revoked or lost by violation of the Act. There is no means of placing it before the public so that they might not be fooled. For that reason, in order to enable them to notify the public and place them on notice that those individuals are not permitted to practice the trade or profession, this bill was prepared and introduced in the Senate. I think it is an excellent bill and it should have the help of the Senate in carrying into effect these laws.

And said bill having been read at length the third time,

And on the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—22

Barthold,	Gilson,	Kilgallen,	Rice,
Cavalcante,	Henney,	Kunkel,	Rodgers,
Dando,	Heyburn,	Lanius,	Shapiro,
Dent,	Huffman,	McCreesh,	Sones,
DiSilvestro,	Jaspan,	Pytko,	Stiefel,
Frey,	Kahle,		

NAYS—16

Chapman,	Gelder,	Law,	Reed,
Deitrick,	Homsher,	Mallery,	Scarlett,
Ealy,	Howell,	Owlett,	Wolfenden,
Eroe,	Jacobs,	Pierson,	Woodward,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 952, entitled:

An Act to amend section twenty-four of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws two hundred seven) as amended entitled "An act providing when how upon what property and to what extent liens shall be

allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor, the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as amended by and increasing the term for which sequestrators may lease sequestrated property.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Gilson,	Kilgallen,	Reed,
Cavalcante,	Haluska,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Scarlett,
Deitrick,	Homsher,	Mallery,	Shapiro,
Dent,	Howell,	McCreesh,	Sipe,
DiSilvestro,	Huffman,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Wolfenden,
Frey,	Kahle,	Pytko,	Woodward,
Gelder,			

YEAS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS OVER IN ORDER

Mr. HOWELL. Mr. President, I ask unanimous consent that Senate Bill No. 966, (House Bill No. 731 on third reading, entitled:

An Act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 974, on third reading, entitled:

An Act to promote safety for the travelling public on State highways to extend the responsibility for subsidence of such highways by the failure of vertical and lateral support and declaring said subsidence a public nuisance to provide for inspection of mine maps by the Department of Highways and the furnishing to said Department of copies of such mine maps in certain cases to authorize entry by the Department of Highways into mines in certain cases and to provide for notices to the Department of Highways of certain mining operations under or adjacent to highways and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 987, entitled:

An Act to regulate nominations and elections for all offices of judge of a court of record providing for nonpartisan nominations and elections for said offices abolishing certain existing methods of nomination in such cases and the use of party or political names or appellation at elections with respect to said offices imposing certain duties upon the Secretary of the Commonwealth County Commissioners and election officers and clerks and providing penalties for the violation of the provisions hereof and the punishment of certain offenses.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—18

Chapman,	Gilson,	Law,	Rodgers,
Deitrick,	Henney,	McCreesh,	Scarlett,
Dent,	Heyburn,	Pierson,	Wolfenden,
Ealy,	Kilgallen,	Reed,	Woodward,
Eroe,	Kunkel,		

NAYS—20

Barthold,	Homsher,	Kahle,	Pytko,
Cavalcante,	Howell,	Lanius,	Rice,
Dando,	Huffman,	Mallery,	Shapiro,
Frey,	Jacobs,	McGinnis,	Sones,
Gelder,	Jacobs,	Owlett,	Stiefel,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 988, entitled:

An Act to amend section twenty-one of the act approved the seventh day of June one thousand nine hundred and fifteen (Pamphlet Laws nine hundred) entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania by means of certificates of births and deaths and burial or removal permits requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health and in order to secure prompt and faithful registration of births marriages deaths and diseases practioners of medicine and surgery of midwives nurses and undertakers and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births deaths marriages and diseases throughout the State as provided in section ten of an act entitled 'An act creating the Department of Health and defining its powers and duties' approved the twenty-seventh day of April nineteen hundred and five and providing penalties for violation of this act" as amended providing that certified copies of birth certificates shall omit certain information.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gilson,	Kilgallen,	Reed,
Cavalcante,	Haluska,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Scarlett,

Deitrick,	Homsher,	Mallery,	Shapiro,
Dent,	Howell,	McCreesh,	Sipe,
DiSilvestro,	Huffman,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Thompson,
Eroe,	Jaspan,	Pierson,	Wolfenden,
Frey,	Kahle,	Pytko,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 990, entitled:

An Act to amend section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by making further provisions for the appointment salary and powers and duties of a Secretary of a State Athletic Commission.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Haluska,	Kunkel,	Rice,
Cavalcante,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Scarlett,
Deitrick,	Homsher,	Mallery,	Shapiro,
Dent,	Howell,	McCreesh,	Sipe,
DiSilvestro,	Huffman,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Thompson,
Frey,	Kahle,	Pytko,	Wolfenden,
Gelder,	Kilgallen,	Reed,	Woodward,
Gilson,			

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1032, (House Bill No. 1567), entitled:

An Act to amend section two and section nine as amended of the act approved the fifth day of January one thousand nine hundred and thirty-four (P. L. 223, 1933-34), entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties" further regulating the making of payments to representatives of persons who cannot personally receive compensation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Gilson,	Kilgallen,	Reed,
Cavalcante,	Haluska,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Scarlett,
Deitrick,	Homsher,	Mallery,	Shapiro,
Dent,	Howell,	McCreesh,	Sipe,
DiSilvestro,	Huffman,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Wolfenden,
Frey,	Kahle,	Pytko,	Woodward,
Gelder			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1048, entitled:

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Gilson,	Kilgallen,	Reed,
Cavalcante,	Haluska,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Scarlett,
Deitrick,	Homsher,	Mallery,	Shapiro,
Dent,	Howell,	McCreesh,	Sipe,
DiSilvestro,	Huffman,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Wolfenden,
Frey,	Kahle,	Pytko,	Woodward,
Gelder,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that

Senate Bill No. 1062, (House Bill No. 1981), on third reading, entitled:

An Act to amend the act, approved the thirty-first day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand one hundred sixteen) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbert ice and fruit ice including coated ice ceam and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbert ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" further regulating the manufacture importation and sale of such products providing for injunctions and changing the penalties prescribed.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1063 (House Bill No. 2070), entitled:

An Act to repeal the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (P. L. 851) entitled "An act fixing the time of holding elections on questions submitted to electors of boroughs."

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barthold,	Gilson,	Kunkel,	Rice.
Cavalcante,	Haluska,	Lanius,	Rodgers,
Chapman,	Henney,	Mallery,	Scarlett,
Dando,	Heyburn,	McCreesh.	Shapiro,
Deitrick,	Homsher,	McGinnis,	Sones,
Dent,	Howell,	Owlett,	Sordoni,
DiSilvestro,	Huffman,	Pierson,	Stiefel.
Ealy,	Jacobs,	Pytko,	Thompson,
Eroe,	Jaspan,	Rankin,	Wolfenden,
Frey,	Kahle,	Reed,	Woodward,
Gelder,	Kilgallen,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1069, on third reading, entitled:

An Act relating to and regulating the mining of anthracite coal providing for the health safety and welfare of persons employed in and about the anthracite coal mines and for the protection and preservation of property connected therewith amending consolidating revising and changing the law relating thereto and imposing penalties

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1072, entitled:

An Act to fix the number of Senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I call up at this time for action, Senate Bill No. 1072, on page 17 of the Calendar.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 1072, entitled:

An Act to fix the number of Senators in the General Assembly of the State; to apportion the State into senatorial districts, as provided by the Constituion; and to regulate the election of, and the terms of office of, the present and future elected Senators.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. WOODWARD. Mr. President, this is a bill that re-apportions the districts of the State and as the bill takes away from my district two of my best wards, I would like to have the privilege of voting on this bill "absent."

And the question recurring,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I ask unanimous consent to offer the following amendment: amend Section 1, page 2, line 8 by striking out between the word "twenty-seventh" and the word "fortieth" the word "thirty-fourth"; amend Section 1, page 2, line 15 by inserting after the word "twenty-ninth" and before the word "forty-fourth" the word "thirty-fourth"

The PRESIDENT. Is there objection?

Mr. McCREESH. Mr. President, I object.

And the question recurring,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, the gentlemen to satisfy themselves took my district and tore it apart to suit the gentlemen's convenience. I am satisfied with the apportionment, but I would like to get a portion. I think the district that I live in should be divided to suit the convenience of everybody all over the city. I have not been consulted in this matter, and while I am interested in this apportionment, whether the bill is killed in the House or Senate does not interest me. I am offering an amendment for the purpose of increasing the proportion. As this bill is now drawn, instead of accomplishing the result of evenly dividing the district, they have created a district for me which gives me even less votes and less population than I had under the present condition, which was considered to be too small. Whose idea it is I do not know and I do not care, but if this is what you call ap-

portionment, then I do not unerstand the word, and I am opposed to the bill in its present form. What I am doing with this amendment is to add a ward to my district so as to make it more equitable in the seventh district. I am sure that would not satisfy a certain other gentleman, and, therefore, I want to take that additional ward so that we can have 350,000 population instead of 300,000, or 430,000, and my district would have 142,000 population. If that is what you call apportionment, then you may as well stop fooling about it and let the public know it. The responsibility is on the Legislature to make an apportionment, and I think we ought to know it. I am tired of this method of amending a bill with uneqitable apportionments. The Constitution says we shall apportion equitably, and if we are going to have one gentleman have one-fifth of the population in Philadelphia and another one have one-twentieth of the population, that, in my opinion, is not equitable apportionment.

Mr. FREY. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Rodgers.

The PRESIDENT. Will the Senator from Allegheny, Mr. Rodgers, permit himself to be interrogated?

Mr. RODGERS, Mr. President, with pleasure.

Mr. FREY. Mr. President, I would like to ask the Senator from Allegheny whether or not the Senator from Philadelphia, Mr. Shapiro, was consulted about this bill.

Mr. RODGERS. Mr. President, in answer to the Senator from Allegheny, it seems that since time immemorial, as it is quite a long time since this bill was introduced, and week after week the Democratic Senators from Philadelphia have been holding conferences and it seems impossible for them to get together, there was only one thing to do, and that was to bring this bill out. Now how far it is proposed to carry this fight on the floor among these Philadelphia Senators is beyond me, but if the rest of us are interested in this bill at this time we will have to just vote on it. We propose to adjourn next week.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senator from Allegheny, Mr. Rodgers.

The PRESIDENT. Will the Senator from Allegheny, Mr. Rodgers, permit himself to be interrogated?

Mr. RODGERS. Mr. President, I will.

Mr. SHAPIRO. Mr. President. will the Senator from Allegheny, Mr. Rodgers, state whether it is not true that when he presented to me and showed the district that I had I declared myself satisfied with it, in view of the fact that it had the thirty-fourth ward included in that district.

Mr. RODGERS. Mr. President, that is correct.

Mr. SHAPIRO. Mr. President, will the Senator from Allegheny state whether it is not true that after that, without knowledge on my part, when the re-apportionment came out, the thirty-fourth ward was taken out of my district and put into someone else's district?

Mr. RODGERS. Mr. President. that is correct.

Mr. SHAPIRO. Mr. President, it is because of that that I say this is not apportionment, and this will have an ill effect for a few fellows, but I am not going to tolerate it without a protest on the floor.

Mr. McCREESH. Mr. President, I think the Senator from Philadelphia, Mr. Shapiro, is altogether wrong when he says that the thirty-fourth ward was taken out of his district. He never did have the thirty-fourth ward. I also state that I am satisfied with the bill the way it has been drawn. I do not know who took part in the bill and I do not care. I never object much to what is going on in regard to a bill, and I am satisfied to vote for this bill the way it was drawn up, but I am not satisfied with the amendments. I have been awfully good natured in already giving away half of my district to the Senator from Philadelphia, Mr. Shapiro, but I do not want to give him all of my district. If Senator Shapiro has a good district he ought to fight to hold on to it. He is trying to get rid of his own district, which perhaps is no good, or they do not want him, and tries to get hold of mine. Now I have worked hard in my little district for the last thirty-five or forty years, before Senator Shapiro was ever heard of as a Democrat, and I would like to hold on to my good little people that I worked hard to bring them into the Democratic party. I do not like to take up much time on the floor, and I thought my friend Senator Shapiro had stated that he was not going to take up much time in speech-making, so I thought we were through listening to him. Now I do not know myself whether the Republican party really lost a hell of a lot or not, and I want to say, Mr. President, to finish up and be awfully nice about it, that I am satisfied with the bill as it stands. Perhaps the Senator from Allegheny, Mr. Rodgers, will tell you that I had nothing to do with the drawing up of the bill, and I do not care who had a part in it, I am going to vote for it as it stands, and if amended, I am going to vote against the bill.

Mr. HUFFMAN. Mr. President, this is not a laughing matter. It seems to be very serious to these men, particularly in Philadelphia. Since we have a large calendar I would suggest that we set five o'clock this afternoon to take up this bill—I wauld suggest that we make it four-thirty. I want to say to the gentlemen we have a great many bills here to take care of at this time, and I think that there ought to be an effort made by the Philadelphia Senators to adjust this in the meanwhile. This is the reason I want to give them some time for it. Suppose we make it four-thirty.

Mr. SHAPIRO. Mr. President, I appreciate the attitude of the Senator from Monroe, I think it is proper, and I want to say very frankly that I have been trying to adjust this matter for a month. Referring to the Senator from Philadelphia, Mr. McCreesh, I can only, in a Christian spirit, say: "Forgive him Father for he knows not what he says."

But what I am trying to find out is if it is understood that it will take one hundred and ninety thousand votes to make an equitable distribution of the district, and I say to the Senator from Philadelphia and the rest of the members of this Senate that I am not satisfied personally with the situation, because I promise you that I would not worry about four years from now, I am not sure that I want to be in the Senate of Pennsylvania for another term, but I am interested in knowing why and for what purpose and by what means a bill which is supposed to be an apportionment bill, which was to give me two hundred and some odd thousand, (two hundred and fourteen thousand). in the district, which is designated as the Seventh Senatorial District, was reduced to one hundred and forty thousand or less, by taking out of the district, under the original plan, a ward known as the thirty-fourth ward.

Now this is not apportionment. I am not talking about my district, that does not interest me, but in taking this

ward and placing it in the other district they have increased that district beyond its proportion and have decreased mine below its proportion. Now that cannot be for any real purpose of apportionment. I would like the members of the Senate to know that I have tried to get that straightened out, but it apparently cannot be done, and if it cannot be done it is not apportionment.

Mr. McCREESH. Mr. President, I move you that we vote down the amendments and vote on the original bill.

The PRESIDENT. The Chair informs the Senator from Philadelphia, Mr. McCreesh, that the amendments are not before the Senate.

Mr. HUFFMAN. Mr. President, because another suggestion is going to be made, I withdraw my motion to take it up this afternoon. I suggest the bill go over in its order.

Mr. PYTKO. Mr. President, I do not think I can remedy the situation in regard to this bill. The committee has done the best they could under adverse conditions. We have tried to apportion the State to suit every individual Senator who appealed to the Committee for the re-apportionment according to political expediency. That cannot be done. My district has lost two very valuable wards to me and I believe I will have to join with the Senator from Philadelphia, in voting "absent."

The complaint of Senator Shapiro is well founded. He has a population now of one hundred and sixty-one thousand, and through the addition of this thirty-fourth ward, which happens to be in Senator McCreesh district, its population would be increased to two hundred and fifty-five thousand, a fair ratio. By taking away the thirty-fourth ward from Senator McCreesh's district his population will be lowered to approximately two hundred twenty-four thousand. That is an equitable re-apportionment. No matter how long we argue we would not appease the desire of every Senator. I appeal to this body to vote for the amendment offered by Senator Shapiro and vote down the amendments proposed to be offered by Senator McCreesh.

The PRESIDENT. The Chair states that there are no amendments before the Senate.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that this bill go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill 1077, (House Bill No. 812), entitled:

An Act relating to cities of the first class authorizing issuance of non-debt revenue bonds to finance sewer improvements.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barthold,	Gilson,	Kunkel,	Rice,
Cavalcante,	Haluska,	Lanius,	Rodgers,
Chapman,	Henney,	Law,	Scarlett,
Dando,	Heyburn,	Mallery,	Shapiro,
Deitrick,	Homsher,	McCreesh,	Sipe,
Dent,	Howell,	McGinnis,	Sones,
DiSilvestro,	Huffman,	Owlett,	Stiefel,
Ealy,	Jacobs,	Pierson,	Thompson,
Eroe,	Jacobs,	Pytko,	Wolfenden,
Frey,	Kahle,	Rankin	Woodward,
Gelder,	Kilgallen,	Reed,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL OVER IN ORDER

Mr. OWLETT. Mr. President, I ask unanimous consent that Senate Bill No. 1089, on third reading entitled:

An Act to supplement the act approved the twenty-fifth day of June, one thousand nine hundred nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth"; supplying a new Article XIX, providing for the better government of such cities by regulating and improving the civil service of such cities; establishing and regulating the powers and duties of Civil Service Commissions; providing for the appointment of Civil Service Commissioners; providing for the appointment and regulating the duties and powers of Civil Service Directors; defining certain crimes and imposing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCREESH. Mr. President, I ask unanimous consent that Senate Bill No. 1136, on third reading, entitled:

An Act to provide for the regulation of the building erection and maintenance of structures in along across over under projecting into or being in streams lakes and other bodies of water wholly or partly within or forming part of the boundary of this Commonwealth providing for permits fees and charges conferring powers and imposing duties upon the Water and Power Resources Board.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1179, (House Bill No. 718), entitled:

An Act to describe define and officially adopt a system of coordinates for designating the positions of points on the surface of the earth within the Commonwealth of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. WOODWARD. Mr. President, I was going to interrogate the Chairman of the Appropriations Committee but

he is not here. I would like to call the attention of the Senate to the fact that this bill will involve the Commonwealth in an expenditure of perhaps a million dollars, and in the absence of the Chairman of the Appropriations Committee, I ask that the bill go over in order.

Mr. President, I do not like to be asking so many questions, but this bill does not carry an appropriation. I have not been able to find the bill in my file, but does it carry an appropriation.

Mr. RICE. Mr. President, I do not believe it does.

Mr. WOODWARD. Mr. President, the Department of Internal Affairs, before the Committee admitted this bill will involve an expenditure of several hundred thousand dollars. Do the Senators know that they are getting into an expenditure of several hundred thousand dollars?

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Barthold,	Frey,	Kilgallen,	Rodgers,
Cavalcante,	Gilson,	Kunkel,	Scarlett,
Chapman,	Haluska,	Law,	Shapiro,
Dando,	Henney,	McCreesh,	Sipe,
Dent,	Howell,	McGinnis,	Sones,
DiSilvestro,	Huffman,	Pytko,	Stiefel,
Ealy,	Jaspan,	Rice,	Thompson,
Eroe	Kahle,		

NAYS—11

Deitrick,	Homsher,	Owlett,	Wolfenden,
Gelder,	Lanius,	Pierson,	Woodward,
Heyburn,	Mallery,	Reed,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Mr. THOMPSON. Mr. President, I wish to call up Senate Bill 879:

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 879, entitled:

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two years beginning June first one thousand nine hundred thirty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred and thirty-seven.

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill?

Mr. THOMPSON. Mr. President, I ask unanimous consent to amend sec. 1 page 1, line 5 and 6, by striking out the following: "thirty-four million six hundred fifty thousand dollars ($134,650,000)" and inserting in lieu thereof: thirty-seven million one hundred fifty thousand dollars ($137,150,000); amend sec. 1, page 2, line 8, by striking out: ["before and the bracket after the figure "9,800,000"; amend sec. 1 page, 2, line 8, by striking out the following: "9,621,360"; amend sec. 1, page 2, line 9, by striking out: ["before and the bracket after the figure "25,250,000"; amend sec. 1, page 2, line 9, by striking out the following: "24,789,740"; amend sec. 1, page 2, line 10, by striking out ["before and the bracket after the figure "3,950,000"; amend sec. 1, page 2, line 10, by striking out the following "3,878,000"; amend sec. 1, page 2, line 11, by striking out: ["before and the bracket after the figure "98,150,000"; amend sec. 1, page 2, line 11, by striking out the following: "96,360,900"; amend sec. 1, page 2, line 13, by striking out ["before and the bracket after the figure "$137,150,000"; amend sec. 1, page 2, line 13, by striking out the following: "$134,650,000"; amend sec. 3, page 2, line 28, by inserting after the word "determine]" the following: including the administration expenses of the Department of the Auditor General and the Treasury Department in auditing and disbursing said appropriation; amend sec. 3, page 3, by inserting between lines 4 and 5 the following paragraph: The Governor with the approval of the Auditor General and State Treasurer shall from time to time allocate to the Department of the Auditor General and the Treasury Department from the appropriations made by this act, such sums as may be deemed necessary to pay the administration expenses of the Department of the Auditor General and the Treasury Department in auditing and disbursing said appropriation.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

RECONSIDERATION OF SENATE BILL No. 756, RECALLED FROM THE GOVERNOR

Mr. STIEFEL. I move that the Senate proceed to the consideration of Senate Bill No. 756, entitled:

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled, "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by providing penalties for any insurance company, association or exchange which exceeds the powers granted under a certificate of authority.

Be recalled from the Governor for the purpose of amendment.

Mr. SIPE. Mr. President, I second the motion.

The motion was agreed to.

Mr. STIEFEL. Mr. President, I move to reconsider the vote by which this bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. STIEFEL. Mr. President, I voted "aye".

Mr. SIPE. Mr. President, I second the motion

The PRESIDENT. How did the Senator vote?

Mr. SIPE. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. STIEFEL. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. STIEFEL. Mr. President, I voted "aye".

Mr. SIPE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SIPE. Mr. President, I voted "aye".

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. STIEFEL. Mr. President, I move to amend page 2, line 5 of the title by striking out at the beginning of the line the following: "[providing penalties for]" and inserting in lieu thereof the following: "adding thereto Section 209A authorizing the Insurance Commissioner to impose penalties upon"; amend section 1, page 2, line 23 by striking out after the word "laws'" and before "[to" the following: "[be amended]"; amend section 1, page 2, line 24 by striking out at the end of the line the following: "[by providing penalties for any insurance company]"; amend section 1, page 2, by striking out lines 25 to 27 inclusive, and inserting in lieu thereof the following: "is hereby amended by adding thereto Section 209A to read as follows:"; amend section 1, page 3, by striking out lines 1 to 7, inclusive; amend section 1, page 3, by striking out lines 23 to 29, inclusive.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILL ON THIRD READING

Mr. SHAPIRO. Mr. President, I call up at this time for consideration, Senate Bill No. 1072:

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1072, entitled:

An Act to fix the number of Senators in the General Assembly of the State; to apportion the State into senatorial districts, as provided by the Constitution; and to regulate the election of, and the terms of office of, the present and future elected Senators.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I ask unanimous consent to amend section 1, page 2, line 8, by striking out between the words twenty-seventh and the word fortieth, the word thirty-fourth, and amend section 1, page 2, line 15, by inserting between the word twenty-ninth and the word forty-fourth, the word thirty-fourth.

The PRESIDENT. Is there objection?

Mr. McCREESH. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

And the question recurring,

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, I move to reconsider the vote by which this bill passed second reading.

Mr. JASPAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. McCREESH. Mr. President, I would like to know what we are voting on.

The PRESIDENT. The question is on the motion to reconsider the vote by which Senate Bill 1072 passed second reading.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. McCREESH and Mr. GILSON, and were as follows, viz:

YEAS—35

Barthold,	Frey,	Jaspan,	Rice,
Cavalcante,	Gelder,	Kahle,	Rodgers,
Chapman,	Gilson,	Kilgallen,	Scarlett,
Dando,	Haluska,	Mallery,	Shapiro,
Deitrick,	Henney,	McGinnis,	Sones,
Dent,	Heyburn,	Owlett,	Stiefel,
DiSilvestro,	Howell,	Pierson,	Wolfenden,
Ealy,	Huffman,	Pytko,	Woodward,
Eroe,	Jacobs,	Reed,	

NAYS—4

Homsher,	Kunkel,	Lanius,	McCreesh,

So the question was determined in the affirmative.

BILL OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that Senate Bill No. 1072, go over in its order so that I may prepare amendments to the correct printer's number.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1180, (House Bill No. 729), entitled:

An Act to permit the entry of engineers and surveyors and their representatives into private property for the purpose of using survey stations established by or under the direction of the United States Coast and Geodetic Survey or as a part of the Pennsylvania Coordinate System and providing a penalty for the injuring defacing and destruction of marks and monuments.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Gilson,	Kilgallen,	Rice,
Cavalcante,	Haluska,	Kunkel,	Rodgers,
Chapman,	Henney,	Lanius,	Scarlett,
Dando,	Heyburn,	Law,	Shapiro
Deitrick,	Homsher,	McCreesh,	Sipe,
Dent,	Howell,	McGinnis,	Sones,
DiSilvestro,	Huffman,	Owlett,	Stiefel,
Ealy,	Jacobs,	Pierson,	Thompson,

Eroe,	Jaspan,	Pytko,	Wolfenden,
Frey,	Kahle,	Reed,	Woodward,
Gelder,			

NAYS—1

Mallery,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1193, (House Bill No. 1355), entitled:

An Act to amend paragraphs one three and five of section one of the act approved the twelfth day of June one thousand eight hundred and ninety-three (Pamphlet Laws four hundred fifty seven) entitled "An act to provide for the erection maintenance and regulation of public morgues in the several counties of this Commonwealth for the care and disposal of bodies removal thereto and providing for the payment of certain expenses of the same by the proper county or district or by the estate of the deceased person and providing for the disposal of the personal effects of unclaimed dead" as amended by transferring certain powers from the county commissioners to the coroner in counties of the first class.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. OWLETT. Mr. President, the Senate and House have already passed a bill, as I understand it, which removes from the county commissioners of Philadelphia County the power of burial of dead bodies and places it in the coroner's office, and the coroner, of course, by action of the voters, is a Democrat. This gives the coroner's office unlimited power to dispose of those bodies, to erect a morgue at an unlimited expense, without the consent of a council that has to appropriate the money. It gives them the right to buy an ambulance and increase the cost of the burial of the dead tremendously in Philadelphia. It gives them the right to appoint four or five new jobs, or maybe to ten. This bill is in no sense an economy measure; it is simply a part of the scheme in Philadelphia, which we notice is so lacking in Allegheny County. This is a part of a plan in Philadelphia County that creates more jobs and gives the New Deal party more opportunity to spend money. I ask that this bill be voted down.

Mr. STIEFEL. Mr. President, I desire to interrogate the Senator from Tioga, Mr. Owlett.

The PRESIDENT. Will the Senator from Tioga, Mr. Owlett permit himself to be interrogated?

Mr. OWLETT. Mr. President, I will.

Mr. STIEFEL. Mr. President, I desire to ask the Senator from Tioga, Mr. Owlett, whether he is basing his statements on facts or opinions.

Mr. OWLETT. Mr. President, I am basing them on the information that I have received.

Mr. STIEFEL. Mr. President, I presume the scientific way would be to base them upon his investigation and facts. Now the information of the Senator from Tioga in this respect is not correct as to conditions in Philadelphia.

Mr. OWLETT. Mr. President, it is based upon information of facts that I received, information about the New Deal party.

Mr. STIEFEL. Mr. President, how would those conditions relate to Philadelphia.

Mr. OWLETT. Mr. President, I happened to live in Philadelphia and went to school in Philadelphia and I go there quite frequently; I have talked to people and I have been here in the Senate and had by eyes and ears open all during this session, and I think no one can sit in this session without knowing what is going on in Philadelphia. An act has already been passed transferring jobs to the Coroner, and it happens to be a Democratic controlled office. Now when this bill comes along it gives the Coroner the right to spend money without the consent of council and he can buy ambulances and appoint people to ten new jobs, now it does not take a Philadelphia resident to know what is going on with reference to this bill.

The PRESIDENT. Has the Senator from Philadelphia, Mr. Steifel, completed his interrogation.

Mr. STIEFEL. Mr. President, I will not waste the time of the Senate.

Mr. LAW. Mr. President, I would like to correct one statement that the Senator from Tioga made, and that was that the Coroner of Philadelphia County accidentally happens to be a Democrat. I believe that that was done purposely by the people of Philadelphia. However, I will ask unanimous consent that this bill go over in its order.

The PRESIDENT. Is there objection?

Mr. SHAPIRO. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

Mr. SHAPIRO. Mr. President, I would like to correct some information about the City of Philadelphia. The Coroner operates the morgue and takes entire care of a body until a certain time, and that is after the anatomical board is through with it, then instead of taking the body and sending it back to the morgue and disposing of it by the Coroner, who has charge of it all the time, the Coroner is permitted by the County Commissioners and their Department to come in and take charge of these bodies. Now it is not a political proposition at all, and, for the benefit of the Senator from Tioga, I am willing to say that there have been probably a number of things done to correct political conditions, and this just happens to be one of those things that ought to be corrected. There is no reason why there should be a double handling of these bodies and a double expense incurred. The Coroner has the authority to take care of this matter when he gets the bodies in the beginning. It is more logical and reasonable that he should take care of them, and he could take all of the bodies from the morgue and after they are returned by the anatomical board, if they cannot use them, and he buries the bodies. This might have a political tinge of color to it,—I am willing, for the purpose of the argument, to admit that, and nobody can deny, as a practical proposition, that until the matter can be taken care of so that the Coroner may be eliminated, as it should be, so that the handling of these bodies can be turned over and an examination made by the district attorney's office, where it belongs, until then this matter of handling of the body by the Coroner should be completed by him.

Mr. OWLETT. Mr. President, the common substance of

the argument of the Senator from Philadelphia, Mr. Shapiro, is that the power has already been transferred. this is for the purpose of creating a long list of new jobs. The bill already passed, they tell us, has been signed by the Governor.

Mr. SHAPIRO. Mr. President, informant of the Senator from Tioga is quite capable and quite able, but he is misforming the Senator from Tioga, because the bill does not create any new jobs at all, the bill merely gives the Coroner the right to have this situation under his control. As a matter of fact if the informant of the Senator from Tioga had been alive to the situation, he would have grabbed this opportunity, which has existed until this bill was brought before us, to exercise the rights which he has, but he has not. The whole trouble is that the gentleman from Philadelphia who is the informant in question, does not know and has not realized that the board could be under his control if he had been alive to the situation. This bill takes it out of his control.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the constitution, and were as follows:

Mr. OWLETT. Mr. President, I ask for a verification of the roll.

The roll was verified and was as follows:

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Barthold,	Haluska,	Kunkel,	Rice,
Cavalcante,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Shapiro,
Dent,	Huffman,	McCreesh,	Sipe,
DiSilvestro,	Jacobs,	McGinnis,	Sones,
Eroe,	Jaspan,	Pytko,	Stiefel,
Frey,	Kahle,	Reed,	Thompson,
Gilson,	Kilgallen,		

NAYS—11

Chapman,	Gelder,	Mallery,	Scarlett,
Deitrick,	Homsher,	Owlett,	Wolfenden,
Ealy,	Howell,	Pierson,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

LEAVE OF ABSENCE

Mr. HALUSKA asked and obtained leave of absence for the balance of the week.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order.

The Senate proceeded to the third reading and consideration of Senate Bill No. 1194, (House Bill No. 1433), entitled:

An Act to amend section five hundred and fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, board commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended permitting State institutions and sanatoria to supply water to individuals.

And said bill having been read at length the third time, and agreed to,

and the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gelder,	Kilgallen,	Reed,
Cavalcante,	Gilson,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Scarlett,
Deitrick,	Homsher,	Mallery,	Shapiro,
Dent,	Howell,	McCreesh,	Sipe,
DiSilvestro,	Huffman,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Thompson,
Frey,	Kahle,	Pytko,	Wolfenden,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with admendments in which the concurrence of the House is requested.

BILL OVER IN ORDER

Mr. KILGALLEN. Mr. President, I ask unanimous consent that Senate Bill No. 1204, (House Bill No. 1798) on third reading, entitled:

An Act to repeal clause (c) as amended and to amend clause (d) of section fifty-eight of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate for the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries invest-

ments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the Court of Common Pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durant absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" eliminating certain provisions relating to foreign fiduciaries selling transferring and receiving the income from certain assets of decedents minors and cestui que trusts.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1216, entitled:

An Act to further amend subsection (e) of eight hundred and one of the act, approved the first day of May, one thousand nine hundred and twenyt-nine (P. L. 905), entitled "An act for the protection of the public safety; regulating the use of highways, and the operation of vehicles, tractors, street cars, trackless trolley omnibuses, bicycles, pedestrians, and the riding of animals upon the highways of this Commonwealth; providing for the tilting, including liens, encumbrances, and legal claims; registraton of certain vehicles, and licensing the operators thereof, upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof; owners of vehicles, and garage keepers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, townships, within the Commonwealth, liability for damages caused by the negligent operation of their motor vehicles, imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees, and miscellaneous receipts; making an appropriation and providing for refunds," requiring all motor vehicles, trailers and semi-trailers to have red reflectors at the rear.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gelder,	Kilgallen,	Reed,
Cavalcante,	Gilson,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Scarlett,
Deitrick,	Homsher,	Mallery,	Shapiro,
Dent,	Howell,	McCreesh,	Sipe,
DiSilvestro,	Huffman,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Thompson,
Frey,	Kahle,	Pytko,	Wolfenden,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1224, entitled:

An Act to amend Article nine of the act approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, dissolution of such corporationss; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; presribing the terms and conditions upon which foreign business corporations may be admitted, or may continue to do business within the Commonwealth; conferring powers and imposing duties on the courts of common pleas, and certain State departments, commissions, and officers; authorizing certain State departments, boards, commissions or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," providing that a domestic business corporation formed by a merger of one or more domestic business corporations and one or more foreign business corporations shall be entitled to a credit on the bonus due the Commonwealth equal to the amount of the bonus paid under existing laws by the corporations so merging.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gelder,	Kilgallen,	Reed,
Cavalcante,	Gilson,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Scarlett,
Deitrick,	Homsher,	Mallery,	Shapiro,
Dent,	Howell,	McCreesh,	Sipe,
DiSilvestro,	Huffman,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Thompson,
Frey.	Kahle,	Pytko,	Wolfenden,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1226, entitled:

An Act authorizing the Joint Commission having jurisdiction over bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New York to sell and dispose of certain real estate and personal property to lease real estate and to license Public Utility Companies to occupy with their facilities parts of such bridges as are within the jurisdiction of the Commission and providing for the disposal of the proceeds thereof.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gelder,	Kilgallen,	Reed,
Cavalcante,	Gilson,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Scarlett,
Deitrick,	Homsher,	Mallery,	Shapiro,
Dent,	Howell,	McCreesh,	Sipe,
DiSilvestro,	Huffman,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Thompson,
Frey,	Kahle,	Pytko,	Wolfenden,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1228, entitled:

An Act authorizing county commissioners of any county to hold in trust for the inhabitants and citizens of the county, any real estate and property appropriate for agriculture fairs of exhibits, and to lease the same without expense or liability to the county, to any incorporated agriculture association; to operate and conduct an annual fair within any county.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gelder,	Kilgallen,	Reed,
Cavalcante,	Gilson,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Scarlett,
Deitrick,	Homsher,	Mallery,	Shapiro,
Dent,	Howell,	McCreesh,	Sipe,
DiSilvestro,	Huffman,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Thompson,
Frey,	Kahle,	Pytko,	Wolfenden,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1258, entitled:

An Act to further amend sections five and eight of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws two hundred eight) entitled "An act to regulate the practice of pharmacy and sale of poisons and durgs and providing penalties for the violation thereof defining the words "drugs' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for dtermining their quality strength and purity" by providing for annual renewals of the registration of pharmacists and assistant pharmacists

And said bill having been read at length the third time, and agreed to,

On the question

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gelder,	Kilgallen,	Reed,
Cavalcante,	Gilson,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Scarlett,
Deitrick,	Homsher,	Mallery,	Shapiro,
Dent,	Howell,	McCreesh,	Sipe,
DiSilvestro,	Huffman,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Thompson,
Frey,	Kahle,	Pytko,	Wolfenden,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON SECOND READING

Mr. SHAPIRO. I call up for consideration at this time Senate Bill No. 1072, on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1072, entitled:

An Act to fix the number of Senators in the General Assembly of the State; to apportion the State into senatorial districts, as provided by the Constitution; and to regulate the election of, and the terms of office of, the present and future elected Senators

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That until the next United States decennial census is taken and an apportionment made thereon the Senate shall consist of fifty members and the State is hereby apportioned into fifty senatorial districts each of which shall be known by the number herein attached thereto and shall each be entitled to elect one Senator as follows to wit

First District The first second twenty-sixth thirty-ninth and forty-eighth wards of the city of Philadelphia

Second District The twenty-first twenty-eighth thirty-seventh thirty-eighth and forty-third wards of the city of Philadelphia

Third District The third fourth fifth six seventh eighth ninth tenth eleventh twentlfth thirteenth fourteenth fifteenth thirtieth and thirty-sixth wards of the city of Philadelphia

Fourth District The twenty-seventh fortieth forty-sixth and fifty-first wards of the city of Philadelphia

Fifth District The sixteenth seventeenth eighteenth nineteenth twentieth twenty-fifth thirty-first and thirty-second wards of the city of Philadelphia

Sixth District The twenty-second forty-second forty-ninth and fiftieth wards of the city of Philadelphia

Seventh District The twenty-fourth twenty-ninth thirty-fourth forty- fourth and forty-seventh wards of the city of Philadelphia

Eighth District The twenty-third thirty-third thirty-fifth forty-first and forty-fifth wards of the city of Philadelphia

Ninth District The county of Delaware

Tenth District The city of Scranton and the township of Lackawanna in the county of Lackawanna

Eleventh District The county of Berks

Twelfth District The county of Montgomery

Thirteenth District The county of Lancaster

Fourteenth District The counties of Carbon Monroe Pike and Wayne

Fifteenth District The counties of Dauphin and Lebanon

Sixteenth District The counties of Lehigh and Bucks

Seventeenth District The cities of McKeesport Duquesne and Clarion the boroughs of Braddock East Pittsburgh Elizabeth Glassport Liberty Munhall North Braddock Port Vue Rankin Versailles and Whitaker and the townships of Elizabeth Forward Lincoln North Versailles South Versailles and Versailles in the county of Allegheny

Eighteenth District The county of Northampton

Nineteenth District The county of Chester

Twentieth District The residue of the county of Luzerne not included in the twenty-first district

Twenty-first District The cities of Nanticoke Pittston and Wilkes-Barre the boroughs of Ashley Avoca Dupont Duryea Hughestown Laflin Laurel Run Sugar Notch Warrior Run and Yatesville and the townships of Bear Creek Bucks Hanover Jenkins Newport Pittston Plains and Wilkes-Barre in the county of Luzerne

Twenty-second District The residue of the county of Lackawanna not included in the tenth district

Twenty-third District The counties of Bradford Susquehanna and Wyoming

Twenty-fourth District The counties of Columbia Lycoming Montour and Sullivan

Twenty-fifth District The counties of McKean Potter and Tioga

Twenty-sixth District The counties of Cameron Clarion Clinton Elk and Forest

Twenty-seventh District The counties of Northumberland Snyder and Union

Twenty-eighth District The county of York

Twenty-ninth District The county of Schuylkill

Thirtieth District The counties of Blair and Huntingdon

Thirty-first District The counties of Cumberland Juniata Mifflin and Perry

Thirty-second District The county of Fayette

Thirty-third District The counties of Adams Franklin and Fulton

Thirty-fourth District The counties of Centre and Clearfield

Thirty-fifth District The county of Cambria

Thirty-sixth District The counties of Bedford and Somerset

Thirty-seventh District The counties of Indiana and Jefferson

Thirty-eighth District The sixteenth seventeenth eighteenth nineteenth twentieth twenty-ninth thirtieth thirty-first and thirty-second wards of the city of Pittsburgh and the boroughs of Greentree Ingram Mount Oliver Brentwood and Castle Shannon in the county of Allegheny

Thirty-ninth District The county of Westmoreland

Fortieth District The boroughs of Aspinwall Avalon Bellevue Ben Avon Ben Avon Heights Blaw Knox Brackenridge Bradford Woods Cheswick Edgeworth Emsworth Etna Fox Chapel Glenfield Haysville Leetsdale Millvale Oakmont Osborne Sewickley Sharpsburg Springdale Tarentum Verona and West View and the townships of Aleppo East Deer Fawn Franklin Frazer Hampton Harmar Harrison Indiana Kilbuck Leet Marshall McCandless O'Hara Ohio Penn Pine Plum Reserve Richland Ross Sewickley Sewickley Heights Shaler Springdale and West Deer in the county of Allegheny

Forty-first District The counties of Armstrong and Butler

Forty-second District The first second sixth ninth twenty-first twenty-second twenty-third twenty-fourth twenty-fifth twenty-sixth and twenty-seventh wards of the city of Pittsburgh in the county of Allegheny

Forty-third District The third fourth fifth seventh eighth tenth eleventh and twelfth wards of the city of Pittsburgh in the county of Allegheny

Forty-fourth District The thirteenth fourteenth and fifteenth wards of the city of Pittsburgh the boroughs of Chalfont Churchill East McKeesport Edgewood Forest Hills Pitcairn Swissvale Trafford Turtle Creek Wall Wilkinsburg and Wilmerding, and the townships of Braddock Patton and Wilkins in the county of Allegheny

Forty-fifth District The twenty-eighth ward of the city of Pittsburgh the boroughs of Bridgeville Carnegie Coraopolise Crafton Dormont Dravosburg Heidelberg Homestead McDonald McKees Rocks Oakdale Rosslyn Farms Thornburg West Elizabeth and West Homestead and the townships of Baldwin Bethel Collier Crescent Finley Jefferson Kennedy Mifflin Moon Mount Lebanon Neville North Fayette Robinson Scott Snowden South Fayette Stowe and Upper Saint Clair in the County of Allegheny

Forty-sixth District the counties of Greene and Washington

Forty-seventh District The counties of Beaver and Lawrence

Forty-eighth District The counties of Venango and Warren

Forty-ninth District The county of Erie

Fiftieth District The counties of Crawford and Mercer

On the question,

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend section 1, page 2, line 8 by striking out between the word "twenty-seventh" and the word "fortieth" the word: "thirty-fourth"; amend section 1, page 2, line 15 by inserting between the word "twenty-ninth" and the word "forty-fourth" the word: "thirty-fourth."

Mr. JASPAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

Mr. McCREESH. Mr. President, I move to amend section 1, page 2, line 8, by striking out between the words "twenty-seventh" and the word "fortieth" the word "thirty-fourth"; amend section 1, page 2, line 15, by inserting after the word "twenty-ninth" and before the word "forty-fourth" the word "thirty-fourth."

Mr. GILSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendments?

Mr. GILSON. Mr. President, I think we ought to hear from the Senator from Philadelphia, Mr. McCreesh, as to the reason for the amendments.

Mr. McCREESH. Mr. President, these amendments merely put the bill in the shape it was when it came from the printer.

Mr. McCREESH. Mr. President, I think the Senate does not really understand what they are voting on.

Mr. SHAPIRO. Mr. President, I object, there is nothing before the Senate but the roll call.

The PRESIDENT. The Senate is voting on the amendments presented to Senate Bill No. 1072, of the Senator from Philadelphia, Mr. McCreesh. The Clerk will proceed with the roll call.

Mr. McCREESH. Mr. President, will the Chair please explain to the Senators the way to vote, yes or no.

The PRESIDENT. The Chair feels that that is not in the province of the Chair.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. SHAPIRO and Mr. JASPAN and were as follows, viz:

YEAS—15

Cavalcante,	Homsher,	McCreesh,	Scarlett,
Chapman,	Kunkel,	Owlett,	Sones,
Ealy,	Lanius,	Pierson,	Wolfenden
Gelder,	Law,	Reed,	

NAYS—19

Barthold,	Gilson,	Jaspan,	Rodgers,
Dando,	Henney,	Kilgallen,	Shapiro,
Dent,	Heyburn,	McGinnis,	Sipe,
DiSilvestro,	Howell,	Pytko,	Thompson,
Eroe,	Jacobs,	Rice,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section as amended?

It was agreed to.

Sections two to ten, inclusive, of the bill were read as follows and agreed to.

SENATORIAL APPORTIONMENT

Section 2 The districts as above numerated shall be based on the decennial census of the United States for the year one thousand nine hundred and thirty and shall take the lines and boundaries and include all the territory within the same as said lines and districts respectively exist at the effective date of this act

Section 3 The nomination and election of a State Senator whom the qualified electors of any county or of any part of a county are entitled to elect of themselves unconnected with any other county or district shall be made held and conducted and the return of votes cast at primary and general elections for the nomination and election of such members shall be made computed canvassed and certified as now or hereafter may be provided by law

Section 4 In all senatorial districts composed of two or more counties the county commissioners of each of such counties in the case of primary elections and the Court of Common Pleas in the case of general elections shall appoint one of the judges of elections of such county comprised within such district to take charge of the returns of all votes cast at any primary or general election in said county for any candidate or candidates for the nomination of State Senator from said district

Section 5 Such return judges shall meet at such places in their respective districts as herein designated

The return judges of the fourteenth district shall meet at the court house in the borough of Stroudsburg in the county of Monroe

The return judges for the fifteenth district shall meet at the court house in the city of Harrisburg in the county of Dauphin

The return judges of the sixteenth district shall meet at the court house in the city of Allentown in the county of Lehigh

The return judges of the twenty-third district shall meet at the court house in the borough of Towanda in the county of Bradford

The return judges of the twenty-fourth district shall meet at the court house in the city of Williamsport in the county of Lycoming

The return judges in the twenty-fifth district shall meet at the court house in the borough of Coudersport in the county of Potter

The return judges of the twenty-sixth district shall meet at the court house in the city of Lock Haven in the county of Clinton

The return judges of the twenty-seventh district shall meet at the court house in the borough of Sunbury in the county of Northumberland

The return judges of the thirtieth district shall meet at the court house in the borough of Hollidaysburg in the county of Blair

The return judges of the thirty-first district shall meet at the court house in the borough of New Bloomfield in the county of Perry

The return judges of the thirty-third district shall meet at the court house in the borough of Chambersburg in the county of Franklin

The return judges of the thirty-fourth district shall meet at the court house in the borough of Clearfield in the county of Clearfield

The return judges of the thirty-sixth district shall meet at the court house in the borough of Bedford in the county of Bedford

The return judges of the thirty-seventh district shall meet at the court house in the borough of Indiana in the county of Indiana

The return judges of the forty-first district shall meet at the court house in the borough of Kittanning in the county of Armstrong

The return judges of the forty-sixth district shall meet at the court house in the borough of Washington in the county of Washington

The return judges of the forty-seventh district shall meet at the court house in the borough of Beaver in the county of Beaver

The return judges of the forty-eighth district shall meet at the court house in the city of Franklin in the county of Venango

The return judges of the fiftieth district shall meet at the court house in the city of Meadville in the county of Crawford

Section 6 Such return judges shall meet and cast up the several returns of the counties composing the district on the Tuesday next following the day on which the official computation of the county returns in all of such counties shall have been completed

Section 7 The return judges shall execute under their hands and seals a general and true return of the whole district which in case such return is of the general election shall be deposited with the prothonotary of the county wherein the return is executed or in case the return is of a primary election with the county commissioners of such county Immediately upon the receipt of such return the prothonotary or county commissioners as the case may be shall make copies of such return and shall transmit one copy thereof properly certified to the Secretary of the Commonwealth and one copy also certified to the person or persons receiving the highest number of votes cast at the preceding general or primary election for the office for which the election was held or the nominations were made in the district

Section 8 Every return judge shall receive out of the treasury of his proper county the sum of ten dollars for each day actually employed in the computing such vote and in addition thereto shall receive ten cents for each mile necessarily traveled in going to and from the place of meeting

Section 9 At the general election in the year one thousand nine hundred and thirty-eight and quadriennially thereafter Senators shall be chosen to serve for four years in the even-numbered districts At the general election in the year one thousand nine hundred and forty and quadriennially thereafter Senators shall be chosen to serve for four years in the odd-numbered districts

The Senators now in office shall continue in such office and shall respectively represent the districts as herein apportioned in which they reside until the expiration of the terms for which they were elected

Section 10 The act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 449) entitled "An act to fix the number of Senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators" and its amendments are hereby repealed

All other acts and parts of acts inconsisten with the provisions of this act are hereby repealed

The title of the bill was read as follows and agreed to.

An Act to fix the number of Senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1262, entitled:

An Act providing for the sale of Fort Necessity Park in Wharton Township to the government of the United States for National Military Park purposes and givin consent to the purchase of said park other lands of historical importance and with certain reservations ceding jurisdiction over such lands

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Gelder,	Kunkel,	Rice,
Cavalcante,	Gilson,	Lanius,	Rodgers,
Chapman,	Henney,	Law,	Scarlett,
Dando,	Heyburn,	Mallery,	Shapiro,
Deitrick,	Homsher,	McCreesh,	Sipe,
Dent,	Howell,	McGinnis,	Sones,
DiSilvestro,	Jacobs,	Owlett,	Stiefel,
Ealy,	Jaspan,	Pierson,	Thompson,
Eroe,	Kahle,	Pytko,	Wolfenden,
Frey,	Kilgallen,	Reed,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1269, on third reading, entitled:

An Act to further amend Article VI of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled 'An act relating to insurance, amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by adding thereto a new sub-division (h) consisting of sections 685 to 696 inclusive defining the specific powers and financial requirements of title insurance companies and providing for the regulation and supervision thereof and prohibiting the guaranteeing of mortgages by such companies.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1282 (House Bill No. 1499), entitled:

An Act prohibiting certain persons from selling taking orders for delivering or being interested in the manufacture or sale of machinery equipment materials feed supplies or other things used by milk producers and prescribing penalties.

And said bill having been read at length the third time, time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Gelder,	Kunkel,	Rice,
Cavalcante,	Gilson,	Lanius,	Rodgers,
Chapman,	Henney,	Law,	Scarlett,
Dando,	Heyburn,	Mallery,	Shapiro,
Deitrick,	Homsher,	McCreesh,	Sipe,
Dent,	Howell,	McGinnis,	Sones,
DiSilvestro,	Jacobs,	Owlett,	Stiefel,
Ealy,	Jaspan,	Pierson,	Thompson,
Eroe,	Kahle,	Pytko,	Wolfenden,
Frey,	Kilgallen,	Reed,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1287 (House Bill No. 1780), entitled:

An Act to amend section five and sections sixteen seventeen and twenty-one as amended of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred and ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by providing for promoters partnerships and co-promoters a bond to protect contestants managers and officials changing license fees for promoters boxers seconds managers and wrestlers and requiring payments to the Commonwealth for complimentary tickets.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. JASPAN. Mr. President, I ask unanimous consent to amend title, page 2, line 2 of title, by inserting after the word "wrestlers" the following: "fixing the minimum purse"; amend sec. 3, (sec. 17) ,page 5, line 10, by inserting after the word "Matches" the following: "Minimum Purse";

Amend sec. 3, (sec. 17), page 6, by inserting between lines 16 and 17 the following paragraph: "A minimum purse of twelve dollars and fifty cents ($12.50) shall be paid by the promoter, to each professional boxer for each bout in which such boxer is engaged."

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1289 (House Bill No. 1820), entitled:

An Act to amend section three of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws one thousand one hundred ninety-five) entitled "An act for the encouragment of agriculture and the holding of agriculture exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" reducing the number of days during which exhibitions need be held.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Gelder,	Kunkel,	Rice,
Cavalcante,	Gilson,	Lanius,	Rodgers,
Chapman,	Henney,	Law,	Scarlett,
Dando,	Heyburn,	Mallery,	Shapiro,
Deitrick,	Homsher,	McCreesh,	Sipe,
Dent,	Howell,	McGinnis,	Sones,
DiSilvestro,	Jacobs,	Owlett,	Stiefel,
Ealy,	Jaspan,	Pierson,	Thompson,
Eroe,	Kahle,	Pytko,	Wolfenden,
Frey,	Kilgallen,	Reed,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1301, entitled:

An Act providing for the erection construction and equipment of armories for the use of the Pennsylvania National Guard designating the manner of acquiring or setting aside of land for the erection and construction of armories thereon by The General State Authority authorizing the Commonwealth to lease such armories and their grounds from The General State Authority upon their completion and the Armory Board of the State of Pennsylvania to manage and operate the same and conferring powers and imposing duties upon certain State departments and boards.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Gelder,	Kunkel,	Rice,
Cavalcante,	Gilson,	Lanius,	Rodgers,
Chapman,	Henney,	Law,	Scarlett,
Dando,	Heyburn,	Mallery,	Shapiro,
Deitrick,	Homsher,	McCreesh,	Sipe,
Dent,	Howell,	McGinnis,	Sones,
DiSilvestro,	Jacobs,	Owlett,	Stiefel,
Ealy,	Jaspan,	Pierson,	Thompson,
Eroe,	Kahle,	Pytko,	Wolfenden,
Frey,	Kilgallen,	Reed,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1311, entitled:

An Act providing for the erection construction and equipment of buildings for a new State sanatorium or new buildings at existing sanatoria designating the manner of acquiring or setting aside of land for the erection and construction of such buildings by The General State Authority authorizing the Commonwealth to lease such new sanatorium or building or buildings and the grounds connected therewith from The General State Authority upon their completion and the Department of Health to manage and operate the same and conferring powers and imposing duties upon certain State departments.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Gelder,	Kunkel,	Rice,
Cavalcante,	Gilson,	Lanius,	Rodgers,
Chapman,	Henney,	Law,	Scarlett,
Dando,	Heyburn,	Mallery,	Shapiro,
Deitrick,	Homsher,	McCreesh,	Sipe,
Dent,	Howell,	McGinnis,	Sones,
DiSilvestro,	Jacobs,	Owlett,	Stiefel,
Ealy,	Jaspan,	Pierson,	Thompson,
Eroe,	Kahle,	Pytko,	Wolfenden,
Frey,	Kilgallen,	Reed,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1313, entitled:

An Act to add section five hundred and fifty-three to the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing additional penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Gelder,	Kunkel,	Rice,
Cavalcante,	Gilson,	Lanius,	Rodgers,
Chapman,	Henney,	Law,	Scarlett,
Dando,	Heyburn,	Mallery,	Shapiro,
Deitrick,	Homsher,	McCreesh,	Sipe,
Dent,	Howell,	McGinnis,	Sones,
DiSilvestro,	Jacobs,	Owlett,	Stiefel,
Ealy,	Jaspan,	Pierson,	Thompson,
Eroe,	Kahle,	Pytko,	Wolfenden,
Frey,	Kilgallen,	Reed,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1314, entitled:

An Act to amend sections two hundred fifteen and two hundred seventeen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by providing for supervision over fire rating bureaus and prescribing penalties.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barthold,	Gilson,	Lanius,	Rice,
Cavalcante,	Henney,	Law,	Rodgers,
Chapman,	Heyburn,	Mallery,	Scarlett,
Dando,	Homsher,	McCreesh,	Shapiro,
Deitrick,	Howell,	McGinnis,	Sipe,
Dent,	Jacobs,	Owlett,	Sones,
DiSilvestro,	Jaspan,	Pierson,	Stiefel,
Eroe,	Kahle,	Pytko,	Thompson,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gelder,	Kunkel,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1315, entitled:

An Act requiring collectors of city county borough town township school and poor district taxes to file certain reports with the Quarter Sessions Court and the Department of Internal Affairs directing such Department to prepare and furnish forms for such reports making such reports available for public inspection requiring all payments to such collectors for compensation and expenses to be by warrant or order prohibiting such collectors from deducting their compensation and expenses from public funds in their possession and making violation of the act a misdemeanor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barthold,	Gilson,	Lanius,	Rice,
Cavalcante,	Henney,	Law,	Rodgers,
Chapman,	Heyburn,	Mallery,	Scarlett,
Dando,	Homsher,	McCreesh,	Shapiro,
Deitrick,	Howell,	McGinnis,	Sipe,
Dent,	Jacobs,	Owlett,	Sones,
DiSilvestro,	Jaspan,	Pierson,	Stiefel,
Eroe,	Kahle,	Pytko,	Thompson,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gelder,	Kunkel,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORTS FROM COMMITTEES

Mr. RICE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE from the Committee on Appropriations reported as committed, Senate Bill No. 1310, entitled:

An Act to amend sections two and four of the joint resolution approved the twenty-ninth day of April, one thousand nine hundred thirty-seven (Act No. 127), entitled, "A joint resolution authorizing the appointment of a commission to make a thorough and impartial investigation into the operation of the oil industry in this Commonwealth, with special reference to the adequate, efficient and economical supplying of lubricating oils and gasoline to the people of this Commonwealth; conferring upon the commission full power to issue subpenas; requiring the commission to make a report of its findings to the Governor, together with its recommendations, as to such regulatory legislation as may be needful to correct any abuses and evils connected with such industry, which are prejudicial to the interest of the citizens of this Commonwealth; authorizing the commission to employ counsel and employes; and making an appropriation," by authorizing the several Courts of Common Pleas, upon application, to adjudge persons refusing to comply with subpoenas of the commission in contempt of court, and by increasing the appropriation to the commission.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1380, (House Bill No. 906) entitled:

An Act creating a State Worlds Fair Commission defining the powers and duties of said commission, providing for participation in the New York World Fair and making an appropriation.

Also, from the Committee on Appropriations reported as amended, Senate Bill No. 556, entitled:

An Act making an appropiration to the Moore Institute of Art, Science and Industry, Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CAVALCANTE, from the Committee on Judiciary Special, reported as committed, Senate Bill No. 1191 (House Bill No. 1333) entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-nine (P. L. 1804), entitled "An act relative to certain judgments; prescribing duties of prothonotaries; and repealing prior legislation"; requiring a certificate of the address of the defendants on the entry of certain judgements.

BILL INTRODUCED

Mr. RICE. Mr. President, I ask unaminous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE read in his place and presented to the Chair Senate Bill No. 1404, entitled:

An Act to further amend subparagraph three of subsection (a) of section five hundred five of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth, and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department, board, commission, and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess, or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth", by making further provision relative to interest upon State deposits.

Which was committed to the Committee on State Government.

REPORTS OF COMMITTEES OF CONFERENCE

Mr. PYTKO. Mr. President, I desire at this time to present the report of the Committee of Conference on House Bill No. 1161, entitled:

An Act to amend section four hundred six of the act, approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. three hundred forty-three), entitled "Fiscal Code," by making further provision for the appointment of mercantile appraisers.

Mr. PYTKO. Mr. President, I desire at this time to present the report of the Committee of Conference on House Bill No. 916, entitled:

An Act to amend section one of the act, approved the seventeenth day of June, one thousand nine hundred nineteen (P. L. 1025), entitled "A supplement to an act, approved the second day of May, one thousand eight hundred and ninety-nine (P. L. 184), entitled "Mercantile License Tax Law," by providing for the annual appointment by the Auditor General of mercantile appraisers in cities of the first class.

REPORTS OF COMMITTEES OF CONFERENCE WITHDRAWN

Mr. PYTKO. Mr. President, I ask leave to withdraw the Conference Committee Reports on House Bill Numbers 1161 and 916.

The PRESIDENT. Is there objection? The Chair hears none. The Reports were withdrawn.

REPORTS FROM COMMITTEES

Mr. SIPE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SIPE from the Committee on State Government rereported as committed, Senate Bill Noo. 1227, entitled:

An Act to further amend section eleven of the act approved the seventeenth day of February one thousand nine hundred six (Pamphlet Laws, forty-five), entitled "An act to regulate the deposits of State funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits to fix the rate of interest thereon, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," by eliminating the publication of monthly statements of moneys in the State Treasury.

Mr. HENNEY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HENNEY, from the Committee on State Boards reported as committed, Senate Bill No. 1398 (House Bill No. 1086), entitled:

An Act to fix the compensation of the assistant custodians of the Senate chamber and the hall of the House of Representatives.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 117 as follows:

An Act to amend section one thousand three hundred and one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended establishing a compulsory tax levy for fire protection.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand three hundred and one of the act approved the fourth day of

May one thousand nine hundred and twenty-seven (Pamphlet Laws 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended by the act approved the eighteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 818) is hereby further amended to read as follows:

Section 1301 General Levy The council of the borough shall have power by ordinance to levy and collect annually for beneral borough purposes any tax not efceeding fifteen (15) mills on the dollar on the valuation assessed for county purposes as now is or may be provided by law of such levy not more than two (2) mills and not less than one-half (½) mill shall be expended to purchase fire engines and fire apparatus and supplies for the use of the borough and appropriated to fire companies for the construction repair and maintenance of fire company houses All property offices professions and persons made taxable by the laws of this Commonwealth for county rates and levies may in the discretion of council be taxed after the same manner for general borough purposes No action on the part of borough authorities fixing the tax rate for any year at a mill rate need include a statement expressing the rate of taxation in dollars and cents on each one hundred dollars of assessed valuation of taxable property.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 118, as follows:

An Act to amend clause five of section nine hundred five of the act approved the first day of May one thousand nine hundred and thirty-three (Pamphlet Laws 103) entitled, "An act concerning townships of the second class; and amending revising consolidataing and changing the law relating thereto" requiring the levy of a tax for fire protection.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause five of section nine hundred five of the act approved the first day of May one thousand nine hundred and thirty-three (Pamphlet Laws 103) entitled, "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" is hereby amended to read as follows:

Five [A] The supervisors shall levy a tax not exceeding two mills and not [exceeding the amounts here-] [inafter limited] less than one-half mill for the purpose of [purchasing and] maintaining fire apparatus [and to] and fire buildings and the payment to municipalities and organizations outside the township for fire protection The supervisors may provide with the assent of the electors of the township as hereinafter provided a suitable place for the housing of [the same] fire apparaatus if such place does not exist and [to] make appropriations to fire companies for the purchase of fire apparatus by the township together with the amount of appropriation to one or more fire companies from such taxes shall not for the first fiscal year exceed in all the sum of seven thousand five hundred dollars nor shall any] No new fire apparatus shall be thereafter purchased by the township or by any fire company from appropriations made by the township without the consent of the electors as hereinafter provided [nor shall the total expenditure by the township in any fiscal year for the purpose of maintenance and operation together with the appropriations to any one or more fire companies exceed forty-five hundred dollars]

Whenever the assent of the electors is required as hereinbefore provided the same shall be expressd at an election to be held at the place time and under the same regulations as provided by law for the holding of primary general or municipal elections At such election the election officers shall receive ballots from the electors which shall be prepared in the manner prescribed by the general election law In receiving and counting and in making return of the votes cast the election officers shall be governed by the laws regulating municipal elections and the returns shall be computed by the court as now provided by law for municipal elections.

The taxes authorized to be levied by this section shall be levied upon the last adjusted valuation for county purposes which valuation shall be furnished to the township supervisors by the county commissioners If any further adjustment of valuation is made by the county commissioners after any tax is so levied and before said tax is payable such adjusted valuation shall be certified to the township supervisors and to the township collector of taxes by the commissioners and the tax shall be collected on the basis of such adjusted valuation.

This article does not include the levy of any taxes upon particular districts or parts of any township for particular purposes.

Section 2 This act shall become effective immediately upon it final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 201, as follows:

An Act to amend clause C of section three hundred fifteen of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations confering certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing the rule for the investment of certain funds by burial and cemetery companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause C of section three hundred fifteen of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 289) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers au-

thorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" is hereby amended to read as follows

C The directors of any such corporation are hereby made trustees of any such funds so received or set aside and neither such funds nor the income derived therefrom shall be used by such trustees for any purpose other than the purpose for which the same were set aside donated bequeathed or otherwise acquired [It shall be the duty of! Unless otherwise specifically provided in the trust instrument by which any property is granted donated or bequeathed or otherwise vested in such corporations the directors of such corporation shall have power to invest such funds in such investments [which are designated as legal investments for trustees under the laws of this Commonwealth! as in the honest exercise of their judgment they may after investigation determine to be safe and proper investments and to retain any investment so made prior to the effective date of this amendment and to use the income derived from such investments for the purpose of caring for preserving and maintaining such burial ground or cemetery or any other purpose which may be specified by the grantor or donor The directors of any such corporation shall cause accurate accounts to be kept of such trust funds separate and apart from the other funds of the corporation and shall make an annual report signed by the treasurer to the members of the corporation and other interested parties concerning the investment of the trust funds and the use made of the income derived from such investments The amount of such funds shown by such report to be in the hands of the directors shall be final and conclusive in favor and against all parties in interest unless appropriate action is brought in the proper courts of this Commonwealth against the trustees within fifteen days after the regular meeting of the corporation at which such report is submitted The directors of any such corporation shall file annually in the Court of Quarter Sessions of the county where the charter of the corporation was granted a bond with surety or sureties to be approved by such court in the full amount of any funds set aside or held in trust by such directors under authority of subsections A and B of this section but the first bond filed by the directors covering funds set aside under subsection A of this section shall be filed one year after the date when the corporation came into existence The Court of Quarter Sessions of such county shall upon petition of any person related by blood or marriage to any person who has donated or bequeathed funds to any such corporation for the care preservation or maintenance of the burial ground or cemetery or to one who has purchased a lot therein for the burial of the dead or of the donors or purchasers themselves shall have the right to compel the directors of the corporation to file any bond herein provided for in the event of the failure of the directors to file the same on or before the first Monday of July of any year.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 292, (House Bill No. 634), entitled:

An Act to amend the act approved the thirteenth day of April one thousand nine hundred and twenty-seven (P. L. 273) entitled "An act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscriptions to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein including securities issued by them conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania prescribing penalties and making appropriations" by extending the provisions thereof to employes of companies subject to the Public Service Company Law.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 341, on second reading, entitled:

An Act to re-enact and further amend the title and the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15, 1933 and 1934) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Deparatment of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of fees and imposing penalties" further regulating the manufacture sale importation use and traffic in liquors alcohol and malt and brewed beverages conferring additional powers and imposing additional dutiese on the Pennsylvania Liquor Control Board further regulating those licensed under this act imposing additional filing fees and increasing fees for certain permits and providing for the disposition thereof further regulating the establishment of State liquor stores and the employment and use of personnel by the board regulating and providing the procedure for the granting transfer revocation and suspension of licenses and for compromises in certain cases and the disposition of moneys arising therefrom providing for the forfeiture of certain property regulating the jurisdiction of courts and local option procedure prohibiting certain interlocking business and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 342, on Second reading, entitled:

An Act to re-enact and amend the act, approved the nineteenth day of February, one thousand nine hundred twenty-six (P. L. 16), entitled, as amended, "An act regulating, under permit, through the Pennsylvania Liquor Control Board, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, rectification, blending, recovery, reuse, holding in bond, holding in storage by bailees for hire, and transportation for hire, of any alcohol, alcoholic liquid or alcoholic beverage, by certain persons; requiring the registration of Federal permits; also providing for fees and the disposition thereof, and for appeals to the courts; also authorizing the inspection of the records of permittees and purchasers of said alcohol, alcoholic liquids, and alcoholic beverages; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistant with this act," further regulating the manufacture, sale,

use and traffic in alcohol and alcoholic liquids; conferring additional powers and imposing additional duties upon the Pennsylvania Liquor Control Board; further regulating those licensed under this act; imposing filing fees; changing the method of calculating certain license fees; providing for the use of the word "license" instead of "permit"; regulating and providing the procedure for the granting suspension and revocation of licenses, and for compromises in certain cases; providing for disposition of fees, compromise penalties and forfeiture; regulating the jurisdiction of courts; and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 343 on second reading entitled:

An Act to re-enact and further amend the title and the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for a collection and distribution thereof; restricting ownership and interest in licensed places; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Pennsylvania Liquor Control Board, Quarter Sessions Courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts;" defining and further defining and regulating licensees, application for licenses and sales by licensees; and providing for the licensing of package retailers, and fixing fees for such licenses, and for amusement permits; regulating the granting, suspension, revocation and transfer of licenses and the procedure therefor; and conferring jurisdiction on certain courts; providing for the granting of licenses by the Pennsylvania Liquor Control Board instead of the county treasurer, and prescribing the powers and duties of said board; providing for compromises where licenses are suspended and ford the disposition of application, license, permit fees, forfeitures and penalties; and providing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 446, on second reading, entitled:

An Act requiring inspectors of weights and measures to test and real all water, gas and electrict meters, imposing the cost of apparatus therefor on counties and cities; and imposing duties on the Public Service Commission.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 521, (House Bill No. 723), entitled:

An Act to amend section five hundred and eighty of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth clases and revising amending and consolidating the laws relating theretc" as amended extending the powers of the county commissioners in the construction and maintenance of comfort stations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 536, as follows:

An Act to prevent fraud and deception by defining and regulating cemetery memorial dealers and cemetery memorial salesmen providing for the service of process in certain cases vesting certain powers and duties in the State Board of Examiners of Cemetery Memorial Dealers of the Department of Public Instruction in the Department of Public Instruction and in the Court of Common Pleas of Dauphin County and providing penalites.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as the "Cemetery Memorial Dealers License Act".

Section 2 (a) The term "cemetery memorial dealer" shall include all persons corporations copartnerships and associations domestic and foreign who deal in sell or offer for sale at retail in this Commonwealth any cemetery memorial One act in consideration of compensation by fee commission or otherwise of dealing in selling or offering for sale at retail in this Commonwealth a cemetery memorial shall constitute prima facie evidence that the person corporation copartnership or association so acting or attempting to act is a cemetery memorial dealer within the meaning of this act.

(b) The term "cemetery memorial salesmen" shall mean and include any person employed by a licensed cemetery memorial dealer to sell or offer for sale at retail in this Commonwealth any cemetery memorial.

(c) The term "cemetery memorial" shall mean and include any finished or unfinished piece of marble granite limestone sandstone bronze aluminum concrete artificial stone or any other material which is used for any of the following purposes.

(1) To designate the boundary of a lot or other division of space in any cemetery or

(2) To designate mark or commemorate the location of an individual grave or place of group burial or

(3) As a mausoleum crypt or other place of burial

(4) As a public or private memorial erected in any cemetery by an individual a society or any group or organization to commemorate any person act or deed

(5) The term "department" when used in this act shall mean the Department of Public Instruction of this Commonwealth.

(e) The term "board" when used in this act shall mean the Board of Examiners of Cemetery Memorial Dealers in the Department of Public Instruction.

Section 3 From and after the effective date of this act it shall be unlawful for any person copartnership association or corporation to engage in or carry on the business or act in the capacity of a cemetery memorial dealer or a cemetery memorial salesman within this Commonwealth of Pennsylvania as a cemetery memorial dealer or a cemetery memorial salesman.

Section 4 (a) The State Board of Examiners of Cemetery Memorial Dealers shall have the power and shall be under the duty to carry out and and enforce the provisions of this act.

(b) The board shall have authority to make such rules and regulations not inconsistent with the provisions of this act as it shall deem necessary to exercise its powers and perform its duties under this act.

(c) The board shall meet at least twice each year at Harrisburg Pennsylvania Any member may administer oaths and take testimony when appointed so to do by the board.

(d) The board may if the department approves appoint an inspector whose title shall be Inspector State Board of Examiners of the Cemetery Memorial Dealers Such inspector shall hold office at the pleasure of the board and shall receive such compensation as shall be fixed by the board with the approval of the Superintendent of Public Instruction Such inspector shall make a periodic inspection of the various cemetery memorial dealers throughout the Commonwealth for the purpose of determining whether the said dealers are complying with the provisions of this act and shall perform such other duties as the board may determine. He shall have the right of entry into any place where the business of cemetery memorials is carried on of advertised as being carried on for the purpose of inspection.

Section 5 Every person partnership association or corporation desiring to commence the business of a cemetery memorial dealer or if now conducting such a business to continue to do so after the effective date of this act except as herein otherwise provided shall make application for examination and licensure to the board upon a form furnished by it and shall accompany the application by such examination fee as may be fixed by the board whereupon the board shall fix a time nad place for the examination of the applicant and shall notify the applicant thereof. Any person conductinng the business of a cemetery memorial dealer for a period of three years or more prior to the effective date of this act shall be granted a license as a cemetery memorial dealer upon executing and filing with the board an application form prescribed by it accompanied by such fee as may be fixed by the board.

Section 6 (a) If the board shall find upon due examination that the applicant is of good moral character and is possessed of sufficient knowledge experience and the board shall issue to said applicant upon payment of the fee hereinafter designated a license to operate as a cemetery memorial dealer and shall register such applicant as a duly licensed cemetery memorial dealer.

(b) Where the applicant for a cemetery memorial dealer's license maintains more than one place of business within the Commonwealth he or it shall be required to apply for and procure a duplicate license for each branch office maintained by him.

Section 7 Every person desiring to commence to act as a cemetery memorial salesman or if now acting as such to continue to do so after the effective date of this act shall make application for licensure to the board upon a form furnished by it and shall accompany the application by such fee as hereinafter provided. The application shall be signed by the applicant and shall get forth the period of time during which he has been engaged in the business stating the name and place of employing him or into whose employ he is about to enter together with the name or names of any cemetery memorial dealer for whom he has worked as a salesman in the past. In additional such application shall contain such additional information as to the applicant as the board shall require. The application shall also be accompanied by the recommendation of his employer or prospective employer certifying that the applicant is honest truthful and of good repute and recommending that such license be granted.

Section 8 The board shall accept and endorse as valid in this Commonwealth licenses as cemetery memorial dealers and cemetery memorial salesmen issued by other states and countries upon the payment of such fees as prescribed according to law for applicants in this Commonwealth Provided That the standards of such other state and country are in the opinion of the board equal to the standards of this Commonwealth And provided further That such other state and country shall recognize and endorse as valid in such state or country licenses issued by this Commonwealth.

Section 9 All dealers' and salesmen's licenses granted under this act or existing laws shall expire on the thirty-first day of August following their issuance or renewal and shall become invalid unless renewed as hereinafter provided. It shall be the duty of the board on or before the first day of June of each year to mail to every licensed cemetery memorial dealer and cemetery memorial salesman a blank application for renewal of licenses Renewal may be effected at any time during the month of August following by the filing of such application with the board together with such renewal fee as is hereinafter provided Provided That the board may in its discretion renew the license of any dealer or salesman who has failed to make application for renewal before August thirty-first.

Section 10 Authority to transact business as a cemetery memorial dealer or cemetery memorial salesman under any license issued by the board shall be restricted to the person named in such license and shall not inure to the benefit of any other person or persons whatsoever When a cemetery memorial dealer's license shall be issued to a corporation copartnership or association authority to transact business thereunder shall be limited to one officer or officer to be designated in the application and named in partner of such corporation partnership or association said the license. Each other officer or partner of the corporation partnership or association desiring to act as a cemetery memorial dealer in connection with the business of the said corporation partnership or association or otherwise shall be required to make application for and take out a separate license in his or her own name individually.

Section 11 A non-resident of this Commonwealth may be licensed as a cemetery memorial dealer or cemetery memorial salesman upon complying with the provisions and conditions of this act relative to resident dealers and salesmen provided he or it shall first file an irrevocable consent properly authenticated with the board on a form to be supplied by it that all suits and actions may be commenced against such applicant in the proper court of any county of this Commonwealth in which a cause of action may arise or in which the plaintiff may reside by the service of any process or pleading authorized by the laws of this Commonwealth on the department Such consent shall stipulate and agree that such service of such process or pleadings on the department shall be deemed in all courts to be as valid and binding as if due service had been made upon such applicant personally within the Commonwealth Said instrument containing such consent shall be authenticated by the seal thereof if a corporation or by the acknowledged signature of a number or officer thereof if otherwise. All such applications except from individuals shall be accompanied by the duly certified copy of the resolution of the proper officers or managing board authorizing the proper officer to execute the same All process and pleadings served upon the department in accordance with this section shall be in duplicate one copy shall be filed in the office of the department and the other immediately forwarded by registered mail to the main office of the applicant against whom or which said process or pleadings are directed.

Section 12 The fees to be charged by and paid to the department by licensees for all licenses issued shall unless otherwise provided herein be as follows:

(1) For each cemetery memorial dealer's license or renewal thereof a fee of twenty-five dollars ($25) for each additional office or place of business fifteen dollars ($15)

(2) For each license as cemetery memorial dealer or renewal thereof issued to an officer of a corporation or association or member of a copartnership other than the officer or member named in the license issued to such corporation association or copartnership a fee of ten dollars ($10).

(3) For each cemetery memorial salesman's license or renewal thereof a fee of ten dollars ($10).

The license fees for all licenses issued subsequent to the first day of March of any year shall be one-half of the annual license fee above provided The fees herein

prescribed for cemetery memorial dealer's and cemetery memorial salesmen's licenses or renewal shall be in addition to any and all other license fees or license taxes imposed or to be imposed upon cemetery memorial dealers and cemetery memorial salesmen by this Commonwealth or any subdivision thereof.

Section 13 (a) Every person copartnership association or corporation licensed as a cemetery memorial dealer under the provisions of this act shall be required to have and maintain a definite place of business within the Commonwealth which shall serve as his their or its office for the transaction of business under the authority of the said license and where the license shall be prominently displayed The said place of business shall be specified in the application for license and designated in the license and no license issued under the authority of this act shall authorize the licensee to transact business from any office other than that designated in the license unless notice in writing shall be given within ten days to the department of any change of business location designating the new location of such office whereupon the department shall forthwith issue a new license without charge for the new location for the unexpired period The change of the specified business location without notification to the department shall automatically cancel the license theretofore issued.

(b) All cemetery memorial dealers shall prominently display in their place and places of business the licenses of all cemetery memorial salesmen employed by them threein or in connection therewith All licenses issued to cemetery memorial salesmen shall designate the employer of such salesmen by name Prompt notice in writing within ten days shall be given to the department by the cemetery memorial salesmen of any change of employer and of the name of the new employer into whose service such salesman is about to enter or has entered and a new license shall thereupon be issued without charge by the department to such salesman for the unexpired term of the original license Every such new employer shall be a duly licensed cemetery memorial dealer The change of employer or employment by any licensed cemetery memorial salesman without notice to the department as aforesaid shall authomatically cancel the license to him therefore issued and it shall be the duty of the employer named in such license to notify the department promptly of any change of employer or employment.

Section 14 The board by the affirmative vote of three or more members thereof may refuse to grant refuse to renew suspend or revoke a license of any applicant or licensee for the following reasons:

(1) The practice of any fraud or deceit in obtaining or attempting to obtain a license or

(2) Conviction in a court of competent jurisdiction within five years prior to the issuance of the license or application for license of forgery embezzlement obtaining money under false pretenses extortion conspiracy to defraud or other like offenses or

(3) Continued or flagrant course of misrepresentation or making of false promises through salesmen or agents or

(4) Continued use of misleading advertising or

(5) Gross incompetency negligence or misconduct in the carrying on of the cemetery memorial business or

(6) Violation of or non-compliance with the provisions of this act or the rules and regulations of the board or

(7) Soliciting patronage other than by lawful advertising or paying a commission or agreeing to pay a commission to any person other than a licensed cemetery memorial salesman for soliciting or for business secured or

(8) Lending borrowing or using the license of another or knowingly aiding or abetting in any way the securing of a license improperly.

Section 15 No violation of any of the provisions of this act on the part of any cemetery memorial salesman or other employe of any licensed cemetery memorial dealer shall be ground for the revocation of the license of the employer of such salesman or employe unless it shall appear upon the hearing had that such employer had guilty knowledge of such violation A course of dealing shown to have been perisstently and consistently followed by such employe shall constitue prima facie evidence of such knowledge upon the part of his employer.

Section 16 (a) In the event of the revocation or suspension of the license issued to any member of a copartnership or to any officer of an association or corporation the license issued to such copartnership association or corporation shall be revoked by the department unless within a time fixed by the department where a copartnership the connection therewith of the member whose license has been revoked shall be severed and his interest in the copartnership and his share in its activities brought to an end or where an association or corporation the offending officer shall be discharged and shall have no further participation in its activities.

(b) Pending an investigation or proceeding before the department affecting any licensee and pending final decision upon any appeal taken byu a licensee from the ruling of the department the board may subject to the approval of the department issue a new license to such licensee or to a copartnership of which he is a member or employe or to an association or corporation of which he shall be an officer for the period of such investigation or proceeding.

(c) After the revocation of any license no new license shall be issued to the same licensee within a period of one year from and after the date of such revocation nor at any time thereafter except in the sole discretion of the department.

Section 17 Any applicant or licensee whose license has been refused suspended or revoked by the board shall within thirty days after the receipt of notice thereof have the right of appeal to the Court of Common Pleas of Dauphin County The action of the court shall be finial.

Section 18 All fees fines and penalties specified and imposed by this act shall be paid into the State Treasudy through the Department of Revenue and credited to the General Fund.

Section 19 Any person copartnership association or corporation who shall after the effective date of this act engage in or carry on the business or act in the capacity of a cemetery memorial dealer or a cemetery memorial salesman within this Commonwealth without a license or shall carry on or continue business after the suspension or revocation of any such license to him or it issued or shall employ any person as a cemetery memorial salesman to whom a license as a cemetery memorial salesman has not been issued or whose license as such shall have been revoked or suspended shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than two hundred and fifty dollars ($250) nor more than five hundred dollars ($500) and for a second and any subsequent offense shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000) or undergo imprisonment for period of not more than one year or both in the discretion of the court.

Section 20 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisioin not been included herein.

Section 21 This act shall become effective on the first day of September one thousand nine hundred and thirty seven.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 537, as follows:

An Act to amend section two hundred two of and to add section four hundred twenty-five and one-tenth to the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and all other assistants and employes of certain departments boards and commission shall be determined" by creating and providing for the appointment of the State Board of Examiners of Cemetery Memorial Dealers in the Department of Public Instruction and prescribing the powers and duties of such board

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section two hundred two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employe of certain department boards and commissions shall be determined" as amended by the act approved the first day of June one thousand nine hundred and thirty-one (P. L. 350) as relates to the Department of Public Instruction is hereby further amended to read as follows

In the Department of Public Instruction

State Council of Education
Pennsylvania State Board of Censors
Public School Employes' Retirement Board
Pennsylvania Historical Commission
Board of Trustees of Thaddeus Stevens Industrial School
Board of Trustees of Pennsylvania State Oral School for the Deaf
Board of Trustees of Home for Training in Speech of Deaf Children Before They are of School Age which shall hereafter be known as Board of Trustees of Home for Training in Speech of Deaf Children
Board of Trustees of Pennsylvania Soldiers' Orphan School
Board of Trustees of West Chester State Teachers' College
Board of Trustees of Lock Haven State Teachers' College
Board of Trustees of Kutztown State Teachers' College
Board of Trustees of East Stroudsburg State Teachers' College
Board of Trustees of Mansfield State Teachers' College
Board of Trustees of Bloomsburg State Teachers' College
Board of Trustees of Shippensburg State Teachers' College
Board of Trustees of Indiana State Teachers' College
Board of Trustees of California State Teachers' College
Board of Trustees of Slippery Rock State Teachers' College
Board of Trustees of Edinboro State Teachers' College
Board of Trustees of Clarion State Teachers' College
Board of Trustees of Cheyney Training School for Teachers
State Board of Medical Education and Licensure
State Board of Pharmacy
State Dental Council and Examining Board
State Board of Optometrical Examiners
State Board of Osteopathic Examiners
Osteopathic Surgeons' Examining Board
State Board of Examiners for the Registration of Nurses
State Board of Undertakers
State Board of Veterinary Medical Examiners
State Board for the Examination of Public Accountants
State Board of Examiners of Architects
Anthracite Mine Inspectors' Examining Board
Mine Inspectors' Examining Board for the Bituminous Coal Mines of Pennsylvania
State Registration Board for Professional Engineers
State Board of Examiners of Cemetery Memorial Dealers

Section 2 That said act is hereby amended by adding thereto after section four hundred twenty-five a new section to read as follows

Section 425.1 State Board of Examiners of Cemetery Memorial Dealers The State Board of Examiners of Cemetery Memorial Dealers shall consist of the Superintendent of Public Instruction ex officio and five members who shall be appointed by the Governor all of whom shall be citizens of the United States and residents of this Commonwealth and shall be cemetery memorial dealers who have been engaged in the cemetery memorial business in this Commonwealth during the five years immediately preceding the date of the appointment

The terms of members of the board shall be four years

Three members of the board shall constitute a quorum

The board shall select from their number annually a president and shall elect a secretary who need not be a member of the board

Each member of the board except the Superintendent of Public Instruction shall receive fifteen dollars per diem when actually attending to the work of the board and the secretary shall receive such reasonable compensation as shall be determined by the board with the approval of the Superintendent of Public Instruction

Section 3 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 613, (House Bill No. 749) on second reading, entitled:

An Act requiring county commissioners to provide at the expenses of the county telephone typewriter and stenographic services for the county superintendent of schools.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 668, as follows:

An Act to amend route 15176 of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing certain routes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That route 15176 of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by the act approved the twelfth day of July one thousand nine hundred and thirty-five (P. L. 806) is hereby amended to read as follows

Route 15176 Beginning at a point on Route 15084 about 0.7 of a mile west of an intersection with Route 134 and extending in a northerly direction through Pocopson Township to Route 15175 thence from a point on Route 15175 in a northerly and northeasterly direction through Pocopson Township to a point on Route [15083 about 1.0 mile northwest of Lenape in Chester County a distance of about 2.4 miles] 15084 about 0.6 of a mile south of Wawaset in Chester County a distance of about 1.7 miles.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 683, on second reading, entitled:

An Act to further amend sections six ten and twenty-nine of an act approved the thirty-first day of May, one thousand nine hundred and eleven (P. L. 468), entitled "An act providing for the establishment of a State Highway Department, by the appointment of a State Highway Commissioner, two Deputy State Highway Commissioners, chief engineer, chief draughtsman, superintendent of highways, and a staff of assistants and employes: defining their duties and the jurisdiction of the State Highway Department, and fixing salaries of commissioner and deputies and other appointees; providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats, principal cities, and towns and extending to the State line; describing and defining same by route numbers as the State Highways of the Commonwealth; providing for the improvement, maintenance and repair of said State Highways solely at the expense of the Commonwealth, and relieving the several townships or counties from any further obligation and expense to improve or maintain the same, and relieving said townships or counties of authority over same; requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part; requiring the State Highway Commissioner to make maps to be complete records thereof; conferring authority on the State Highway Commissioner; providing for the payment of damages in taking of property, or otherwise, in the improvement thereof; providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein, providing for work of improvement of State Highways to be done by contract, except where the State Highway Commissioner decides the work to be done by the State; providing aid by the State to counties and townships desiring the same in the improvement of township or county roads; defining highways and State-aid highways; providing method of application for State aid in the improvement, maintenance and repair of township or county roads and prescribing the contents of townships, county, borough, or incorporated town petitions; providing for percentage of cost of improvement or repairs to be paid by State, county, township, borough, or incorporated town and requiring contracts by counties townships, boroughs, and incorporated towns with Commonwealth governing same, providing for the minimum width of State Highways and State-aid highways, and kind of materials to be used in the improvement; providing for payment of cost of improvement and repairs; providing penalty for injuring or destroying State Highways; making appropriations to carry out the provisions of the act; and providing for the repeal of certain acts relating to Highway Department and improvement of roads, and of all acts or parts of acts inconsistent herewith; and providing that existing contracts are not affected by provisions of this act," by amending Route fifty-two by adding thereto borough bridges over mill races as the responsibility of the Department of Highways by providing that no assessment shall be made against the Commonwealth to assist in the reconstructing of any structure eliminating grade crossings; and by further authorizing the Attorney General, under certain conditions, to enter into agreements with townships for the payment, in installments, of certain claims of the Department of Highways against such townships for construction, reconstruction or maintenance of State highways.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE, Mr. President, I ask unanimous consent that Senate Bill No. 752, on second reading, entitled:

An Act to further amend section 624 of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789) entitled, "An act relating to insurance; establishing an Insurance Department; and amending, revising and consolidating the law relating to the licensing, qualification, regulation, examination, and dissolution of insurance companies, Lloyds associations reciprocal and interinsurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations, or exchanges; providing penalties, and repealing existing laws," so as to permit excess brokers to procure policies of casualty insurance from companies, associations or exchanges not authorized to do business in this Commonwealth when such insurance is not procurable from companies duly authorized to do business in this Commonwealth.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE, Mr. President, I ask unanimous consent that Senate Bill No. 778, on second reading ,entitled:

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred and twenty-nine (P. L. 682), entitled: "An act relating to insurance; amend-

ing, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties, and repealing existing laws," by amending subsection (e) of section 206 by reducing the maximum single risk permitted and increasing the cash premium to be held in cash or securities

go over in its order.

The PRESIDENT. Is there objection? The Chairs hears none.

Mr. OWLETT. Mr. President, I ask unanimous consent that Senate Bill No. 856, on second reading, entitled:

An Act providing that all appointments made by the county commissioners in counties of the first class shall be equally divided between the majority and minority commissioners, respectfuly submit the following bill as our report.

go over in its order.

The PERSIDENT. Is there objection? The Chairs hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 930, as follows:

An Act to repeal the laws relating to the Lancaster County Prison and relating to the election of a board of inspectors to manage said prison

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following acts and parts of acts relating to the Lancaster County Prison and the election of a board of inspectors to manage said prison viz

The act approved the nineteenth day of February one thousand eight hundred and fifty (P. L. 89) entitled "An act relative to the Lancaster county prison" and its amendments

Section nine of the act approved the fifteenth day of April one thousand eight hundred and fifty-one (P. L. 656) entitled "An act to incorporate the Spring Creek and Greene Plank Road Company relative to the courts in Columbia county to certain soldiers and widows of soldiers and to prison inspectors of Lancaster county"

The act approved the fourth day of April one thousand eight hundred and fifty-four (P. L. 267) entitled "An act supplementary to the act of nineteenth February Anno Dómini one thousand eight hundred and fifty relative to the Lancaster County Prison"

The act approved the seventh day of May one thouhand eight hundred and fifty-five (P. L. 486) entitled "A supplement to an act entitled 'An Act relative to the Lancaster County Prison'"

The act approved the first day of May one thousand eight hundred and sixty-one (P. L. 492) entitled "An act relative to the election of officers of the Lancaster County Prison and of the Poor and House of Employment"

The act approved the twenty-third day of March one thousand eight hundred and sixty-five (P. L. 614) entitled "An act repealing an act authorizing the inspectors of the Lancaster county prison to send vagrants insane and idiotic persons to the poor house of the said county for the unexpired term of their respective sentences approved March sixteenth Anno Domini one thousand eight hundred and sixty-one so far as relates to vagrants"

The act approved the twenty-sevent day of March one thousand eight hundred and sixty-six (P. L. 348) entitled "An act to increase the salaries of the inspectors of the Lancaster county prison"

The act approved the first day of April one thousand eight hundred and sixty-eight (P. L. 543) entitled "An act relative to the mileage of the inspectors of the Lancaster county prison"

The act approved the seventeenth day of February one thousand eight hundred and seventy-one (P. L. 74) entitled "A supplement to an act entitled 'An act relative to the Lancaster county prison' approved the nineteenth day of February one thousand eight hundred and fifty" be and the same are hereby repealed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1026, (House Bill No. 563), entitled:

An Act to amend the act, approved the twenty-second day of May one thousand nine hundred and thirty-three (P. L. 912), entitled "An act to protect the public health; defining and providing for the licensing of bakeries, and regulating the inspection, maintenance, and operation of bakeries and premises, stores and shops connected therewith; defining and regulating the manufacture, sale, and offering for sale of bakery products; conferring powers on the Department of Agriculture; and providing penalties;" requiring licenses for all bakeries; further regulating bakeries and the importation of bakery products; providing for injunction in certain cases; and changing the penalties prescribed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1087, as follows:

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as amended by changing the method of issuance of licenses and making further provisions for records and returns thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two hundred twenty of the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as last amended by the act approved the nineteenth day of June one thousand nine hundred thirty-five (P. L. 349) and the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1145) is hereby further amended to read as follows

Section 220 Resident Fishing License Fees For the purposes of this article every person sixteen years of age and upward upon application to any [county treasurer] issuing agent within the Commonwealth or to the Department of Revenue and [the presentation of proof] upon the establishment of his identity to the satisfaction of the issuing agent or the Departemnt of Revenue by producing

a bank book letters lodge cards police cards a motor vehicle operator's permit or some other positive means of identification that he has been a bona fide resident of this Commonwealth for a period of [thirty] sixty days next preceding his application and was born in the United States and in the case of naturalized foreign-born residents the production of such applicant's naturalization papers shall upon the payment to the [county treasurer] issuing agent or the Department of Revenue of a license fee of one dollar and fifty cents ($1.50) for the use of the Commonwealth and in the event that the license is issued by [the county treasurer] an issuing agent a fee of ten cents (10c) for the use of the [county treasurer] issuing agent be entitled to the license herein referred to as "a resident fishing license"

In case the license certificate is lost or destroyed a duplicate can be secured from the [county treasurer or the department] Department of Revenue by making affidavit to that effect In case the button is lost or destroyed the licensee can make a duplicate but in case both the license certificate and the button are lost or destroyed a new license and button must be purchased

Upon the making of an application by any person to the [department or county treasurer] Department of Revenue for a special license to catch eels by the use and operation of eel chutes and the payment of a fee of one dollar ($1.00) for the use of the Commonwealth [and ten cents for the use of the county treasurer where application is made to him] such person shall be entitled to a special eel chute license and a special metal tag which shall give him the right to use and operate an eel chute in the Susquehanna River below the boundary line of the city of Pittston and the Duryea Borough line on the north branch below the bridge at the Northumberland-Lycoming County line on the west branch in the Juniata River below Mount Union and in the Delaware River below Easton in accordance with the provisions of this act

Section 2 That section two hundred twenty-one of the said act as last amended by the act approved the seventeenth day of July one thousand nine hundred thirty-five (P. L. 1145) is hereby further amended to read as follows

Section 221 Non-resident and Alien Non-resident Fishing License Fees Tourist Fishing License Fees for Non-residents and Alien Non-residents A For the purposes of this article every person twelve years of age and upward upon application to any [county treasurer] issuing agent within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a non-resident of this Commonwealth but a citizen of the United States and in the case of naturalized foreign-born non-residents the production of such applicant's naturalization papers shall upon the payment to the [county treasurer] issuing agent or the [department] Department of Revenue of the same amount as is charged and received from non-residents by the State of which the applicant is a resident for a similar license (not however less in any case than two dollars and fifty cents ($2.50) and in the event that the license is issued by [a county treasurer] an issuing agent the payment of ten cents (10c) for the use of the [county treasurer] issuing agent be entitled to the license herein referred to as a "non-resident fishing license"

B For the purposes of this article every person twelve years of age and upward upon application to any [county treasurer] issuing agent within the Commonwealth or to the Department of Revenue and the presentation of proof that he is a non-resident of the Commonwealth but a citiben of the United States and in the case of naturalized foreign-born (non-resident] non-residents the production of such applicant's naturalization papers shall upon the payment to the [county treasurer] issuing agent or the [department] Department of Revenue of a license fee of one dollar and fifty cents ($1.50) for the use of the Commonwealth and in the event that the license is issued by [a county treasurer] an issuing agent a fee of ten cents (10c) for the use of the [county treasurer] issuing agent be entitled to the license herein referred to as a "tourist fishing license" which shall be valid for a period of three days

Section 3 That section two hundred twenty-three of the said act as amended by the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws four hundred fifty-one) is hereby further amended to read as follows

Section 223 [County Treasurer's] Issuing Agent's Record Every (county treasurer] issuing agent of this Commonwealth shall keep [in a book to be] on a printed form supplied by the Department of Revenue [at the cost of the Commonwealth] a correct and complete record of all resident and non-resident fishing licenses issued by him Every [county treasurer] issuing agent shall cause to be entered [in] on such [book] printed form at the close of each week the name and place of residence of each individual to whom a license shall have been issued that week Such [book] printed form shall be [open] available at reasonable hours [to] for the inspection of any officer of the Commonwealth whose duty it is by law to protect the fish in the waters of this Commonwealth or in the waters bounding or adjacent thereto [to] or of any representative of the Department of Revenue or [to] of any representative of the Department of the Auditor General

Section 4 That section two hundred twenty-four of the said act as last amended by the act approved the seventh day of May one thousand nine hundred thirty-five (Pamphlet Laws one hundred fifty) is hereby further amended to read as follows

Section 224 [Monthly] Weekly Returns of Licenses Issued by [County Treasurer] Issuing Agents Every [county treasurer] issuing agent of this Commonwealth shall each [month] week forward to the Department of Revenue a complete list of the resident and non-resident licenses granted with the names and addresses of the licensees on [blanks] forms to be furnished by the [department at the cost of the Commonwealth [Department of Revenue]

Section 5 That section two hundred twenty-five of the said act as amended by the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws four hundred fifty-one) is hereby further amended to read as follows

Section 225 [County Treasurer] Issuing Agent to Be Agent of the Commonwealth [Monthly] Weekly Payment to State Treasurer Duplicate Report The [county treasurers of] issuing agents in the several counties shall be agents of the Commonwealth for the collection of said license fees unless and until the Department of Revenue shall determine with the approval of the Governor to issue all of said licenses directly Provided That the Department of Revenue may recall the appointment of any agent at any time with or without cause and shall recall the appointment of any agent either upon receipt of evidence that such agent has not complied with the requirements of this act or upon receipt of a recommendation from the Commissioner of Fisheries that such agent be recalled because of carelessness in the issuance of licenses For services rendered in collecting and paying ovr the said fees the said issuing agents as long as they continue to act in that capacity shall be allowed to retain the sum of ten cents (10c) for each resident and non-resident fishing license which amount shall be full compensation for services rendered by them under the provisions of this act Such compensation shall be [disposed of] retained by the respective [county treasurers as may now or hereafter be provided by law] issuing agents said compensation to cover among other things the cost of issuing licenses postage mailing returns and bonding of said agents

All license fees except said [treasurer's] agent's fees paid to [a county treasurer] an issuing agent under this act shall be by such [treasurer] agent paid into the State Treasury through the Department of Revenue at least once a [month] week to be applied to the purposes hereinafter provided Such [county treasurer] issuing agent shall make a return to the Department of Revenue upon a form to be supplied by the [department at the cost of the Commonwealth] Department of Revenue and shall in all such cases forward a duplicate of such report to the [department] Commissioner of Fisheries at Harrisburg

Every agent designated to issue fishing licenses unless already under bond to the Commonwealth in connection with public funds shall give bond to the Commonwealth

in the sum of one thousand dollars ($1,000) before the annual supply of licenses is delivered to him

Section 6 That section two hundred twenty-seven of the said act is hereby amended to read as follows

Section 227 Loan and Transfer of License Prohibited False Information No person shall alter loan or transfer any license authorized by this act nor give any false or misleading information to the [county treasurer] issuing agents or to the [Commissioner his] Department of Revenue its officers or agents in the application therefor

Section 7 All acts or parts of acts inconsistent with the provisions hereof are hereby repealed

Section 8 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HUFFMAN. Mr. President, I ask unanimous consent that Senate Bill No. 1102, (House Bill No. 1504), on second reading, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and thirteen (P. L. 138) entitled "An act defining vocationa education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State by further defining and extending the scope of vocational education and enlarging the provisions for State subsidies under certain conditions.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1144, as follows:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by providing that certain companies shall not be subject to the tax

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporatinos" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" as last amended by act number sixty approved the eighth day of April one thousand nine hundred thirty-seven to be and the same is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That from and after the passage of this act every company incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth one thousand eight hundred and seventy-four and its supplements or any other act of Assembly heretofore or hereafter approved for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and every company entitled to benefits of and every company having any of the powers of companies entitled to the benefits of an act entitled "An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto" approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies and every company organized as a bank and trust compnay or as a trust company under any act of Assembly heretofore or hereafter approved except any such companies all of the shares of capital stock of which (other than shares necessary to qualify directors' are owned by a company which is liable to pay to the Commonwealth a tax on shares shall on or before the fifteenth day of February in each and every year make to the Department of Revenue a report in writing setting forth the full number of shares of the capital stock subscribed for or issued by such company and the actual value thereof as of December thirty-first preceding which shall be ascertained as hereinafter provided and thereupon it shall be the duty of the Department of Revenue for the calendar year ending December thirty-first one thousand nine hundred thirty-six to assess such shares for taxation at the rate of eight mills upon each dollar of the actual value thereof and thereafter at the rate of eight mills upon each dollar of the actual value thereof The actual value of each share of stock to be ascertained and fixed by adding together the amount of capital stock paid in the surplus and undivided profits and dividing this amount by the number of shares

It shall be the duty of every such company within a period of sixty days after the date of such settlement by the Department of Revenue to collect the amount of said

tax from its shareholders and pay the same to the State Treasurer through the Department of Revenue Provided That upon the payment of the tax fixed by this act into the State Treasury through the Department of Revenue the shares and so much of the capital stock surplus profits and deposits of such company as shall not be invested in real estate shall be exempt from all other taxation under the laws of this Commonwealth The procedure in case the Department of Revenue be not satisfied with the report made by any title insurance or trust company and the penalties for failing to make such report and pay the tax shall be as provided by law

Section 2 If any provisions of this act relieving any corporation in whole or in part from the payment of the tax imposed by this act is declared unconstitutional by final judgment order or decree of a court of competent jurisdiction or if any such provision is declared by a final judgment order or decree of a court of competent jurisdiction to discriminate against United States securities in such a manner as to require an exemption or deduction of the same proportionate or otherwise in the imposition assessment or settlement of the tax or to impose tax upon moneyed capital in the hands of individual citizens of this Commonwealth coming into competition with the business of national banks at a lesser rate than is imposed on shares of national banks the Legislature hereby declares its intent that any such provision shall thereupon become inoperative and inapplicable from the effective date of this act and the corporations subject to the tax imposed by this act shall for that period and thereafter be taxed to the same extent and in the same manner as if any such provision had not been enacted

Section 3 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. KILGALLEN. Mr. President, I ask unanimous consent that Senate Bill No. 1159, on second reading, entitled:

An Act to amend subsection (e) of section 206 of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by providing minimum capital and financial requirements to do business for title insurance companies.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1160, as follows:

An Act to further amend Article VI of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by adding thereto sub-article VI (h) consisting of Sections 685 (six hundred and eighty-five) to 696 (six hundred and ninety-six) inclusive defining the specific powers and financial requirements of title insurance companies and providing for the regulation and supervision thereof and prohibiting the guaranteeing of mortgages by such companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Article VI of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended by adding thereto sub-article VI (h) consisting of Sections 685 (six hundred and eighty-five) to 696 (six hundred and ninety-six) to read as follows

Section 685 Specific Powers and Financial Requirements of Title Insurance Companies A Title insurance companies shall have the power to make insurances of every kind pertaining to or connected with titles to real estate and to make execute and perfect such and so many contracts agreements policies and other instruments as may be required therefor such insurances to be made for the benefit of owners of real estate mortgagees and others interested in real estate fom loss by reason of defective titles liens and encumbrances

B In addition to the general power of companies to receive and hold real estate title insurance companies shall have the power to take receive and hold any and all such pieces of real property as may have been or may hereafter be the subject of any insurance made by such companies under the powers hereinbefore recited whether given by law or by charter and the same to grant lease bargain sell convey and dispose of in any manner as they see proper

C Title Insurance companies shall have a paid-in capital of not less than two hundred fifty thousand dollars and in addition a surplus paid-in at least equal to fifty per centum of the paid-in capital

Section 686 Power to Insure Titles to Real Estate Loss of Power A Every corporation which upon the effective date of this act shall lawfully possess and which has within one year prior to such date exercised the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances shall subject to the conditions herein prescribed continue to possess such power

B Every corporation which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances but which does not hereafter exercise such power for any consecutive period of one year shall be forever barred from the exercise of such power

Section 687 Power to Accept Deposits Loss of Title Insurance Powers If any corporation which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances and also the further powers to receive deposits or otherwise to engage in a banking business shall not have exercised within one year preceding the effective date of this act any of such further powers then every such corporation which shall again exercise such further powers to receive deposits or otherwise engage in a banking business shall

make no further contracts or policies of title insurance If any such corporation shall not hereafter exercise any of such further powers for any consecutive period of one year then each such corporation which shall again exercise such further powers to receive deposits or otherwise engage in a banking business shall make no further contracts or policies of title insurance

Section 688 Power to Act as a Fiduciary Loss of Title Insurance Powers If any corporation which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances and also the further power to act as trustees guardian executor administrator or in any other similar fiduciary capacity shall not have exercised within one year preceding the effective date of this act any of such further powers then every such corporation which shall again xercise any of such further powers shall make no further contracts or policies of title insurance If any such corporation shall not hereafter exercise any of such further powers for any consecutive period of one year then each such corporation which shall again exercise any of such further powers shall make no further contracts or policies of title insurance

Section 689 Prohibition Upon Guaranteeing Mortgages A title insurance company shall not in any manner whatsoever guarantee the payment of the principal of the interest of bonds or other obligations secured by mortgages upon real property This section shall not however be construed to affect contracts and policies guaranteeing the payment of the principal or the interest of bonds or other obligations secured by mortgages upon real property when such contracts and policies have been lawfully executed by a title insurance company and are valid and outstanding upon the effective date of this act or any continuation extension or renewal thereof

Section 690 Establishment and Maintenance of Reinsurance Reserve Fund Each company which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances shall establish and maintain a reinsurance reserve fund by setting aside a sum equal to ten per centum of the premium (that is the sum charged for insurance over and above examination and settlement fee) paid on each policy which such company may hereafter issue until the total amount set aside (including any reserve heretofore set up under any prior Act of Assembly) shall equal the sum of two hundred fifty thousand dollars and thereafter shall set aside a sum equal to five per centum of such premiums until the total amount shall equal a sum not less than five hundred thousand dollars and thereafter shall set aside a sum equal to two and one-half per centum of such premiums provided that such premiums shall not be less than one-quarter of one per centum on the amount of insurance as issued or if less than one-quarter of one per centum the amount set aside shall be equal to two and one-half per centum of said one-quarter of one per centum provded that the total reserve fund or amounts in excess of that required by the foregoing provisions may be set aside at any time or from time to time out of such surplus or undivided profits as may be available for that purpose in accordance with existing law or the regulations of the Department of Banking and provided further that any company which at the time of the effective date of this act has set aside and is maintaining an insurance reserve fund as required by the Act of April 26 1929 Pamphlet Laws 834 is hereby emopewered to use the same as part of the reserve required to be set up and maintained by this act The reserve fund set up by any company shall be maintained as herein provided so long as any policies shall be outstanding

Section 691 Cancellation of Policy Whenever any policy of title insurance hereafter issued is surrendered or cancelled by the helder or liability thereon is completely discharged the company which shall have issued such policy of title insurance may withdraw the reserve of such policy or credit such reserve against any reserve that may be due

Section 692 Establishment and Maintenance of Reserve Fund for Unpaid Losses Each company which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles and encumbrances shall at all times maintain reserve funds for unpaid losses in addition to funds for other reserves and liabilities and shall calculate said reserves by making a careful estimate in each case of the loss likely to be incurred by reason of every claim presented or that may be presented pursuant to notice from or on behalf of the insured of the occurrence of an event that may result in a loss The sum of the items so estimated shall be the total amount of the reserves for unpaid losses of said insurer

Section 693 Custody of Reserve Funds A The custody of funds equal in amount to the sum of the reinsurance reserve liability and the reserve for unpaid losses shall be detained by each company which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances and the said funds shall be earmarked and kept separate and apart from other assets of the company in the manner hereinafter provded The supervision of said funds shall be under the Insurance Commissioner whether the business of the company be confined exclusively to the title insurance business or whether the business of the company shall include in addition to the title insurance business a banking business or the business of acting in a fiduciary capacity

B Said reserve funds of each such company shall be invested by each such company in those investments authorized by law for the investment of the reserve funds of life insurance companies

C The income from said reserve funds shall become a part of the general assets of the company

Section 694 Trust Funds Depletion of Reserve Funds A The principal of such reserve funds shall be a trust for the protection of the policyholders and shall be applied only for the benefit of the holders of policies of title insurance

B If by reason of losses depreciation in the market price of any investments or other cause the reserve funds of any such company should on any date be less than the minimum amount herein required to be maintained in such reserve funds on such date such company shall forthwith give written notice thereof to the Insurance Commissioner and shall make no further contracts or policies of title insurance until the reserve funds have been restored and until it shall have received a certificate from the Insurance Commissioner authorizing it to issue such policies

Section 695 Limit of Net Retention No such company shall issue a policy of title insurance for a single transaction the liability under which shall exceed an amount which is ten times the capital and surplus of such company but nothing herein contained shall prevent any one or more of such companies from assuming the liability on a single policy jointly with another such company or companies in excess of ten times its capital and surplus provided that the total amount of such insurance shall not exceed ten times the total combined capital and surplus of all such companies liable under such insurance and provided that each such company shall not assume more than its proportionate share of the total amount at risk

Section 696 Additional Requirements Except for the requirements of this article all of the laws rules and regulations pertaining to stock casualty insurance companies shall apply and shall be applied to title insurance companies

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1161, as follows:

An Act to amend section 101 of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and re insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by including title insurance companies within the definition of the word "company" as used in the act

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section 101 of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by the State Workmens Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows.

Section 101 Certain Words Defined the Word "company" as used in this act shall be construed to include incorporated insurance companies only and title insurance companies whether incorporated under the laws of this Commonwealth or any other state territory or district or under the laws of any foreign country

Except where otherwise indicated the word "association" as used in this act shall be construed to include only individuals partnerships or associations of individuals authorized to engage in the business of insurance in the Commonwealth as insurers on the Lloyds plan

The word "exchange" as used in this act shall be construed to include only individuals partnerships and corporations authorized by the laws of the Commonwealth to exchange with each other inter-insurance or reciprocal insurance contracts.

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1206, (House Bill No. 1997), entitled:

An Act to amend sections one and two of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred fifty) entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fire and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties" conferring police and building inspection powers on assistants appointed by the superintendent of State Police.

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1210, as follows:

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor to enter into contract with persons firms or corporations to erect an office building and to lease such office building for the use of the Commonwealth the same to become the property of the Commonwealth upon termination of said lease

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Property and Supplies with the approval of the Governor shall have power to enter into contract with any person firm or corporation which shall agree to erect within the city of Pittsburgh or the County of Allegheny at a location suitable to the Governor and the Secretary of Property and Supplies a suitable office building for the use of agencies of the Commonwealth and to agree on behalf of the Commonwealth of Pennsylvania to lease said building for a period of thirty years from the time of the completion thereof at such rental and subject to such terms and conditions as may be agreed upon No such contract shall be entered into until the plans and specifications for such proposed building shall have been approved by the Department of Property and Supplies Any such contract shall provide that upon the termination of said thirty years lease the building so constructed and the ground upon which the same is situated shall become the property of the Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered. To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1214, as follows:

An Act to repeal section two of the act approved the first day of April one thousand seven hundred and ninety-seven (3 Smith's Laws 294) entitled "An act to regulate the manner of selling loaf bread and to repeal certain existing laws respecting the same"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the first day of April one thousand seven hundred and ninety-seven (3 Smith's Laws 294) entitled "An act to regulate the manner of selling loaf bread and to repeal certain existing laws respecting the same" is hereby repealed.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1217, as follows:

An Act to enable the Courts of Quarter Sessions to restore to the possession and ownership of former owners thereof certain intoxicating liquors seized for violation of law notwithstanding the conviction of the owner of said liquor of an offense in respect thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when any intoxicating liquor manufactured before the effective date of the Eighteenth Amendment and lawfully possessed on the twenty-seventh day of March one thousand nine hundred and twenty-three was thereafter seized for a violation of the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws 34) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws" but has not been condemned as provided by section eleven-B of said act or finally disposed of as provided by said act and remains in the custody of a public officer the Court of Quarter Sessions of the county in which such liquor was seized and which it is held may order and direct that the said liquor be returned and restored to the possession and ownership of the person who was the owner thereof at the time it was seized or his personal representatives notwithstanding the conviction of the said owner for a violation of the said act in respect of said liquor

Section 2 Any person desiring to have restored to him any such liquor shall proceed by petition whereupon the court shall fix a date for a hearing of which notice shall be given to the person or persons having possession of the liquor the district attorney and such other persons as the court may direct

Section 3 The said liquor if vinous or spiritous shall be subject to the tax imposed by law on the same and be paid before possession is restored but without penalty or interest except that if not paid within three months it shall bear interest at the rate of six percent per annum

Section 4 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1229, as follows:

An Act to repeal section thirty of the act approved the first day of May one thousand eight hundred sixty-one (Pamphlet Laws four hundred fifty) entitled "An act relating to Allegheny County"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section thirty of the act approved the first day of May one thousand eight hundred sixty-one (Pamphlet Laws four hundred fifty entitled "An act relating to Allegheny County" be and the same is hereby repealed

Section 2 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO RECOMMIT BILL

Mr. FREY. Mr. President, I move that Senate Bill No. 1240, (House Bill No. 947), on second reading, entitled:

An Act to amend section three of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred sixty-five) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the thrid class providing penalties for violation of the provisions of this act and repealing certain acts" as amended requiring buildings to be equipped with certain equipment in connection with gas meters to prevent or retard the escape of gas.

be recommitted to the Committee on State Government.

Mr. OWLETT. Mr. President, I second the motion.

On the question.

Will the Senate agree to the motion?

Mr. EROE. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. Frey.

The PRESIDENT. Will the Senator from Allegheny, Mr. Frey, permit himself to be interrogated?

Mr. FREY. Mr. President, I will.

Mr. EROE. Mr. President, will the Senator state the purpose of recommitting this bill?

Mr. FREY. Mr. President, for the purpose of further study.

Mr. EROE. Mr. President, what is the purpose of further study? What does the Senator want to study about it?

Mr. FREY. Mr. President, in my opinion it needs further study.

BILL OVER IN ORDER

Mr. EROE. Mr. President, I ask unaminous consent that the bill go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREY. Mr. President, I withdraw my motion to recommit.

Mr. OWLETT. Mr. President, I withdraw my second.

The PRESIDENT. Is there objection to the bill going over in its order. The Chair hears none.

BILL ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1245, as follows:

An Act to define and regulate as a profession and in the public interest the practice of public accountancy to prohibit the practice of public accountancy by unauthorized persons to establish the Pennsylvania State Board of Accountancy to grant to the board usual and necessary administrative powers to define the status of a certified public accountant to provide for granting and issuing certificates and registration cards to accountants who qualify under and comply with the provisions of this act to provide for revoking and cancelling or suspending certificates and registration cards to prescribe the conditions under which partnerships may engage

in the practice of public accountancy to fix the fees to be paid to the State for certificates and registration card to provide for the annual publication of the names and addresses of the presons and partnerships engaging in the practice of public accountancy to determine the ownership of professional papers defining privileged communications and information to receognize certain specifically limited exemptions to provide penalties for for violation of the provisions of this act conferring jurisdiction on Common Pleas Courts to restrain violations and to repeal all acts and parts of acts inconsistent with the provisions thereof.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Governor of the State of Pennsylvania shall appoint a board of five examiners for the examination of persons applying for certification under this act Two shall be appointed from the eastern part and two from the western part and one from the central part of the State Four of said examiners shall be certified public accountants each holding a degree of same from the Commonwealth of Pennsylvania one of whom shall be appointed for the term of one year one for two years and one for three years and one for four years and upon the expiration of each of the said terms an examiner shall be appointed for the term of four years the other examiner shall be a practicing attorney in good standing in any of the courts of the State of Pennsylvania He shall be appointed for a term of four years Each member of the board shall serve until his successor qualifies.

Section 2 The board being charged with the responsibility for the administration of this act shall have the power to design and use a seal compel the attendance of witnesses administer oaths take testimony and receive proofs concerning all matters within the jurisdiction It shall formulate rules not inconsistent with the provisions of this act and print the same for distribution Every person practising as a public accountant in the State as described in section five shall be governed and controlled by the rules adopted by the board.

Section 3 The board shall annually elect one of its members as chairman one as vice-chairman and one as secretary-treasurer It shall make an annual report to the Governor. It shall keep all applications filed all documents under oath a record of its proceedings and shall maintain a register of all the names and addresses of all persons applying for and of those receiving certificates under this act any of which or a certified copy thereof shall be prima facie evidence of all matters covered by them The board may appoint or employ a clerk whenever in its judgment such services are needed.

Section 4 The board shall in August of each year prepare a printed register which shall contain in addition to such other material as the board shall determine a copy of this act and on alphabetical list by cities of the names professional or business connections and addresses of all accountants and an alphabetical list of partnerships The name of each holder of a certificate as a certified public accountant shall be followed by the initials C P A and partnerships all members and resident managers of which are certified public accountants shall be designated as C P A's A register shall be mailed to every holder of a certificate card to every county clerk city clerk judge bank cashier and to such other persons or concerns in the State as the board in its discretion may determine is for the public welfare The register shall contain at the beginning the following statement "Any person receiving this register is requested to send to the Secretary of the Pennsylvania State Board of Accountancy the name and address of any person partnership or corporation suspected of practising public accountancy whose name does not appear in the lists herein The names of persons giving such information will not be divulged"

Section 5 A person either individually or as a member of a partnership or of a corporation shall be deemed to be in professional practice of public accountancy within the meaning and intent of this act.

(a) Who holds himself or herself out to the public in any manner as one who is skilled in the knowledge science and practice of accountancy and as qualified to render professional service therein as a public accountant for sompensation. or

(b) Who except as an employe of a holder of a permit issued by the board practices amounting as distinguished from bookkeeping for more than one employer or.

(c) Who offers to perform for compensation or who does perform for compensation professional services that involve or require an audit examination verification investigation or review of financial transactions and accounting records or

(d) Who prepares and/or certifies reports of audits or examinations of books or records of account balance sheets and other financial accounting and related schedules exhibits statements or reports which are to be used for publication for credit purposes for the information of partners directors or stockholders for prospective investors or are to be filed with a court of law or with any other government agency or are to be used with third persons for any purpose or.

(e) Who in general or an incident to such work renders professional services or assistance for compensation in any of all matters relating to accounting procedure and the recording presentation and certification of financial data.

Section 6 No person may legally practice in this State as a public accountant either in his or her own name under an assumed name as a member of a partnership as an officer of a corporation or as an employe except as provided in section nineteen unless he be registered and receive a registration card os provided herein.

Section 7 Any person who has received from the board a certificate to practice as a certified public accountant as hereinafter provided shall be styled and known as a "certified public accountant" and no other persons shall assume to use such title or the abbreviation C P A or any other word words or letters to indicate that the person using the same is a certified public accountant Any person who has received from the board a registration card as hereinafter provided shall be styled and known as a "public accountant" and no other person shall assume to use such designation or any other word words or letters to indicate that such person is entitled to practice as a publice accountant The terms "chartered accountant" and 'certified accountant" and the abbreviation "C A" are specifically prohibited as being prima facie misleading to the public The term "registered public accountant" and the abbreviation "P A" and "R P A" are also prohibited.

Section 8 Any partnership every member and the resident manager of which is a certified public accountant holding a C P A certificate issued by this State may use the designation "certified public accountant" in connection with the name provided that whenever the partnership name is so used except in directory listing and/or on personal business cards the names of all members and managers thereof resident in this State shall be indicated

Section 9 A corporation may not practice public accountancy in the State and the State shall not accept for filing purposes articles of incorporation listing such practice as one of its objects.

Section 10 Applicants for a certificate as a certified public accountant or for a registration card must be citizens of the United States who reside within the State or who maintain an office therein for the regular practice of public accountancy who are over the age of twenty-one years and of good moral character.

Section 11 (a) The boara shall issue a registration card as a public accountant to each applicant who has passed a satisfactory examination in theory of accounts practical accounting auditing commercial law economics and public finance including taxation and in such other related subjects as the board may deem necessary to maintain a high standard of proficiency in the profession provided the applicant has complied with the requirements of this act and the rules of the board Within sixty days after each

examination the board shall report to each examinee the result of his or her examination.

(b) An applicant shall be admitted to examination if he shall satisfy the board that he has a high school education or its equivalent and three years of education in accounting and related subjects which may be obtained in a college or school of accountancy approved by the board or by means of a course of self-study approved by the board.

(c) After the applicant shall have passed an examination he may make application for a certificate as a certfiied public accountant The board shall grant such certificate upon due proof that he has had two years of accounting experience before or after said examination Such experience may be obtained in public practice or in the employ of a public accountant or certified public accountant.

Section 12 All statements records schedules and memoranda commonly known as "working papers" made by a certified public accountant or a public accountant or by an employe of either incident to or in the course of professional service to clients except reports delivered to a client shall be and remain the property of such certified public accountant or public accountant in the absence of a written agreement between the accountant and the client to the contrary.

Section 13 In accordance with the law certified public accountants of other States of the United States who have been certified for at least one year may be recommended for certification at the discretion of the board without any examination Each case will be passed upon individually by the board but no such recommendation for certification shall be made unless the applicant is a citizen of the United States and has resided in and been employed in a bona fide office for the transaction of public accountancy in Pennsylvania for at least one year immediately preceding the date or time of such application and has fully complied with all other requirements of applicants for examination Each applicant for a reciprocal certificate must present himself in person to the secretary or some member of the board.

Section 14 The board shall issue a registration card to practice as a public accountant to each applicant before November first one thousand nine hundred and thirty-seven who furnishes satisfactory evidencee that he or she was maintaining in the State an office for the practice of public accountancy on his or her own account at the time of the introduction of this act and who has been in continuous practice during the whole or a major portion of the regular business hours of each day as a public accountant in the State since that time or that he or she has been in responsible charge of accounting engagements as an employed member of the staff of a certified public accountant or public accountant of a partnership of certified public accountants or of public accountants practicing public accountancy in the State for a period of at least four years immediately preceding the passage of this act The board shall require the same information from each applicant for a registration card as it requires from an applicant for a certificate as a certified public accountant Applicants for registration cards shall comply with the requirements of this act and the rules of the board in so far as they are applicable No registration card under this section shall be granted after November first one thousand nine hundred and thirty-seven registration cards confer the legal right to practice as a public accountant but do not confer any other title or designation.

Section 15 Except by written permission of the client or the heirs successors or legal representatives of such client a certified public accountant or a public accountant or a person employed by either shall not be required to and shall not voluntarily disclose or divulge information of which he or she may have become possessed relative to and in connection with any audit examination verification investigation review or report on any books records or accounts which he or she may have made or have been employed in making The information derived from or as the result of such professional service shall be deemed confidential and privileged Provided however That nothing in this section may be taken or construed as modifying changing or affecting the criminal or bankruptcy laws of this State or of the United States.

Section 16 Any person

(a) Who shall use any other term than certified public accountant or the abbreviation C P A to indicate that he or she is a public accountant with a special title or

(b) Who shall announce by printed or written statement that he or she holds membership in any society association or organization of professional public accountants unless such society association or organization has been officially recognized by the board or.

(c) Who shall as a member of a partnership announce either in writing or by printing that the partnership is practicing as "certified public accountants" unless all members and the resident managers are holders of valid and unrevoked C P A certificates issued by or under the authority of this State or.

(d) Who shall as a member of a partnership announce either in writing or by printing that the partnership is practicing as "public accountants" unless all members and managers resident in the State are holders of certificates or cards granted by the board and the partnership is registered with the board or.

(e) Who shall as an officer of a corporation allow it to practice as a public accountant or.

(f) Who holds himself or herself out to the public as a certified public accountant unless he or she has received a certificate as such from the board or.

(g) Who holds himself or herself out to the public as a public accountant unless he or she has received a registration card from the board or.

(h) Who continues to hold himself or herself out to the public as a certified public accountant or as a public accountant after his or her certificate or card has been revoked or cancelled or is under suspension or.

(i) Who shall sell buy or give or obtain an alleged certificate as a certified public accountant or a registration card in any other manner than is provided for in this act or.

(j) Who shall attempt to practice under guise of a certificate registration card or permit not issued by this board or under cover of a certificate registration card or permit obtained illegally or fraudulently or.

(k) Who shall execute and/or issue or deliver any false or fraudulent report certificate exhibit schedule or statement or.

(l) Who shall attempt by any subterfuge to evade the provisions of this act while practicing public accountancy or.

(m) Who shall as an individual or as a partner or as an officer or a corporation business or governmental announce or allow to be announced in any manner that a certificate report exhibit schedule or statement had been prepared by a person who was not a regular employe Shall be decmed guilty of a misdemeanor the penalty for which shall not be more than five hundred dollars for each offense or imprisonment in the county jail for a period not exceeding six months or by both such fine and imprisonment at the discretion of the court.

Section 17 Any certificates card or permit issued by the board may be revoked and cancelled or suspended for a definite period or the holder thereof may be officially censured by the board after a hearing for reasons indicated in section sixteen or for any other cause which it may beem sufficient or it may direct that action at court be brought or it may both revoke or suspend or censure and institute action at court Provided That written notice shall have been mailed to the holder of such certificate card or permit at his or her last known address at least thirty days before any hearing thereon stating the charge which has been preferred and appointing a time for a hearing by the board At such hearings the Attorney General or an assistant designated by him shall be present and represent the interests of the Commonwealth The certificate holder shall have the right to be represented by counsel No action of said board however revoking cancelling or suspending such certificate card or

permit for any offense other than those enumerated in section sixteen upon which there shall have been a prior conviction unappealed from shall be operative if the person or partnership whose certificate card or permit shall have been so revoked cancelled or suspended shall file in the proper court of the county of which such person or partnership is a resident or in which an office is maintained a petition setting forth the facts of such revoking cancelling or suspending of such certificate card or permit and praying the court for a hearing on the charges preferred against the holder of such certificate card or permit and praying for an order to show cause directed against said board and requiring said board to appear and plead to said petition in the same manner as in actions at law Said matters shall thereupon proceed to hearing denovo and decree The burden of proof of such charges shall be upon said board At all such hearings the Attorney General or an assistant designated by him shall be present and represent the interests of the Commonwealth The costs may be taxed against the Commonwealth If the prayer of such petition be granted the action and order of said board revoking cancelling or suspending such certificate card or permit shall thereupon become void and of no effect If the prayer of said petition be denied the action and order of said board shall become effective and no appeal shall lie.

Section 18 (a) The display of a card sign advertisement a directory listing or the issuance of a letterhead bearing a persons's name as a practitioner of accountancy as described in section five shall be presumptive evidence by implication in any hearing or prosecution against such person that the person whose name is so carried thereon is responsible for the same and that he or she is announcing himself or herself thereby to practice public accountancy In any hearing or prosecution under this act the proof of a single act prohibited by law shall be sufficient without proving a general course of conduct.

(b) The Common Pleas Court of any county where the violation occurs shall have jurisdiction upon application by the board or any association of accountants or other interested person to restrain continued or threatened violations of this act.

Section 19 Nothing contained in this act shall apply to the holder of a certificate as a certified public accountant granted by another State who may be temporarily in this State on professional business incident to his or her regular practice in his State.

Nothing contained in this act shall prevent the employment by a certified public accountant or by a public accountant or by a partnership furnishing public accountancy service as principal of non-registered persons to serve as accountants in various capacities as needed Provided That such employes do not issue statements or reports over their own names except such inter office reports as are necessary and customary And provided further That such persons are not in any manner held out to the public as public accountants as described in section five.

Nothing contained in this act shall imply that a practicing attorney who in connection with his professional work prepares financial reports or presents accounting records of a form or character usually prepared and presented by attorneys or accountants has become a public accountant within the meaning of this act as described in section five.

Nothing contained in this act shall apply to any person who may be regularly employed for part-time by more than one person partnership or corporation for the purpose of keeping books making trial balances or statements and making such internal audits and preparing such reports thereof as would ordinarily be made by a full time employe for the sole use of the managers or owners provided the audits or reports are not prepared in a manner or form that will permit their use or issuance by such managers or owners with third parties as having been prepared by a public accountant.

Section 20 The provisions of this act shall not be construed to invalidate any certificates heretofore granted under the laws of this Commonwealth.

Section 21 Should the courts of this State or of the United States declare any provisions of this act unconstitutional illegal or void such decision shall not invalidate any other provision of this act.

Section 22 All acts or parts of acts in anywise inconsistent herewith are hereby repealed.

Section 23 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. LAW. Mr. President, I move that Senate Bill No. 1261, on second reading, entitled:

An Act to amend the act approved the eighteenth day of April, one thousand nine hundred and twenty-nine (P. L. 549) entitled "An act to permit the use of voting machines for recording the computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" by adding a new section thereto 11-A providing that in counties of the first class all appointments shall be equally divided between majority and minority commissioners.

be recommitted to the Committee on Elections.

Mr. OWLETT. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1263, as follows:

An Act to amend Route Two Hundred and Ninety-Eight of section one of an act approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred forty-eight) entitled "An act establishing certain public roads as State highways and providing for certain construction and maintenance at the expense of the Commonwealth"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Route Two Hundred and Ninety-Eight of section one of an act approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred forty-eight) entitled "An act establishing certain public roads as State highway and providing for certain construction and maintenance at the expense of the Commonwealth" is hereby amended to read as follows

Route Two Hundred and Ninety-Eight A certain public road beginning at [the] a point on Route Forty-two in Gettysburg [National Park] and running thence by way of Greenmount over the Emmittsburg road to a point on the division line between the State of Maryland and Pennsylvania about one mile north of Emmittsburg

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that Senate Bill No. 1268, on second reading, entitled:

An Act requiring certain candidates at primary elections to be enrolled as members of the political party whose nomination they seek.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1297, (House Bill No. 1000) on second reading, entitled:

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto

go over in its order.

The PRESIDENT. It there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1298, as follows:

An Act to amend sections one and two of the act approved the seventh day of August one thousand nine hundred thirty-six (Pamphlet Laws 126) entitled "An act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs alterations and additions to and replacement of existing buildings and equipment" authorizing the use of said appropriation to remove hazards to health

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one and two of the act approved the seventh day of August one thousand nine hundred thirty-six (Pamphlet Laws 126) entitled "An act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs alterations and additions to and replacement of existing buildings and equipment" are hereby amended to read as follows

Section 1 Be it enacted etc That the sum of one million two hundred twenty-five thousand dollars ($1,225,000) is hereby appropriated to the Department of Property and Supplies for the following purposes

For eliminating fire and other hazards to safety and health at State-owned institutions including repairs alterations additions to or replacement of existing buildings and the purchase of fire or other safety equipment the sum of five hundred thousand dollars ($500,000)

For the erection construction and equipment of buildings to comprise a farm colony at the Pennsylvania Industrial School at Huntingdon on lands of said school designated by the Secretary of Welfare the sum of seventy-five thousand dollars ($75,000)

For increasing the capacity of State-owned institutions under the supervision of the Department of Health by the erection and construction of new buildings or by repairs alterations or additions to existing buildings the sum of one hundred and fifty thousand dollars ($150,000)

For the erection and construction of new armories and other buildings and repairs alterations additions to and replacement of existing armories and other buildings under the supervision of the Department of Military Affairs including buildings and utilities at the State Military Reservation the sum of five hundred thousand dollars ($500,000)

Section 2 Within the meaning of this act the erection and construction of or alterations or additions to buildings shall include the installation or replacement of fittings and equipment affixed to buildings and the installation or replacement of heating systems and heating sewage and other service lines within the grounds of an institution and beyond the said grounds to points where proper connections can be made armory or stable for the accommodation of a building or buildings and the foregoing appropriations be and the same are hereby made available for the payment of the cost of necessary plans specifications advertising for bids supervision and architectural and engineering fees required for the purposes of this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1299, as follows:

An Act making an appropriation to the Department of Property and Supplies for the construction of a sewer at the East Stroudsburg State Teachers' College

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the construction of a sewer from the East Stroudsburg State Teachers' College to a connection with the sewerage system of the Borough of Stroudsburg in Monroe County and for the payment of plans and specifications therefor and engineering and inspection costs in connection therewith

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1300, as follows:

An Act to amend section eleven of the act approved the tenth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" authorizing the examination of certain persons who presumed they were registered as apprentices

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section eleven of the act approved the tenth day of June one thousand nine hun-

dred and thirty-nine (Pamphlet Laws 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" is hereby amended to read as follows

Section 11 Every student apprentice shall register with the board annually in such manner as may be provided by the board and shall pay such registration fee as shall be fixed by the department The secretary of the board shall keep a separate register for student apprentices containing their names ages residence where they attended school the licensed undertakers with whom they are associated and such other information as the board may desire Provided however That where a person has acted as an apprentice for a period of two years or more under the presumption that he was actually registered as an apprentice by the board and the undertaker by whom he was employed has reported to the board in respect to such person as though he was so registered the board shall have power upon proof of such facts to its satisfaction and upon payment of the registration fees fixed by law for the registration of an apprentice to grant credit for service as an apprentice for the time actually so served although not registered and to admit such person to examination as the result of such credit if he is in all other respects qualified to take such examination

Should any student apprentice so registered as a student of any licensed undertaker change his or her preceptor such student apprentice shall immediately re-register and pay such additional fee as may be fixed by the department Every undertaker with whom a student apprentice is registered shall immediately notify the board of any termination of such relation

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1302, as follows:

An Act providing that in all cases where writs of habeas corpus are granted the judge may inquire into the facts of the case including an examination into the record proceedings and evidence produced against the person committed or detained before the committing judge officer or magistrate and making such records proceedings and evidence available for inspection by the petitioner or his counsel

Section 1 Be it enacted by this Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cases where writs of habeas corpus are granted the judge granting the writ may inquire and examine into the facts of the case

Section 2 Such examination into the facts of the case shall include an examination by the judge into all the proceedings held and evidence produced before a judge magistrate justice of the peace or other officer sitting as a committing judge or magistrate and if such proceedings shall after inquiry be deemed to have been conducted not in accordance with law or the evidence deemed insufficient the prisoner shall be discharged

Section 3 For the purposes of the inquiry the records of all proceedings and testimony shall be available to the petitioner or his counsel for inspection in the court where the application is made regardless of where the proceedings against the person detained are pending

Section 4 It is hereby declared to be in the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein

Section 5 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1317, as follows:

An Act to amend section two of the act approved the seventh day of July one thousand nine hundred and thirty-six (P. L. 37) entitled "An act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof" by limiting appropriations to amounts realized by the sale of such certificates

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the seventh day of July one thousand nine hundred and thirty-six (P. L. 37) entitled "An act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof" is hereby amended to read as follows

Section 2 Upon the authorization by ordinance of the sale of delinquent registered tax anticipation certificates as hereinabove provided [the mayor the city solicitor and the city controller or any two of them may make and transmit to the city council an estimate of the amount which may reasonably be expected to be realized from the sale thereof during the current calendar year and] th council of such city shall [thereupon] thereafter at any time during the current year have authority to appropriate for the current or other purposes of said city in addition to other appropriations the amount actually realized from the sale of such tax certificates [so estimated as reasonbaly expected to be realized therefrom] during such year [Should the actual receipts from such sale or sales be greater than the sum or sums so estimated the excess sums so realized may also be made the subject of additional appropriation Provided however That the power to make such additional appropriations as herein conferred shall extend only to the excess of such estimates or actual receipts above the amount of estimated receipts from delinquent taxes which shall have theretofore been made a basis for the current appropriations in the financial program of such city for such year]

Section 2 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1320, (House Bill No. 851), entitled:

An Act relating to the regulation of public utilities defining as public utilities certain corporations companies associations and persons providing for the regulation of public utilities including to a limited extent municipalities engaging in public utility business by prescribng defining and limiting their duties powers and liabilities and regulating the exercise surrender or abandonment of their powers privileges and franchises defining and regulating

contract carriers by motor vehicles and brokers in order to regulate effectively common carriers by motor vehicles conferring upon the Pennsylvania Public Utility Commission the power and duty of supervising and regulating persons associations companies and corporations including to a limited extent municipal corporations subject to this act and administering the provisions of this act authorizing the commission to fix temporary rates placing the burden of proof on public utilities to sustain their rates and certain other matters authorizing a permissive or mandatory sliding scale method of regulating rates providing for the supervision of financial and contractural relations between public utilities and affiliated interest and supervision and regulation of accounts and securities or obligations issued assumed or kept by persons associations companies corporations or municipal corporations subject to this act conferring upon the commission power to vary reform or revise certain contracts conferring upon the commission the exclusive power to regulate or order the construction alteration relocation protection or abolition of crossings of facilities of public utilities and of such facilities by or over public highways to appropriate property for the construction or improvement of such crossings and to award or apportion resultant costs and damages authorizing owners of such property to sue the Commonwealth for such damages providing for ejectment proceedings in connection with the appropriation of property for crossings conferring upon the commission power to control and regulate budgets of public utilities imposing upon persons associations companies and corporations (except municipal corporations) subject to regulation the cost of administering this act prescribing and regulating practice and procedure before the commission and procedure for review by the courts of commission action giving the Court of Common Pleas of Dauphin County exclusive original jurisdiction over certain proceedings prescribing penalties fines and imprisonment for violations of the provisions of this act and regulations and orders of the commission and the procedure for enforcing such fines and penalties and repealing legislation supplied and superseded by or inconsistent with this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. REED. Mr. President, I move that Senate Bill No. 1320, (House Bill No. 851), the bill just read be recommitted to the Committee on Public Utilities

Mr. GILSON. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. REED. Mr. President, referring to this bill, it was reported from the Committee on Public Utilities with the understanding that after second reading it would go back to committee, and in line with that agreement I have made this motion.

And the question recurring,

Will the Senate agree to the motion?

It was agreed to.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1321, on second reading, entitled:

An Act to amend section two hundred one as re-enacted, section two hundred six, section two hundred seven as amended, and sections two hundred eight and two hundred nine of, and to add article twenty-five A to, the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177)), entitled "An act providing for an reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," creating a new administrative department to be known as the Department of the Unemployed, prescribing its powers and duties and providing for the appointment of the Secretary of the Unemployed by the Governor.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Commitee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1322, as follows:

An Act to further amend section one of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by eliminating certain conditions of removal of inspectors and providing for their appointment in counties of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or in sufficient weights and fixing the penalties for the violation of the provisions hereof" as last amended by the act approved the nineteenth day of July one thousand nine hundred seventeen (P. L. 1102) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the mayors of cities of the second and third class and the several boards of county commissioners shall respectively appoint one or more competent persons as inspectors of weights and measures in the respective county or city whose salary shall not be less than one thousand dollars per annum to be paid out of the respective revenues of such county or city Provided however That the payment of a minimum salary shall not apply to counties having a population of fifteen thousand or less In addition to the salary provided by law the said county and city inspectors shall be entitled to receive the actual expenses incurred by them personally in performing the duties of their office such as transportation hotel livery telephone telegraph and postal charges to be paid by the board of county commissioners of their respective counties and by the proper officers of their respective cities in such proportion as may be agreed

upon by said boards of county commissioners and proper officers of cities on bills itemized and properly sworn to Provided however That nothing in this act shall be construed to prevent two or more counties or any county and city from combining the whole or any part of their districts as may be agreed upon by the board of county commissioners and mayors of cities with one set of standards and one inspector upon the written consent of the chief of the bureau of standards Provided further In cities of the first class the inspectors shall be appointed by the county commissioners of the county in which the said city may be located Any inspector appointed in pursuance of an agreement for such combination shall subject to the terms of his appointment have the same authority and duties as if he had been appointed by each of the authorities who are parties to the agreement The county and city inspectors of weights and measures as appointed by the respective counties and cities shall hold their office during good behavior [and shall not be removed discharged or reduced in pay or position except for inefficiency incapacity conduct unbecoming employes or other just cause and until the said officials shall have been furnished with written statements of the reason for such removal discharge or reduction and shall have been given reasonable time to make written answer thereto Nor shall such removal discharge or reduction be made until the charge or charges shall have been examined into and found true in fact by the appointed power of such county or city at a hearing upon reasonable notice to the person charged at which time he may be represented by counsel and offer testimony or witnesses in his own] [behalf] It shall be unlawful for any sealer or inspector of weights and measures or any of his deputies to perform clerical or other services for the county or city of their respective districts

All the appointments made under the provisions of this act by the county commissioners in counties of the first class shall be equally divided between the majority commissoners and the minority commissioners so that the majority commissioner shall name one-half of all appointees and the minority commissioners shall name one-half of all the appointees The provisions of this act apply to persons presently employed as well as to persons to be employed in the future and the county commissioners shall comply therewith within thirty days of the passage of this act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1324, as follows:

An Act to amend section five of the act approved the third day of May one thouasnd nine hundred and thirty-three (P. L. 242) entitled "An Act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by providing for limited certificates of registration for operators and managers engaged in particular types of beauty culture subject to rules of the Department of Public Instruction

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring certain powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" is hereby amended to read as follows

Section 5 (a) A limited certificate of registration to manicure the nails only may be applied for and granted under all the terms and conditions of this act except that the examination therefor may be limited to such practice only and the required schooling shall be not less than one month

(b) A limited certificate of registration for operators and managers engaged in the practice of other particular types of beauty culture may likewise be applied for and granted to persons who shall meet the eligibility requirements contained in section four subject to such reasonable rules as the Department may prescribe

Section 2 Effective Date This act shall become effective immediately upon final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1326, on second reading, entitled:

An Act to amend section one thousand five hundred eleven of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special, or local, or any parts thereof, that are or may be inconsistent therewith," as added; requiring school districts of the first, second and third classes to employ dental hygienists.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill 1328, on second reading, entitled:

An Act prohibiting the wearing or imitation of the uniform of the Pennsylvania Motor Police; prescribing penalties.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1336, (House Bill No. 362), entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1337, (House Bill No. 611), entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS OVER IN ORDER

Mr. HUFFMAN. Mr. President, I ask unanimous consent that Senate Bill No. 1339, (House Bill No. 1020), on second reading, entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred and thirty-three (Pamphlet Laws six hundred twenty-four) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organizations of corporations with or without fiduciary powers including the conversion of National Banks into State Banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in banking business with or without fiduciary powers of private bankers and of the officers directors trustees share holders attorneys and other employes of all such corporations or private bankers or of affilated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations upon powers of corporations with fiduciary powers.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1348, (House Bill No. 1147) on second reading, entitled:

An Act making appropriation to the Navigation Commission for the River Delaware and its navigable tributaries.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1342, (House Bill No. 1434) entitled:

An Act making a deficiency appropriation to the Department of Agriculture for reimbursing certain incorporated agricultural associations.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HUFFMAN. Mr. President, I ask unanimous consent that Senate Bill No. 1343, (House Bill No. 1563) on second reading, entitled:

An Act making an appropriation to the Department of Revenue to defray the expenses of investigation and litigation in the Estate of Henrietta E. Garrett deceased.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1344, (House Bill No. 1566), entitled:

An Act making an appropriation to the Department of Welfare for the purchase of materials to be used in making articles required at the State institutions in connection with sewing projects established in Pennsylvania by the Federal Works Progress Administration.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1349, (House Bill No. 1983), entitled:

An Act making an appropriation to the Department of Health to carry on the work of sealing abandoned coal mine openings.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1350, (House Bill No. 2038), entitled:

An Act to further amend the second paragraph of section one of Article one of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class" by providing that the mayor shall receive no compensation other than his salary for acting as justice of the peace.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1351, (House Bill No. 2119), entitled:

An Act making an appropriation to the Department of Welfare for the payment of claims charges court costs and other expenses against the Commonwealth for the erection and construction of a reservoir at the State Industrial Home for Women at Muncy Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1352, (House Bill No. 2136), as follows:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring medical inspectors to make eye and ear tests annually providing for the use of scientific apparatus furnished by school districts and providing for certain instruction in State teachers' colleges for the appointment of certain experts in the Department of Public Instruction and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding thereto a new section to read as follows

Section 13.1 Medical inspectors of the several school districts shall make eye and ear tests of the pupils in such schools at least once in each school year Such tests for hearing shall be made with audiometers or with such other scientific devices as may meet the approval of the Department of Public Instruction which shall be provided by the Commonwealth for use in the various school districts The Department of Public Instruction shall prescribe to the boards of school directors and medical inspectors of schools suitable rules of instrutions as to the tests and examinations to be made as provided in this section together with test cards and blanks deemed necessary for carrying out the purposes of this section The Department of Public Instruction shall provide in the State teachers' colleges instruction and practice in the best methods of testing the sight and hearing of children and shall prescribe the scientific appliances which shall be used by State teachers' colleges to provide such instruction

The Superintendent of Public Instruction shall appoint a specialist for eyes and ears in his department who shall assist medical inspectors in the several school districts in making eye and ear tests of pupils of the public schools He shall also assist in providing instruction and practice in the State teachers' colleges in the best methods of testing the sight and hearing of children and shall perform such other duties as the Superintendent of Public Instruction shall prescribe The Superintendent of Public Instruction shall also appoint a competent person to supervise audiometric test Such person shall be one certified to teach in the public schools shall be thoroughly familiar with the use and purpose of audiometers and shall have some experience in medical social service Such person shall supervise the use of audiometers and other scientific appliances used in hearing tests and perform such other duties as may be assigned by the specialist for eyes and ears

Setion 2 The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the purchase of audiometers and other scientific devices for the delivery of the same to appropriate places in this Commonwealth for use in school districts for the payment of the compensation and expenses of the specialist and persons appointed to assist medical inspectors and to supervise tests and for all other necessary and proper expenses incurred in carrying out the provisions of this act

Section 3 This act shall become effective on the first day of July one thousand nine hundred and thirty-seven.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask unanimous consent that Senate Bill No. 1355 on second reading entitled:

An Act to amend section twenty-seven of the act, approved the twentieth day of July, one thousand nine hundred seventeen (P. L. 1143), entitled "An act relating to free, public, nonsectarian libraries and branch libraries within this Commonwealth; providing for their establishment, maintenance and regulation, and for the maintenance and regulation of such free, public nonsectarian libraries as may have been already established by the several counties, cities, boroughs, towns, and townships; and providing that all library property, and all gifts, devises, grants, or endowments for library purposes, shall be exempt from taxation; and providing that the several counties, cities, boroughs, towns, and township may levy taxes, condemn private property, and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations; and repealing existing laws in relation to the above subjects," by exempting from collateral inheritance tax all gifts, devises, grants or endowments made to national libraries.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1360, (House Bill No. 1984), entitled:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of

Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by adding new sections further regulating the use of highways and the operation of and the equipment used in connection with vehicles including trailers and semi-trailers street cars trackless trolley omnibuses school buses and commercial motor cycles upon the highways of this Commonwealth providing exemptions extending certain provisions of the act to trailers and semi-trailers providing for the renewal and automatic satisfaction of encumbrances and liens and further amending the procedure relating thereto providing for the further registration of certain vehicles and the licensing of the operators thereof including additional requirements reciprocity agreements and additional reasons for suspension and revocation conferring additional

B Title insurance companies shall have the power to take receive and hold any and all such pieces of real property as may have been or may hereafter be the subject of any insurance made by such companies under the powers hereinbefore recited whether given by law or by charter and the same to grant lease bargain sell convey and dispose of in any manner as they see proper Provided That no title insurance company shall continue to hold such real estate for more than five years from the date of the acquisition thereof unless it shall obtain the written approval of the Insurance Commissioner to hold such real estate for a longer period of time

C Title insurance companies shall have a paid-in capital of not less than two hundred fifty thousand dollars and in addition a surplus paid-in at least equal to fifty percentum of the paid-in capital

Section 686 Power to Insure Titles to Real Estate Loss of Power A Every corporation which upon the effective date of this act shall lawfully possess and which has within one year prior to such date exercised the power to insure owners of real property mortgagees and others interested in real property and others from loss by reason of defective titles liens and encumbrances shall subject to the conditions herein prescribed continue to possess such power

B Every corporation which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances but which does not hereafter exercise such power for any consecutive period of one year shall be forever barred from the exercise of such power

Section 687 Power to Accept Deposits Loss of Title Insurance Powers If any corporation which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances and also the further powers to receive deposits or otherwise to engage in a banking business shall not have exercised within one year preceding the effective date of this act any of such further powers then every such corporation which shall again exercise such further powers to receive deposits or otherwise engage in a banking business shall make no further contracts or policies of title insurance If any such corporation shall not hereafter exercise any of such further powers for any consecutive period of one year than each such corporation which shall again exercise such further powers to receive deposits or otherwise engage in a banking business shall make no further contracts or policies of title insurance

Section 688 Power to Act as a Fiduciary Loss of Title Insurance Powers If any corporation which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances and also the further powers to act as trustee guardian executor administrator or in any other similar fiduciary capacity shall not have exercised within one year preceding the effective date of this act any of such further powers then every such corporation which shall again exercise any of such further powers shall make no further contracts or policies of title insurance If any such corporation shall not hereafter exercise any of such further powers for any consecutive period of one year than each such corporation which shall again exercise any of such further powers shall make no further contracts or policies of title insurance

Section 689 Prohibition Upon Guaranteeing Mortgages A title insurance company shall not in any manner whatsoever guarantee the payment of the principal of the interest of bonds or other obligations secured by mortgages upon real property This section shall not however be construed to affect contracts and policies guaranteeing the payment of the principal or the interest of bonds or other obligations secured by mortgages upon real property when such contracts and policies have been lawfully executed by a title insurance company and are valid and outstanding upon the effective date of this act or any continuation extension or renewal thereof

Section 690 Establishment and Maintenance of Reinsurance Reserve Fund Each company which shall possess the power to insure owners of real property mortgagees and others interested in real porperty from loss by reason of defective titles liens and encumbrances shall establish and maintain a reinsurance reserve fund by setting aside a sum equal to ten per centum of the premium (that is the sum charged for insurance over and above examination and settlement fee) paid on each policy which such company may hereafter issue until the total amount set aside (including any reserve heretofore set up under any prior Act of Assembly) shall equal the sum of two hundred fifty thousand dollars and thereafter shall set aside a sum equal to five per centum of such premiums until the total amount shall equal a sum not less than five hundred thousand dollars provided that such premiums shall not be less than one-quarter of one per centum on the amount of insurance as issued or if less than one-quarter of one per centum the amount set aside shall be equal to two and one-half per centum of said one-quarter of one per centum provided that the total reserve fund or amounts in excess of that required by the foregoing provisions may be set aside at any time or from time to time out of such surplus or undivided profits as may be available for that purpose in accordance with existing law or the regulations of the Department of Banking and provided further that any company which at the time of the effective date of this act has set aside and is maintaining an insurance reserve fund as required by the Act of April 26 1929 Pamphlet Laws 834 is hereby empowered to use the same as part of the reserve required to be set up and maintained by this act The reserve fund set up by any company shall be maintained as herein provided so long as any policies shall be outstanding

Section 691 Cancellation of Policy Whenever any policy of title insurance hereafter issued is surrendered or cancelled by the holder or liability thereon is completely discharged the company which shall have issued such policy of title insurance may withdraw the reserve of such policy or credit such reserve against any reserve that may be due

Section 692 Establishment and Maintenance of Reserve Fund for Unpaid Losses Each company which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances shall at all times maintain reserve funds for unpaid losses in addition to funds for other reserves and liabilities and shall calculate said reserves by making a careful estimate in each case of the loss likely to be incurred by reason of every claim presented or that may be presented pursuant to notice from or on behalf of the insured of

the occurrence of an event that may result in a loss The sum of the items so estimated shall be the total amount of the reserves for unpaid losses of said insurer

Section 693 Custody of Reserve Funds A the custody of funds equal in amount to the sum of the reinsurance reserve liability and the reserve for unpaid losses shall be retained by each company which shall possess the power to insure owners of real property mortgagees and others interested in real property from loss by reason of defective titles liens and encumbrances and the said funds shall be earmarked and kept separate and apart from other assets of the company in the manner hereinafter provided The supervision of said funds shall be under the Insurance Commissioner whether the business of the company be confined exclusively to the title insurance business or whether the business of the company shall include in addition to the title insurance business a banking business or the business of acting in a fiduciary capacity

B Said reserve funds of each such company shall be invested by each such company in those investments authorized by law for the investment of the reserve funds of life insurance companies

C The income from said reserve funds shall become a part of the general assets of the company

Section 694 Trust Funds Depletion of Reserve Funds A The principal of such reserve funds shall be a trust for the protection of the policyholders and shall be applied only for the benefit of the holders of policies of title insurance

B If by reason of losses depreciation in the market price of any investments or other cause the reserve funds of any such company should on any date be less than the minimum amount herein required to be maintained in such reserve funds on such date such company shall forthwith give written notice thereof to the Insurance Commissioner and shall make no further contracts or policies of title insurance until the reserve funds have been restored and until it shall have received a certificate from the Insurance Commissioner authorizing it to issue such policies

Section 695 Limit of Net Retention No such company shall issue a policy of title insurance for a single transaction the liability under which shall exceed an amount which is ten times the capital and surplus of such company but nothing herein contained shall prevent any one or more of such companies from assuming the liability on a single policy jointly with another such company or companies in excess of ten times its capital and surplus provided that the total amount of such insurance shall not exceed ten times the total combined capital and surplus of all such companies liable under such insurance and provided that each such company shall not assume more than its proportionate share of the total amount at risk

Section 696 Additional Requirements Except for the requirements of this article all of the laws rules and regulations pertaining to stock casualty insurance companies powers and imposing additional duties upon the Department of Revenue and the Department of Highways further imposing upon municipalities within the Commonwealth liability for damages caused by the negligent operation of fire department equipment changing the procedure disposition of fines and penalties for certain violations of the act and making the fines thereunder mandatory and extending existing penalties and providing additional penalties.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SONES. Mr. President, I move that Senate Bill No. 1360, (House Bill No. 1984), the bill just read, be recommitted to the Committee on Highways.

Mr. GILSON. Mr. President, I second the motion.

The motion was agreed to.

RECONSIDERATION OF SENATE BILL NO. 1322

Mr. OWLETT. Mr. President, I move to reconsider the vote by which Senate Bill No. 1322 was agreed to on second reading.

Mr. GELDER. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on second reading?

BILL OVER IN ORDER

Mr. OWLETT. Mr. President, I ask unanimous consent that this bill go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Mr. MALLERY. Mr. President, I wish to call up Senate Bill No. 846.

Agreeably to order,

The Senate resumed the third reading and consideration of Senate Bill No. 846, as follows:

An Act making an appropriation to the Department of Military Affairs to pay the traveling expenses of the respective Commanders of the Pennsylvania Departments of the Veterans of Foreign Wars of the United States the American Legion and the Disabled American Veterans of the World War or their representatives in accompanying the members of the United States Battle Monuments Commission to Europe to dedicate certain monuments

Whereas The Government of the United States has designated that during the years 1937 the monuments erected by the Government and by Army Divisions and other Units who served in France during the World War be dedicated with fitting ceremony and

Whereas The Dedicatory Ceremonies will be supervised by the American Battle Monuments Commission a Commission composed of World War Veterans and appointed by the President of the United States and

Whereas The Commonwealth of Pennsylvania should be properly represented at the dedication of the monuments in view of the fact that the Commonwealth furnished approximately three hundred seventy-five thousand (375,000) men to the nation during the World War and

Whereas It would be most fitting for the recognized World War Veteran Organizations to represent the Commonwealth during the occasion now therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one thousand five hundred dollars ($1,500) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Military Affairs for the purpose of paying the traveling expenses of the Commander of the Department of Pennsylvania Veterans of Foreign Wars of the United States the Commander of the Department of Pennsylvania American Legion and the Commander of the Department of Pennsylvania Disabled American Veterans of the World War or their designated representatives in proceeding to Europe with the members of the United States Battle Monuments Commission as representatives of the Commonwealth of Pennsylvania and recognized World War Veterans Societies

Section 2 The Adjutant General of the Commonwealth shall require from the Department Commanders of the Veterans of Foreign Wars the American Legion and the

Disabled American Veterans of the World War proof of expenditures including itemized statements and receipts as evidence of expenditures and the Adjutant General shall furnish a complete accounting to the Auditor General for the expenditures herein authorized.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barthold,	Gelder,	Law,	Rice,
Cavalcante,	Gilson,	Mallery,	Rodgers,
Chapman,	Henney,	McCreesh,	Scarlett,
Dando,	Homsher,	McGinnis,	Sipe,
Deitrick,	Jacobs,	Owlett,	Sones,
DiSilvestro,	Kahle,	Pierson,	Stiefel,
Ealy,	Kilgallen,	Pytko,	Thompson,
Eroe,	Kunkel,	Reed,	Wolfenden,
Frey.	Lanius,		

NAY—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. PYTKO. Mr. President, I call up at this time Senate Bill No. 1269, on third reading, on page 23 of the calendar.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1269, as follows:

An Act to further amend Article VI of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds association reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by adding thereto a new subdivision (h) consisting of Sections 685 (six hundred and eighty-five) to 696 (six hundred and ninety-six) inclusive defining the specific powers and financial requirements of title insurance companies and providing for the regulation and supervision thereof and prohibiting the guaranteeing of mortgages by such companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That article VI of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations and reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended by adding thereto a subdivision (h) consisting of Section 685 (six hundred and eighty-five) to section 696 (six hundred and ninety-six to read as follows

Section 685 Specific Powers and Financial Requirements of Title Insurance Companies A Title insurance companies shall have the power to make insurance of every kind pertaining to or connected with titles to real estate and to make execute and perfect such and so many contracts agreements policies and other instruments as may be required therefor such insurances to be made for the benefit of owners of real estate mortgagees and others interested in real estate from loss by reason of defective titles liens and encumbrances shall apply and shall be applied to title insurance companies

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gelder,	Kilgallen,	Reed,
Cavalcante,	Gilson,	Kunkel,	Rice,
Chapman,	Henney,	Lanius,	Rodgers,
Dando,	Heyburn,	Law,	Scarlett,
Deitrick,	Homsher,	Mallery,	Shapiro,
Dent,	Howell,	McCreesh,	Sipe,
DiSilvestro,	Huffman,	McGinnis,	Sones,
Ealy,	Jacobs,	Owlett,	Stiefel,
Eroe,	Jaspan,	Pierson,	Thompson,
Frey,	Kahle,	Pytko,	Wolfenden,

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

REPORTS FROM COMMITTEES

Mr. GILSON. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GILSON from the Committee on State Government reported as committed, Senate Bill No. 1404 entitled:

An Act to further amend subparagraph three of subsection (a) of section five hundred five of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343) entitled, "An act relating to the finances of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth and imposing penalties; affecting every department, board, commission and officer of the State government, every political subdivision of the State, and certain officers of such

subdivisions, every person, association, and corporation required to pay, assess or collect taxes, or to make return or report under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by making further provision relative to interest upon State deposits.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 104.

The Clerk of the House of Representatives being introduced presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

In the Senate

Resolved (If the House of Representatives concur) That Senate Bill No. 104 Printer's No. 264, entitled:

An Act authorizing boroughs that have, relying on invalid bond issues authorized by the electors, entered into contracts whereby indebtedness exceeding the constitutional limitation has been incurred and where such contracts have been wholly or partially performed, to provide for the payment of the reasonable value of such performance, to contract for completion, and to increase their indebtedness therefor; and validating ordinances, agreements, increases of indebtedness and bonds heretofore adopted, entered into, issued or to be issued to accomplish such purposes.

be recalled from the Governor for further consideration.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL No. 564

He also presented communication from the House of Representatives informing the Senate that the House had concurred in amendments made by the Senate to House Bill No. 564, entitled:

An Act making an appropriation to the Department of Agriculture to advance the tobacco interest in this Commonwealth.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL No. 1078

He also presented communication from the House of Representatives informing the Senate that the House had concurred in amendments made by the Senate to House Bill No. 1078, entitled:

An Act to amend clause thirty-four of section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law" by extending the provisions for appropriations to posts of veterans.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL No. 1133

He also presented communication from the House of Representatives informing the Senate that the House had concurred in amendments made by the Senate to House Bill No. 1133, entitled:

An Act making an appropriation for the purpose of maintaining the public roads, and improving and replacing bridges thereon through the Cornplanter Indian Reservation, in Elk Township, Warren County Pennsylvania.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL No. 1216

He also presented communication form the House of Representatives informing the Senate that the House had concurred in amendments made by the Senate to House Bill No. 1216, entitled:

An Act providing that investments in shares of Federal Savings and Loan Associations or shares of other institutions, insured under the Federal Savings and Loan Insurance Corporation ,shall be legal investments for certain corporations and certain funds.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL No. 1250

He also presented communication from the House of Representatives informing the Senate that the House had concurred in amendments made by the Senate to House Bill No. 1250, entitled:

An Act to prohibit the sale and offer for sale of the recognized artificial flowers of certain veteran's organizations except on the days appointed for such purpose.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL No. 1277

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1277, entitled:

An Act to amend section one of the act, approved the eighth day of April, one thousand eight hundred and sixty-seven (P. L. 50), entitled "An act to permit disabled soldiers to peddle by procuring a license therefor, without charge," as amended, prohibiting the peddling of recognized flowers of certain veteran's organizations and miniature American flags.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL No. 1303

H also presented communication from the House of Representatives informing the Senate that the House had concurred in amendments made by the Senate to House Bill No. 1303, entitled:

An Act abating certain tax penalties and interest on city and school taxes in cities of the first class and school districts of the first class.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 6, entitled:

An Act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issue of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing any acts or parts of acts inconsistent herewith.

Senate Bill No. 66, entitled:

An Act to amend section five of the act, approved the sixteenth day of May, one thousand nine hundred twenty-nine (P. L. 1780), entitled "An act to fix the salaries and compensation of the judges of Supreme Court, the judges of the Superior Court, the judges of the Courts of Common Pleas, the judges of the Orphans' Courts, the judges of the Municipal Court of Philadelphia, and the judges of the County Court of Allegheny County," by extending the provisions of the said section to the judges of the Orphans' Court of Dauphin County.

Senate Bill No. 811, entitled:

An Act permitting boroughs and townships engaged in the construction of sewers and sewer systems to change, under certain conditions, the locations of the sewers and sewer system by amending ordinances; and providing that abutting property owners shall be liable in such cases.

Senate Bill No. 1044, entitled:

An Act authorizing courts of Common Pleas to stay writs of execution against, and tax sales of, certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs, and exempting mortgages issued under the National Housing Act.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

NOMINATION BY THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations]

JUSTICE OF THE PEACE.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 21, 1937

To the Honorable, the Senate
of the Commonwealth of Pennsylvania

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William Robinson; of Frank, Allegheny County, for appointment as Justice of the Peace in the Township of Elizabeth, Allegheny County, vice Paul W. Norton, resigned, until the first Monday of January, 1938.

GEORGE H. EARLE.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 746

Mr. PYTKO. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PYTKO offered the following resolution, and asked for its immediate adoption.

In the Senate, May 21, 1937.

Resolved, that (if the House of Representative concur) Senate Bill No. 746, Printer's No. 304, entitled:

An Act to amend section two hundred and two of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (Pamphlet Laws six hundred eighty-two) entitled, "An act relating to insurance, amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund, providing penalties and repealing existing laws," as amended, by extending the purposes for which companies may be incorporated to include insuring glass against all risk; insuring any goods or premises against any and all loss caused by water; and insuring moneys and securities against all risk.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL No. 755 FOR THE PURPOSE OF AMENDMENT.

Mr. STIEFEL. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL offered the following Resolution and asked for its immediate adoption.

Resolved, that (if the House of Representatives concur) Senate Bill No. 755, Printer's No. 760, entitled:

An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws by requiring the Insurance Commissioner to determine the qualifications of the incorporators of any proposed insurance company.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

REPORTS FROM COMMITTEE

Mr. WOLFENDEN. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOLFENDEN from the Committee on Municipal Government reported as committed, Senate Bill No. 838, (House Bill No. 1007) entitled:

An Act to amend the act approved the twenty-eighth day of June one thousand nine hundred and twenty-three (P. L. 903) entitled "A supplement to an act approved the fourteenth day of May one thousand nine hundred and fifteen (P. L. 312) entitled 'An act providing a system for government of boroughs and revising amending and consolidating the law relating to boroughs' so as to provide a system of government where a borough now has annexed or hereafter shall annex land in an adjoining county including assessment of property levying and collection of taxes making municipal improvements and filing and collecting of liens for the same the jurisdiction of courts for the enforcement of borough ordinances and State laws and primary general municipal and special elections and repealing inconsistent laws" extending the provisions of this act to boroughs situated in different counties which now have or shall hereafter consolidate

Mr. WOLFENDEN. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. WOLFENDEN from the Committee on Municipal Government reported as amended Senate Bill No. 1332 (House Bill No. 1331) entitled:

An Act requiring all persons claiming damages from any county city borough town township or school district to file within six (6) months from the origin of such claim, a written notice with such county city borough town township or school district.

Also from the Committee on Municipal Government reported as committed, Senate Bill No. 474, entitled:

An Act to amend section six of the act, approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (P. L. 280), entitled "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances," by abolishing the commission allowed to tax collectors or receivers of taxes.

Also from the Committee on Municipal Government reported as committed, Senate Bill No. 979 (House Bill No. 1628) entitled:

An Act to amend section eight hundred and one of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" limiting the requirements of bonds of township treasurers to fidelity bonds and regulating such bonds

BILL INTRODUCED

Mr. PYTKO. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PYTKO read in his place and presented to the Chair Senate Bill No. 1405, entitled:

An Act to further amend section two hundred two of the act, approved the seventeenth day of May, one thousand nine hundred twenty-one (Pamphlet Laws, six hundred eighty-two) entitled "An act relating to insurance amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision, and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws", by authorizing stock insurance companies, other than life, to transact any or all of the classes and kinds of insurance mentioned in said section, subject to certain conditions.

Which was committed to the Committee on Insurance.

BILL ON SECOND READING

Mr. McGINNIS. Mr. President, I call up at this time for consideration Senate Bill 341, on second reading,

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 341, as follows:

An Act To reenact and further amend the title and the act approved the twenty-ninth day of November one thousand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attoneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of fees and imposing penalties" further regulating the manufacture sale importation use and traffic in liquors alcohol and malt and brewed beverages conferring additional powers and imposing additional duties on the Pennsylvania Liquor Control Board further regulating those licensed under this act imposing additional filing fees and increasing fees for certain permits and providing for the disposition thereof further regulating the establishment of State liquor stores and the employment and use of personnel by the board regulating and providing the procedure for the granting transfer revocation and suspension of licenses and for compromises in certain cases and the disposition of moneys arising therefrom providing for the forfeiture of certain property regulating the jurisdiction of courts and local option procedure prohibiting certain interlocking business and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of and the entire act approved the twenty-ninth day or November one housand nine hundred and thirty-three (P. L. 15 1933-34) entitled as amended "An act to regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others making disposition of the receipts from State stores and of fees and imposing penalties" as reenacted and amended by the act approved the eighteenth day of July one thousand nine hundred and thirty-five (P. L. 1246) are hereby reenacted and further amended to read as follows

An Act To regulate and restrain the sale manufacture possession transportation importation traffic in and use of alcohol and alcoholic and malt or brewed beverages conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction other officers of the State government courts and district attorneys authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and

the granting of licenses subject to local option to sell such beverages for consumption on and off the premises forbidding importation or bringing of such beverages into the State except as herein provided prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others providing for the forfeiture of certain property making disposition of the receipts from State stores and of fees and imposing penalties.

ARTICLE 1

SHORT TITLE AND PRELIMINARY PROVISIONS

Section 1 Short Title This act shall be known and may be cited as the "Pennsylvania Liquor Control Act"

Section 2 Definitions The following words or phrases unless the context clearly indicates otherwise shall have the meaning ascribed to them in this section

"Association" shall mean a partnership limited partnership of any form of unincorporated enterprise owned by two or more persons

"Board" shall mean the Pennsylvania Liquor Control Board of this Commonwealth

"Club" shall mean any reputable group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or lawful convenience having some primary interest and activity to which the sale of liquor shall be only secondary which if incorporated has been in continuous existence and operation for at least six months and if first licensed after the effective date of these amendments shall have been incorporated in this Commonwealth and if unincorporated for at least ten years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a clubhouse or quarters for the use of members Continuous existence must be proven by satisfactory evidence The board shall refuse to issue a license if it appears that the charter is not in possession of the original incorporators or their direct or legitimate successors The club shall hold regular meetings conduct its business through officers regularly elected admit members by written application investigation and ballot and charge and collect dues from elected members and keep records of such activities

"Original container" shall mean all bottles casks kegs or other suitable containers that have been securely capped sealed or corked by the manufacturer at the place of manufacture with the names and addresses of the manufacturer of the malt or brewed beverages contained or to be contained therein permanently affixed to the bottle cask keg or other container or to the cap or cork used in sealing the same or to a label securely affixed to a bottle

"Corporation" shall mean a corporation or joint-stock association organized under the laws of this Commonwealth the United States or any other state territory or foreign country or dependency

"Hotel" shall mean any reputable place operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations with meals and which in a city has at least ten and in any other place at least six permanent bedrooms for the use of guests a public dining room or rooms operated by the same management accomodating at least thirty persons at one time and a kitchen apart from the public dining room or rooms in which food is regularly prepared for the public.

The word "alcohol" means ethyl alcohol originally produced by the distillation of any fermented liquid whether rectified or diluted with or without water whatever may be the origin thereof and [includes] shall include synthetic ethyl alcohol but shall [it does] not mean or include ethyl alcohol whether or not diluted that has been denatured or otherwise rendered unfit for beverage purposes

"Liquor" shall mean and include any alcoholic spirituous vinous fermented or other alcoholic beverage or combination of liquors and mixed liquor a part of which is spirituous vinous fermented or otherwise alcoholic [and] including all drinks or drinkable liquids preparations or mixtures and reused recovered or redistilled denatured alcohol [intended] usable or taxable for beverage purposes which contain more than one-half of one per cent of alcohol by volume except pure ethyl alcohol and malt or brewed beverages

"Malt or Brewed Beverages" means any beer lager beer ale porter or similar fermented malt liquor containing one-half of one per centum or more of alcohol by volume by whatever name such liquor may be called

"Manufacturer" shall mean any person association or corporation engaged in the producing [bottling] manufacturing distilling rectifying or compounding of liquor alcohol and malt or brewed beverages in this Commonwealth or elsewhere

"Municipality" shall mean any city borough incorporated town or township of this Commonwealth

"Package" shall mean any container or containers or receptacle or receptacles used for holding liquor or alcohol [and malt or brewed beverages] as marketed by the manufacturer

"Person" Every natural person association or corporation Whenever used in a clause prescribing or imposing a fine or imprisonment or both the term "person" as applied to "association" shall mean the partners or members thereof and as applied to "corporation" shall mean the officers thereof except as to incorporated clubs the term "person" shall mean such individual or individuals who under the by-laws of such club shall have jurisdiction over the possession and sale of liquor therein

"Restaurant" shall mean a reputable place operated by responsible persons of good repute [and] and habitually and principally used for the purpose of providing food for the public the place to have an area within a building of not less than four hundred square feet equipped with tables and chairs accommodating at least thirty persons at one time

"Sale" or "Sell" shall include any transfer of liquor alcohol or malt or brewed beverages for a consideration [and any gift in connection with or as a part of a transfer of property orther than liquor] [or malt or brewed beverages for a consideration]

Section 3 Interpretation of Act (a) This act shall be deemed an exercise of the police power of the Commonwealth for the protection of the public welfare health peace and morals of the people of the Commonwealth and to prohibit forever the open saloon and all of the provisions of this act shall be liberally construed for the accomplishment of this purpose

(b) The provisions of this act are severable and if any of its provisions shall be held unconstitutional the decision of the court shall not affect or impair any of the remaining provisions of this act It is hereby declared to be the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

(c) Except as otherwise expressly provided the purpose of this act is to prohibit transactions in liquor [and] alcohol and malt or brewed beverages which take place [wholly within the] in this Commonwealth except by and under the control of the board as herein specifically provided and every section and provision of the act shall be construed accordingly The provisions of this act dealing with the importation sale and disposition of liquor [and] alcohol and malt or brewed beverages within the Commonwealth through the instrumentality of the board and otherwise provide the means by which such control shall be made effective This act shall not be construed as forbidding affecting or regulating any transaction which is not subject to the legislative authority of this Commonwealth

(d) Any reference in this act to the provisions of law on any subject shall apply to statutes becoming effective after the effective date of this act as well as to those then in existence

(e) Section headings shall not be taken to govern or limit the scope of the sections of this act The singular shall include the plural and the masculine shall include the feminine and the neuter

ARTICLE II

GENERAL POWERS AND DUTIES OF PENNSYLVANIA LIQUOR CONTROL BOARD

Section 201 General Powers of Board Under this act the board shall have the power and its duty shall be

(a) To buy import or have in its possession for sale and sell liquor and alcohol in the manner set forth in this act Provided however That in the fixing of such prices the Board shall give no preference or make any discrimination as to classes varieties brands or otherwise except where special sales are deemed necessary to move unsaleable merchandise

(b) To control the manufacture possession sale consumption importation use transportation and delivery of liquor [and] alcohol and malt or brewed beverages in accordance with the provisions of this act and to fix the wholesale and retail prices at which liquors and alcohol shall be sold at Pennsylvania liquor stores Provided That all such purchases shall be made subject to the approval of the Auditor General and State Treasurer And provided further That in making such purchases the board shall not give any preference or make any discrimination as to prices classes brands or otherwise The board shall require each Pennsylvania manufacturer and each nonresident manufacturer of [distilled] liquors other than wine selling [distilled] such liquors to the board which are not manufactured in this Commonwealth to make application for and be granted a permit by the board before [distilled] such liquors not manufactured in this Commonwealth shall be purchased from such manufacturer Each such manufacturer shall pay for such permit a fee which in the case of a manufacturer of this Commonwealth shall be equal to that required to be paid if any by a manufacturer or wholesaler of the state territory or country of origin of the [distilled] liquors for selling liquors manufactured in Pennsylvania and in the case of a nonresident manufacturer shall be equal to that required to be paid if any in such state territory or country by Pennsylvania manufacturers doing business in such state territory or country In the event that any such manufacturer shall in the opinion of the board sell or attempt to sell [distilled] liquors to the board through another person for the purpose of evading this provision relating to permits the board shall require such person before purchasing [distilled] liquors from him or it to take out a permit and pay the same fee as hereinbefore required to be paid by such manufacturer All permit fees so collected shall be paid into the State Stores Fund The board shall not purchase any liquor fermented distilled rectified compounded or bottled in any state territory or country the laws of which result in prohibiting the importation therein of liquors fermented distilled rectified compounded or bottled in Pennsylvania

(c) To determine the municipalities within which Pennsylvania Liquor Stores shall be established and the locations of the stores within such municipalities

(d) To grant [and] issue suspend and revoke all [liquor] licenses and [to grant issue suspend or revoke alcohol] permits [as provided in this act] authorized to be issued under this act and the regulations of the board

(e) Through the Department of Property and Supplies as agent to lease and furnish and equip such buildings rooms and other accommodations as shall be required for the operation of this act

(f) To appoint fix the compensation and define the powers and duties of such managers officers inspectors examiners clerks and other employes as shall be required for the operation of this act subject to the provisions of The Administrative Code of 1929 except as otherwise provided in this act

Such employes of the board as are designated "enforcement officers" or "investigators" are hereby declared to be peace officers and are hereby given police power and authority throughout the Commonwealth to arrest on view except in private homes without warrant any person actually engaged in the unlawful sale importation manufacture or transportation [of] or having [illegal] unlawful possession of liquor alcohol or malt or brewed beverages contrary to the provisions of this act or any other law of this Commonwealth Such officers and investigators shall have power and authority upon reasonable and probable cause to search for and to seize without warrant or process except in private homes any liquor alcohol and malt or brewed beverages [so illegally] unlawfully possessed manufactured sold imported or transported and any stills equipment materials utensils vehicles boats vessels animals aircraft or any of them which are [being] or have been used in the unlawful manufacture sale importation or transportation of the same Such liquor alcohol malt or brewed beverages stills equipment materials utensils vehicles boats vessels animals or aircraft so seized shall be disposed of as hereinafter provided

(g) To determine the nature form and capacity of all packages and original containers to be used for containing liquor alcohol or malt or brewed beverages any other law to the contrary notwithstanding

(h))Without in any way limiting or being limited by the foregoing to do all such things and perform all such acts as are deemed necessary or advisable for the purpose of carrying into effect the provisions of this act and the regulations made thereunder

Section 202 General Power to Make Regulations The board may from time to time make such regulations as it may deem necessary for the efficient administration of this act The board shall cause such regulations to be published and disseminated through the Commonwealth in such manner as it shall deem necessary and advisable and shall be furnished to all licensees All such regulations shall be reasonable and consistent with this act and shall not be discriminatory

Section 203 Specific Subjects on Which Board May Adopt Regulations Subject to the provisions of this act and without limiting the general power conferred by the preceding section the board may make regulations regarding

(a) The equipment and management of Pennsylvania Liquor Stores and warehouses in which liquor and alcohol are kept or sold and the books and records to be kept therein

(b) The duties and conduct of the officers and employes of the board

(c) The purchase as provided in this act of liquor and alcohol and its supply to Pennsylvania Liquor Stores

(d) The classes varieties and brands of liquor and alcohol to be kept and sold in Pennsylvania Liquor Stores but no regulation shall create any preference or discrimination as to prices classes varieties brands or otherwise except as may be deemed necessary to move unsaleable merchandise

(e) The issuing and distribution of price lists for the various classes varieties or brands of liquor and alcohol kept for sale by the board under this act

(f) The sealing and labeling of liquor and alcohol sold under this act and of liquor and alcohol lawfully acquired by any person prior to January first one thousand nine hundred and thirty-four

(g) Forms to be used for the purposes of this act

(h) The issuance of licenses [to hotels restaurants clubs and railroad pullman or steamship companies] and permits and the equipment of [licensed] places licensed or included in permits

(i) The place and manner of depositing the receipts of Pennsylvania Liquor Stores and the transmission of balances to the Treasury Department through the Department of Revenue

[(j) The issuance of alcohol permits]

(j) The solicitation by resident or non-resident vendors of liquor from Pennsylvania licensees and other persons of orders for liquor to be sold through the Pennsylvania Liquor Stores and in the case of non-resident vendors the collection therefrom of license fees for such privilege at the same rate as provided herein for importers' licenses

ARTICLE III

PENNSYLVANIA LIQUOR STORES

Section 301 Board to Establish State Liquor Stores The board shall establish operate and maintain at such

places throughout the Commonwealth as it shall deem essential and advisable stores to be know as "Pennsylvania Liquor Stores" for the sale of liquor and alcohol in accordance with the provisions of and the regulations made under this act When the board shall have determined upon the location of a liquor store in any municipality it shall give notice of such location by public advertisement in [at least] two newspapers of general circulation and no other advertisement of any kind or description shall be required any law to the contrary notwithstanding If within five days after the appearance of such advertisement fifteen or more taxpayers residing within a quarter of a mile of such location shall file a protest with the court of quarter sessions of the county averring that the location is objectionable because of its proximity to a church a school or to private residences the court shall forthwith hold a hearing affording an opportunity to the protestants and to the board to present evidence The court shall render its decision immediately upon the conclusion of the testimony and from its decision there shall be no appeal If the court shall determine that the proposed location is undesirable for the reasons set forth in the protest the board shall abandon it and find another location The board may establish operate and maintain such establishments for storing and testing liquors as it shall deem expedient to carry out its powers and duties under this act

The board may lease the necessary premises for such stores or establishments but all such leases shall be made through the Department of Property and Supplies as agent of the board The board through the Department of Property and Supplies shall have authority to purchase such equipment and appointments as may be required in the operation of such stores or establishments

Section 302 Selection of Personnel A No officer or employe except as otherwise hereinafter provided shall be appointed or employed by the board after January first one thousand nine hundred and thirty-four except as provided in this section Any officers or employes engaged prior to January first one thousand nine hundred and thirty-four except employes heretofore in the service of the Pennsylvania Alcohol Permit Board shall be deemed provisional employes and shall be retained thereafter only under the provisions of this section The board is hereby authorized to prescribe from time to time by rule or regulation the qualifications to be possessed by persons desiring employment under it The qualifications shall be such as will best promote the efficient operation and management of its affairs but in all cases persons appointed shall be citizens of the United States and in the case of appointments to operate or assist in the operation of liquor stores shall be qualified electors of the county in which the store is located except where a person has been employed in a liquor store for a period of two or more years and becomes a bona fide resident of another county in which case he may be employed in a liquor store in the county to which he has removed

Every person desiring employment under the board shall file with the board an application under oath or affirmation which shall be in such form and shall set forth such information as the board shall prescribe Provided however That the board shall not require an applicant to furnish a photograph of him or herself and that no application blank shall require the color religion or political affiliation of the applicant to be designated Upon receiving such application the board shall transmit the same to the Department of Public Instruction which shall determine whether under the rules or regulations of the board the applicant is qualified for the employment he seeks If so the applicant shall be admitted to competitive examination when examinations shall next be held for positions in the class of employment he seeks Such competitive examinations shall be practical in character and as far as may be possible shall relate to those matters which will fairly test the relative capacity and fitness of the persons examined to perform the duties of the service to which they seek to be appointed

The Department of Public Instruction shall conduct such examinations at such places in the Commonwealth as to make it reasonably convenient and inexpensive for applicants to attend them The department may divide the State into districts for the purpose of conducting such examinations Every candidate admitted to such examinations shall be given a number so that when his paper is marked and graded it will be impossible for the person passing upon the examination papers to ascertain his identity until his grade has been established The examination papers of such candidates shall be marked by committees composed of representatives of the department and of persons not employed by the Commonwealth in any other capacity designated by the presidents of the colleges and universities receiving State aid from the Commonwealth All such examination papers shall be graded on a basis of one hundred per centum and less Such examination papers shall immediately be filed and the applicants listed Any person who shall thereafter have been a member of the armed forces of the United States during a war or expedition for which the Government of the United States issued a campaign badge whose separation from said service was honorable whether by discharge or otherwise shall receive in addition to his rating on his examination paper an additional rating of five per centum All such outside examiners shall receive compensation at the rate of fifteen dollars per day for their services The number of committees which may be necessary shall be determined by the department and each committee shall consist of three persons The selections made by the presidents of State-aided colleges and universities shall be submitted to the department in writing by each such president and the department shall designate committee members from the lists so submitted in rotation

Except as hereinafter provided all offices places and employments in Pennsylvania Liquor Stores or establishments operated by the board shall be filled by selections from persons resident in this Commonwealth who have satisfactorily passed the examinations The persons receiving the highest grade shall be first appointed and so on and during their employment such appointees shall be at all times residents of this Commonwealth

If a list of eligibles certified by the Department of Public Instruction is available for any position another examination shall not be given until after the expiration of twelve months from the date of the last examination for that position Such subsequent examination may be held in the discretion of the board at any time after the expiration of such twelve month period and when such subsequent examination has been held and the list therefrom duly certified by the Department of Public Instruction the previous list shall expire and no further appointment shall be made from such previous list Provided That when a position is to be filled by appointment from a list of eligibles and a list of persons eligible for appointment to such position is not available examinations shall be held for that position at the earliest convenient date after the vacancy occurs

B Vacancies in positions in the competitive class whether such position be newly created or vacated for any reason by any former incumbent shall be filled so far as practicable by promotion from among persons holding positions in a lower grade In all cases a person to be promoted shall have served not less than six months in a position under the board Promotion shall be based on merit and upon the superior qualifications of the person promoted as shown by his previous service

In the event it is not deemed practicable to fill a vacancy by promotion in the manner prescribed in the foregoing paragraph such vacancy shall be filled by appointment from an eligible list of the person next in line for appointment from such list except that no such appointment may be made to any position having a rate of compensation higher than that paid to any employe or employes who have been appointed from the same list within six months prior to the date of the current appointment and in order that this may be carried out the board shall make such changes as it deems advisable in the then status of any employe or employes who have been appointed from the same list within six months prior to the date of the current appointment Provided however That

such changes are not required except where they are necessary to insure that the most recent appointment shall be to a position which does not have a higher rate of compensation than that paid to any employe or employes who have been appointed from the same list within six months prior to the date of the current appointment

C The tenure of any person holding a position under the provisions of this act shall be during good behavior but any such person may be removed demoted suspended without pay or with reduced pay transferred reprimanded or restored to his position or another position with such pay as may be equitable for any of the following causes Incompetency inefficiency insubordination dishonesty intemperance immorality profanity discourteous treatment of the public or other employes wilful disobedience violation of the provisions of this act or of the rules and regulations of the board or for other failure of good behavior or any other act or acts which are incompatible with or inimical to the public service but no person shall be required to contribute to any political fund nor support any political party or organization nor shall any such person be removed or otherwise prejudiced for refusing to do so No such person shall hold any other public office or position under this Commonwealth or any political subdivision thereof nor by his own act or permission become a candidate for nomination or election to any public office during the time of his employment by the board

Whenever it is necessary because of lack of work or lack of funds or whenever it is advisable in the interests of economy to reduce the staff of the board it may lay off employes

In the event that the board decides to abolish one or more positions or to temporarily discontinue the same because of lack of work or lack of funds or in the interests of economy then a number of employes of the board equal to the number of positions to be so abolished or discontinued shall be laid off

When it becomes necessary for any employ to be removed demoted suspended without pay or with reduced pay transferred reprimanded or restored to a former position or another position with such pay as will be equitable for any of the above named causes or when it is necessary because of lack of work or lack of funds or in the interests of economy to lay off an employe or in the event the board decides to abolish or temporarily discontinue one or more positions because of lack of work lack of funds or in the interest of economy the employe or employes selected to be removed in any of the manners so mentioned shall have a right to appeal for a hearing and consideration of his case or complaint

Further when any position is newly created or otherwise to be filled employes who have been previously placed on leave of absence because of the abolishment or temporary discontinuance of a position or other reduction in personnel because of lack of work lack of funds or in the interest of economy such employes shall be recalled to service within their proper classification and in the order of their rank before any appointment can be made from a list created and certified at a later date than the list from which the furloughed employe was originally appointed

In the foregoing section the terms "promotion" "transfer" and "demotion" shall be interpreted as follows

"Promotion" means a change from one position to another position having a higher rate of compensation or involving a change of duties or responsibilities or either or both

"Transfer" means a change from one position to another position at the same rate of compensation

"Demotion" means a change from one position to another position having a lower rate of compensation or in which different and less responsible duties are involved or either or both whether made for the purpose of better adjusting personnel to the needs of the board or as a disciplinary measure

D The provisions of this section shall not apply to the appointment of directors attorneys bureau and division chiefs superintendents supervisors secretaries chief clerks enforcement officers investigators and to all persons performing the duties of the aforesaid classes of employes and who are not employed in Pennsylvania Liquor Stores

Section 303 Management of Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall be conducted by a person appointed in the manner provided in this article who shall be known as the "manager" and who shall under the directions of the board be responsible for carrying out the provisions of this act and the regulations adopted by the board under this act as far as they relate to the conduct of such stores

Section 304 When Sales May Be Made at Pennsylvania Liquor Stoes Every Pennsylvania Liquor Store shall be open for business week days except legal holidays or any day on which a general municipal special or primary election is being held during such hours as the board in its discretion shall determine but shall not be open longer than fourteen hours [or less than seven hours] in any one day nor later than eleven o'clock post meridian The board may with the approval of the Governor temporarily close any store in any municipality

Section 305 Sales by Pennsylvania Liquor Stores Every Pennsylvania Liquor Store shall keep in stock for sale such classes varieties and brands of liquor and alcohol as the board shall prescribe If any person shall desire to purchase any class variety or brand of liquor or alcohol which any such store does not have in stock it shall be the duty of such store immediately to order the same upon the payment of a reasonable deposit by the purchaser in such proportion of the approximate cost of the order as shall be prescribed by the regulations of the board The customer shall be notified immediately upon the arrival of the goods

Unless the customer pays for and accepts delivery of any such special order within five days after notice of arrival the store may place it in stock for general sale and the customer's deposit shall be forfeited

Every Pennsylvania Liquor Store shall sell liquors at wholesale to hotels restaurants clubs and railroad pullman and steamship companies licensed under this act and under the regulations of the board to pharmacists duly licensed and registered under the laws of the Commonwealth and to manufacturing pharmacists and to reputable hospitals approved by the board or chemists The board may sell to registered pharmacists only such liquors as conform to the Pharmacopoeia of the United States the National Formulary or the American Homeopathic Pharmacopoeia All other sales by such stores shall be at retail No liquor shall be sold except for cash except that the board may by regulation authorize the acceptance of checks for liquor sold at wholesale

Whenever any checks issued in payment of liquor or alcohol purchased from State Liquor Stores by persons holding wholesale purchase permit cards issued by the board shall be returned to the board as dishonored the board shall charge a fee of five dollars per hundred dollars or fractional part thereof plus all protest fees to the maker of such check submitted to the board Failure to pay the face amount of the check in full and all charges thereon as herein required within ten days after demand has been made by the board upon the maker of the check shall be cause for revocation or suspension of any license issued by the board to the person who issued such check and the cancellation of the wholesale purchase permit card held by such person

No liquor or alcohol shall be sold to any purchaser except in a package sealed with the official seal of the board required by this act which package shall not be opened on the premises of a Pennsylvania Liquor Store No manager or other employe of the board employed in a Pennsylvania Liquor Store shall allow any liquor or alcohol to be consumed on the store premises nor shall any person consume any liquor or alcohol on such premises

The board may sell tax exempt alcohol to the Commonwealth of Pennsylvania and to persons to whom the board shall by regulation to be promulgated by it issue special permits for the purchase of such tax exempt alcohol

Such permits may be issued to the United States or any governmental agency thereof to any university or college of learning and laboratory for use exclusively in scientific research any hospital sanitorium eleemosynary institution or dispensary to physicians dentists veterinarians and pharmacists duly licensed and registered under the laws of the Commonwealth of Pennsylvania to manufacturing chemists and pharmacists or other persons for use in the manufacture or compounding of preparations unfit for beverage purposes

Every purchaser of liquor or alcohol from a Pennsylvania Liquor Store shall receive a numbered receipt which shall show the brand of liquor and alcohol the price paid therefore and such other imformation as the board may prescribe Copies of all receipts issued by a Pennsylvania Liquor Store shall be retained by and shall form part of the records of such store

Section 306 Audits by Auditor General It shall be the duty of the Department of the Auditor General to make all audits which may be necessary in connection with the administration of the financial affairs of the board and the Pennsylvania Liquor Stores operated and maintained by the board

At least one audit shall be made each year of the affairs of the board and all collections made by the Pennsylvania Liquor Stores shall be audited quarterly

Special audits of the affairs of the board and the Pennsylvania Liquor Stores maintained and operated by the board may be made whenever they may in the judgment of the Auditor General appear necessary and shall be made whenever the Governor shall call upon the Auditor General to make them

Copies of all audits made by the Department of the Auditor General shall be promptly submitted to the board and to the Governor

Unless the Department of the Auditor General shall neglect or refuse to make annual quarterly or special audits as herein required it shall be unlawful for the board to expend any money appropriated to it by the General Assembly for any audit of its affairs except for the payment of the compensation and expenses of such auditors as are regularly employed as part of the administrative staff of the board

ARTICLE IV

LICENSES AND PERMITS

Section 401 Authority to Issue Liquor Licenses to Hotels Restaurants and Clubs (a) Subject to the provisions of this act and regulations promulgated under this act the board shall have authority to issue a liquor license for any premises kept or operated by a hotel restaurant or club and specified in the license entitling the hotel restaurant or club to purchase liquor from a Pennsylvania Liquor Store and to keep on the premises such liquor and subject to the provisions of this act and the regulations made thereunder to sell the same and also malt or brewed beverages to guests patrons or members for consumption on the hotel restaurant or club premises Such licensees other than clubs shall be permitted to sell malt or brewed beverages for consumption off the premises where sold in quantities of not more than twenty-two fluid ounces in a single sale to one person Such licenses shall be known as hotel liquor licenses restaurant liquor licenses and club liquor licenses respectively No person who holds either by appointment or election any public office which involves duty to enforce any of the penal laws of the United States of America or the penal laws of the Commonwealth of Pennsylvania or any penal ordinance or resolution of any municipal subdivision of this Commonwealth shall be issued any hotel or resturant liquor license nor shall such a person have any interest directly or indirectly in any such license

Section 402 Application for Hotel Restaurant or Club Liquor Licenses Every applicant for a hotel liquor license restaurant liquor license or club liquor license shall file a written application with the board in such form and containing such information as the board shall from time to time prescribe which shall be accompained by [an application] a filing fee of ten dollars the prescribed license fee and the bond hereinafter specified Every such application shall contain a description of that part of the hotel restaurant or club for which the applicant desires a license and small set forth such other material information description or plan of that part of the hotel restaurant or club where it is proposed to keep and sell liquor as may be required by the regulations of the board If the applicant is a natural person his application must show that he is a citizen of the United States and has been a resident of this Commonwealth for at least three years immediately preceding his application If the applicant is a corporation the application must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business in Pennsylvania that all officers directors and stockholders are citizens of the United States and that the manager of the hotel restaurant or club is a citizen of the United States The application shall be signed and verified by oath or affirmation by the owner if a natural person or in the case of an association by a member or partner thereof or in the case of a corporation by an executive officer thereof or any person specifically authorized by the corporation to sign the application to which shall be attached written evidence of his authority If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof Every club applicant shall file with and as a part of its application a list of the names and addresses of its members directors officers agents and employes together with the dates of their admission election or employment and such other information with respect to its affairs as the board shall require The board shall refuse to issue licenses to clubs when it appears that the operation of the licensed business would inure to the benefit of individual members officers agents or employes of the club rather than to the benefit of the entire membership of the club

All applications must be verified by affidavit of applicant and if any false statement is intentionally made in any part of the application the affiant shall be deemed guilty of a misdemeanor and upon indictment and conviction shall be subject to the penalties provided by this act

Section 403 Issuance of Hotel Restaurant and Club Liquor Licenses Upon receipt of the application the proper fees and bond and upon being satisfied of the truth of the statements in the application that the applicant is the only person except a member of his immediate family in any manner pecuniarily interested in the business so asked to be licensed and that no other person will be in any manner pecuniarily interested therein during the continuance of the License except as hereinafter permitted and that the applicant is a person of good repute that the premises applied for meet all the requirements of this act and the regulations of the board and the applicant seeks a license for a hotel restaurant or club as defined in this act the board shall in the case of a hotel or restaurant grant and issue to the applicant a liquor license and in the case of a club may in its discretion issue a license Provided however That in the case of any new license or the transfer of any license to a new location the board in its discretion may grant or refuse such new license or transfer if such place proposed to be licensed is within three hundred feet of any church hospital charitable institution school or public play ground or if such new license or transfer is applied for a place where the principal business is the sale of liquid fuels and oil And provided further That the board shall not issue new licenses in any license district more than twice each license year effective from specific dates fixed by the board and new licenses shall not be granted unless the application thereof shall have been filed at least thirty days before the effective date of the license

Section 404 License Hearings Appeals from Refusal of Board to Issue Renew or Transfer Licenses The board may of its own motion and shall upon the written request of any applicant for club hotel or restaurant liquor license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a

time and place for hearing of such application for liquor license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order and furnish a copy thereof to the applicant Any applicant who has appeared before the board or any agent thereof at any hearing as above provided who is aggrieved by the refusal of the board to issue a hotel or restaurant or club liquor license or to renew or transfer a hotel restaurant or club liquor license may appeal within twenty days from date of refusal to the Court of Quarter Sessions of the county in which the hotel or restaurant [or club] is located Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the board whereupon [hearing shall be held upon the petition by the court upon ten days' notice to the board which shall be represented in the proceeding by the Department of Justice At such hearing testimony may be presented by the applicant and the board after the consideration] the board shall certify and transmit a copy of the record in the case to the clerk of the court within ten days after such appeal petition was served The court shall either sustain the refusal of the board or order the issuance of the license to the applicant There shall be no further appeal Any appeal by the court shall act as a supersedeas

Section 405 Display of License Every license issued under this act shall be constantly and conspicuously exposed under transparent substance on the licensed premises

Section 406 All Licensees to Furnish Bond A liquor license shall not be granted and issued to any hotel restaurant or club until the applicant therefor has filed with the board [a surety] an approved bond payable to the Commonwealth of Pennsylvania in the amount of two thousand dollars ($2,000) Such bond shall have as surety a duly authorized surety company or not less nor more than two individuals each of whom shall own real estate of an assessed valuation over and above all encumbranches and outstanding liabilities of two thousand dollars ($2,000) or more to be approved by the board All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to alcoholic liquors alcohol and malt or brewed beverages and the regulations of the board Such bonds shall be filed with and retained by the board Every such bond shall be turned over to the Department of Justice to be collected if and when the licensee's license shall have been revoked and his bond forfeited as provided in this act

Section 407 License Fees (a) [Every applicant for a hotel liquor or restaurant liquor license shall before receiving such a license pay to the board the following license fees which] License fees for hotel and restaurant liquor licenses shall be graduated according to the population of the municipality as determined by the last preceding decennial census of the United States in which the hotel or restaurant is located as follows

In municipalities having a population of less than fifteen hundred inhabitants one hundred fifty dollars ($150.00)

In those having a population of fifteen hundred and more but less than ten thousand inhabitants two hundred dollars $(200.00)

In those having a population of ten thousand and more but less than fifty thousand inhabitants three hundred dollars ($300.00)

In those having a population of fifty thousand or more but less than one hundred thousand inhabitants four hundred dollars ($400.00)

In those having a population of one hundred thousand and more but less than one hundred fifty thousand inhabitants five hundred dollars ($500.00)

In those having a population of one hundred fifty thousand and more inhabitants six hundred fifty thousand and more inhabitants six hundred dollars ($00.00)

(b) Every applicant for a club liquor license shall [before receiving such licese] pay to the board a license fee of fifty dollars ($50.00) except clubs which cater to groups of non-members either privately or for functions in which case the board may issue a catering license and the license fee shall be the same as for hotels and restaurants located in the same municipality and the board shall by its rules and regulations define what constitutes catering under this clause

(c) All license fees authorized under this section shall be collected by the board for the use of the municipalities or townships in which such fees were collected

Section 408 Licenses Not Assignable Transfers (a) Licenses issued under this act may not be assigned The board is hereby authorized to transfer any license from one person to another or from one place to another within the same municipality or both as the board may determine but no transfers shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not originally have been issued lawfully Upon any refusal to grant a transfer the person aggrieved shall have the right to appeal to the Court of Quarter Sessions in the same manner as herein provided for appeals from refusals to grant licenses The action of the Court of Quarter Sessions shall be final

(b) Every applicant for a transfer of a license shall file a written application with the board together with a filing fee of twenty dollars at such time as the board shall fix in its regulations and shall also file a surety bond as required on original applications for licenses Whenever any license is transferred no license or other fees shall be required from the person to whom such transfer is made for the balance of the then current license year [except a fee of twenty dollars ($20.00) to be paid to the board for the use of the Commonwealth]

(c) In the event that any person to whom a license shall have been issued under [terms] provisons of this act shall become insolvent make an assignment for the benefit of creditors become a bankrupt by either voluntary or involuntary action the license of such person shall immediately terminate and be cancelled without any action on the part of the board and there shall be no refund made or credit given for the unused portion of the license fee for the remainder of the license year for which said license was granted Thereafter no license shall be issued by the board for the premises wherein said license was conducted to any assignee committee trustee receiver or successor of such licensee until a hearing has been held by the board as in the case of a new application for license In the case of death of a licensee the board may transfer the license to the surviving spouse or personal representative or to a person designated by such representative In all such cases the board shall have the sole and final discretion as to the propriety of the issuance or transfer of the license for such premises and as to the time it shall issue and the period for which it shall be issued and shall have the further power to exact conditions under which said license shall be conducted

Section 409 License Year Renewal of Licenses (a) The board shall by regulation divide the State into convenient license districts and shall hold hearings on [such] applications for licenses and renewals thereof as it deems necessary at a convenient place or places in each of said districts at such times as it shall fix by regulation for the purpose of hearing testimony for and against applications for new licenses and renewals thereof The board may

provide for the holding of such hearings by examiners learned in the law to be appointed by the Governor who shall not be subject to the civil service provisions of this act Such examiners shall make report to the board in each case with their recommendations The board shall by regulation fix the license year for each separate district so that the expiration dates shall be uniform in each of the several districts but staggered as to the State

(b) All applications for renewal of licenses shall be filed at least thirty days before the expiration date of same and not thereafter Unless the board shall have given ten days' previous notice of objections to the renewal of his license based upon violation by the licensee or his servants agents or employes of any of the laws of the Commonwealth or regulations of the board relating to the manufacture transportation use storage importation possession or sale of liquor alcohol or malt or brewed beverages or the conduct of a licensed establishment or unless the applicant has by his own act become a person of ill repute or unless the premises do not meet the requirements of this act and the regulations of the board the license of a licensee shall be renewed when the applicant shall file with the board a new [surety] surety bond and shall pay the requisite application fee and license fee specified in this act

(c) In cases where a licensee or his servants agent or employes are arrested charged with violating any of the laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages and where the board has on file in such cases reports of its enforcement officers or investigators or from other sources that a licensee or his servants agents or employes have violated any of the aforementioned laws and a proceeding to revoke such licensee's license is or is about to be instituted and such arrest occurs or report of violations is received or revocation proceeding instituted or about to be instituted during the time a renewal application of such licensee is pending before the board the board shall renew the license notwithstanding such alleged violations but such renewal license may be revoked by the board in the manner hereinafter provided for revocation of licenses if and when the licensee or any of his servants agents or employes are convicted of or plead guilty to violations under the previous license as aforesaid or if and when such previous license is for any reason revoked

In the event such renewal license is revoked by the board neither the license fee paid for such license nor any part thereof shall be returned to the licensee but the license bond filed with the application for such renewal of license shall not be forfeited

Section 410 Revocation and Suspension of License [After a license has been issued under the provisions of this] [act upon the petition of the Attorney General the board the district attorney of any county or upon the petition of fifteen or more taxpayers residents of the ward borough or township where the place of business is located the Court of Quarter Sessions of the proper county upon sufficient cause being shown or proof being made that the licensee holding a license or any partners members officers or directors of the license has or have violated any of the laws of this Commonwealth relating to liquors malt or brewed beverages or alcohol or other alcoholic beverages may upon due notice and proper hearing be g given to the person so licensed and complained against suspend or revoke the license issued under the provisions of this act] Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws or any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of liquor or malt or brewed beverages by any license his officers servants agents or employes may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten or more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citation shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises When a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked In the event the [court] board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within said year In all such cases the [Court of Quarter Sessions] board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was suspended or revoked by the [court] board shall feel aggrieved by the action of the [Court of Quarter Sessions] board he shall have the right to appeal to the [Superior Court The Superior Court shall examine the record upon which such appeal is based and shall determine whether or not the action of the Court of Quarter Sessions was properly based upon the evidence The action of the Superior Court shall be final In all such appeals the Superior Court may allow a supersedeas if the appellant shall have filed with the clerk of the Court of Quarter Sessions a penal bond in the sum of two thousand dollars ($2,000.00) to be approved by the court and conditioned for the prompt prosecution of the appeal by the appellant the faithful observance of all the laws of this Commonwealth relating to alcoholic liquors and malt or brewed beverages and for the payment of all costs that may be assessed against the appellant] Court of Quarter Sessions in the same manner as herein provided for appeals from refusals to grant licenses Such appeal shall act as a supersedeas In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of hotel restaurant and club licensees the offer in compromise shall be at the rate of ten dollars for each day of suspension and in the case of importers and sacramental wine licensees the offer in compromise shall be at the rate of thirty dollars per day No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of one hundred days

Section 411 Sales of Liquor by Licensees Every hotel restaurant or club licensee may sell liquor and malt or brewed beverages by the glass open bottle or other container and in any mixture for consumption only in that part of the hotel or restaurant habitually used for the serving of food to guests or patrons and in the case of hotels [and clubs] to guests [or] and in the case of clubs to members in their private rooms in the hotel or club No club licensee nor its officers servants agents or employes other than one holding a catering license shall sell any liquor or malt or brewed beverages to any person except a member of the club No club holding a catering license nor its officers servants agents or employes shall sell on Sunday to non-members any liquor or malt or brewed beverages In the case of a restaurant located in a hotel which is not operated by the owner of the hotel and which is licensed to sell liquor under this act liquor may be sold for consumption in that part of the restaurant habitually used for the serving of meals to patrons and also to guests in private guest rooms in the hotel

Hotel restaurant and public service licenses their ser-

vants agents or employes may sell liquor and malt or brewed beverages only after seven o'clock ante meridian of any week day and until two o'clock ante meridian of the following week day and shall not sell on Sunday or after two o'clock ante meridian on any day on which a general municipal special or primary election is being held until one hour after the time fixed by law for closing the polls No club licensee or its servants agents or employes may sell liquor or malt or brewed beverages between the hours of two o'clock ante meridian and seven o'clock ante meridian on any day

The board may with the approval of the Governor temporarily close all licensed places within any municipality during any period of emergency proclaimed to be such by the Governor

The board may with the approval of the Governor advance by one hour the hours herein prescribed as those during which liquor and malt or brewed beverages may be hold in any municipality during such part of the year when daylight saving time may be observed generally in such municipality

Section 512 Sale of Malt or Brewed Beverages Every license issued to a hotel restaurant club or a railroad pullman or steamship company under this act for the sale of liquor shall authorize the licensee to sell malt or brewed beverages at the same places but subject to the same restrictions and penalties as apply to sales of liquor except that licensees other than clubs may sell malt or brewed beverages for consumption off the premises where sold in quantities of not more than seventy-two fluid ounces in a single sale to one person No Licensee under this act shall at the same time be the holder of any other license except a retail dispensers license authorizing the sale of malt or brewed beverages only

Section 413 Public Service Liquor Licenses Subject to the provisions of this act and regulations promulgated under this act the board upon application shall issue liquor licenses to railroad or pullman companies permitting liquor and malt [liquor] or brewed beverages to be sold in dining club or buffet cars to passengers for consumption while en route on such railroad and may issue liquor licenses to steamship companies permitting liquor or malt liquor to be sold in the dining compartments of steamships or vessels wherever operated in the Commonwealth except when standing or moored in stations terminals or docks within a municipality wherein sales of liquor for consumption on the premises are prohibited Such licenses shall be known as public service liquor licenses The board may issue a master license to railroad or pullman companies to cover the maximum number of cars which the company shall estimate that it will operate within the Commonwealth on any one day Such licensses shall file monthly reports with the board showing the maximum number of cars operated in any one day during the preceding month and if it appears that more cars have been operated than covered by its license it shall forthwith remit to the board the sum of twenty dollars for each extra car so operated

For the purpose of considering an application by a steamship company for a public service liquor license the board may cause an inspection of the steamship or vessel for which a license is desired The board may in its discretion grant or refuse the license applied for and there shall be no appeal from its decision except that an action of mandamus may be brought against the board in the manner provided by law

Every applicant for a public service liquor license shall before receiving such license pay to the board for each of the maximum number of dining club or buffet cars which the applicant estimates it will have in operation on any one day an annual fee of twenty dollars ($20.00) and for each steamship or vessel for which a license is desired an annual fee of one hundred dollars ($100.00)

A public service liquor license shall not be granted and issued to any railroad pullman or steamship company until the applicant therefor has filed with the board a surety bond similar to that required to be filed by a hotel restaurant or club licensee under this act except that in the case of a railroad or pullman company such bond shall cover every dining club or buffet car of such company operated under a license issued under this section

Unless previously revoked every license heretofore issued by the board under this section shall expire and terminate on the thirty-first day of December in the year for which the license is issued Licenses issued under the provisions of this section shall be renewed annually as herein provided upon the filing of applications in such form as the board shall prescribe but no license shall be renewed until the applicant shall file with the board a new surety bond and shall pay the requisite license fee specified in this section

Sales of liquor and malt or brewed beverages by public service company licensees shall be made in accordance with and shall be subject to the provisions of this act relating to the sale of liquors by restaurant licensees

Section 414 Sacremental Wine Licenses [The Board may upon application] [grant to responsible persons of good character sacramental wine licenses The fee for such licenses shall be one hundred dollars per annum and before any such license shall be granted the applicant shall file with the board a bond in the sum of ten thousand dollars conditioned for the faithful observance by the licensee of all of the laws of this Commonwealth and regulations of the board relating to] [the distribution sale and use of] [liquor]

[Holders of such licenses may purchase from manufacturers or bring or import into this Commonwealth wine to be used for sacramental or religious purposes and to sell the same only to priests clergymen or rabbies for such purposes under such regulations as the board shall prescribe Priests clergymen and rabbis may lawfully make purchase from such licensees under the regulations of the board but any wine purchased under authority of this section shall not be used for any other than sacramental or religious purposes]

Every applicant for a sacramental wine license shall file a written application with the board in such form as the board shall from time to time prescribe which shall be accompanied by a filing fee of ten dollars a license fee of one hundred dollars and a surety bond in the sum of ten thousand dollars conditioned for the faithful observance by the licensee of all the laws of this Commonwealth and the regulations of the board relating to liquor alcohol and malt or brewed beverages Every such application shall contain a description of the premises for which the applicant desires a license and shall set forth such other material information as may be required by the board

If the applicant is a natural person his application must show that he is a citizen of the United States and a resident of this Commonwealth If the applicant is an association or partnership each and every member of the association or partnership must be a citizen of the United States and a resident of this Commonwealth If the applicant is a corporation the application must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business in Pennsylvania and that all officers directors and stockholders are citizens of the United States

Holders of such licenses may purchase from manufacturers or bring or import into this Commonwealth wine to be used for sacramental or religious purposes only and bottle and sell the same to priests clergymen and rabbis for use in the cathedral church synagogue or temple or for sustaining members of the congregation duly certified by such priest clergymen or rabbis The sale and use of wine for sacramental or religious purposes shall be suubject to and in accordance with the regulations of the board

Any wine purchased under the authority of this section shall not be used for any other than sacramental or religious purposes Sacramental wine may not be sold by any person except the holder of a sacramental wine license All original containers from which sacramental wine is dispensed shall bear the seal of the board

Every sacramental wine licensee shall maintain on the licensed premises such records as the board may prescribe No deliveries of sacramental wine shall be made unless and until an order therefor is on file at the principal place of business in Pennsylvania All shipments

into Pennsylvania of wine to be used for sacramental or religious purposes shall be consigned to the principal place of business maintained by the licensee

Any such license may be suspended or revoked by the board upon proof satisfactory to it that the licensee has violated any law of this Commonwealth or any regulation of the board relating to [the distribution sale or use of] liquor and alcohol The procedure in such cases shall be the same as for the revocation and suspension of hotel restaurant and club licenses Upon the revocation of any such license the bond of the licensee may be forfeited and shall be collected in the same manner as heretofore provided for the collection of forfeited hotel restaurant and club license bonds

Section 415 Importers' License [The board may upon application] [grant to responsible persons of good reputation importers' licenses Such licenses shall permit the holders thereof to bring or import liquor] [from other states foreign countries and insular possessions of the United States and] [obtain] [tax paid liquor from manufacturers located within the Commonwealth to be sold outside of this Commonwealth] [and] [exclusively to Pennsylvania Liquor Stores within this Commonwealth]

[The fee for such licenses shall be one hundred dollars per annum and before any such license shall be granted the applicant shall file with the board a bond in the sum of ten thousand dollars conditioned for the faithful observance by the licensee of all of the laws of this Commonwealth and of the regulations of the board relating to] [the distribution sale and use of] [liquor] Every applicant for an importer's license shall file a written application with the board in such form as the board shall from time to time prescribe which shall be accompanied by a filing fee of ten dollars a license fee of one hundred dollars and a surety bond in the sum of ten thousand dollars conditioned for the faithful observance by the licensee of all the laws of the Commonwealth and the regulations of the board relating to liquor alcohol and malt or brewed beverages Every such application shall contain a description of the principal place of business for which the applicant desires a license and shall set forth such other material information as may be required by the board

The holder of an importer's license may have included in such license one warehouse wherein only his liquor may be kept and stored located in the same municipality or township in which his licensed premises is situate and not elsewhere unless such licensee secures from the board a license for each additional storage warehouse desired The board is authorized and empowered to issue to a holder of an importer's license a license for an additional storage warehouse or warehouses located in this Commonwealth provided such licensed importer files with the board a separate application for each warehouse in such form and containing such information as the board may from time to time require accompanied by a filing fee of ten dollars a license fee of twenty-five dollars and a bond of an approved surety company in the amount of ten thousand dollars Such bond shall contain the same provisions and conditions as are required in the other license bonds under this act

If the applicant is a natural person his application must show that he is a citizen of the United States and a resident of this Commonwealth If the applicant is an association or partnership each and every member of the association or partnership must be a citizen of the United States and a resident of this Commonwealth If the applicant is a corporation the application must show that the corporation was created under the laws of Pennsylvania or holds a certificate of authority to transact business in Pennsylvania and that all officers directors and stockholders are citizens of the United States

Such licenses shall permit the holders thereof to bring or import liquor from other states foreign countries or insular possessions of the United States and purchase liquor [from manufacturers located within the Commonwealth to be sold outside of this Commonwealth or exclusively to Pennsylvania liquor stores within this Commonwealth

All importations of liquor into Pennsylvania by the licensed importer shall be consigned to the Pennsylvania Liquor Control Board or the principal place of business or authorized place of storage maintained by the licensee

Every importer shall maintain on the licensed premises such records as the board may prescribe [malt or brewed beverages alcohol or other alcoholic beverages] Any such license may be suspended or revoked by the board upon proof satisfactory to it that the licensee has violated any law of this Commonwealth or any regulation of the board relating to liquor and alcohol The procedure in such cases shall be the same as for the revocation and suspension of hotel restaurant and club licenses Upon the revocation of any such license the bond of thel icensee may be forfeited and shall be collected in the same manner as heretofore provided for the collection of forfeited hotel restaurant and club license bonds

[Any such permit may be revoked or suspended by the board upon proof satisfactory to it that the licensee has violated any law of this Commonwealth or any regulation of the board relating to the distribution sale or use of liquor malt or brewed beverages alcohol or other alcoholic beverages]

Article V

Local Option

Section 501 Local Option Areas Authorized In any municipality an election may be held but not oftener than once in four years on the date of the primary election immediately preceding any general or municipal election to determine the will of the electors with respect to the granting of liquor licenses by the board to hotels restaurants and clubs within the limits of such municipality

Section 502 Petition of Electors for Local Option Whenever electors equal to at least [ten] twenty-five per centum of the highest vote cast for any office in the municipality or township at the last preceding general election shall petition the corporate authorities of the municipality or township for a referendum on the question of granting such liquor licenses the respective corporate authorities shall cause a question to be submitted at the primary immediately preceding the general or municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of liquor licenses for the sale of liquor in of ?	Yes / No	———

In the case of a tie vote or if a majority of the persons voting on such question vote "Yes" then liquor licenses shall be granted by the board to hotels restaurants and clubs in such municipality or township for the sale of liquors under the provisions of this act but if a majority of the persons voting on such question vote "No" then the board shall thereafter have no power to grant or to renew upon their expiration any liquor licenses in such municipality or township under the provisions of this act unless and until the people therein shall at a later time have again voted on the question and decided in the affirmative

Section 503 Unlawful to Sell Liquor for Consumption in Certain Local Option Areas It shall be unlawful for any person firm or corporation to sell liquor for consumption on the premises of any hotel restaurant club or other place after the expiration of his existing license in any local option area where the electors have voted against such sales but the sale of malt [liquors] or brewed beverages by retailers shall not be unlawful in such areas unless the electors have also voted to prohibit such sales as provided in the Beverage License Law

Article VI

Illegal Acts Penalties Forfeitures

Section 601 Restrictions on Certain Sales (a) It shall be unlawful for any manufacturer or licensed importer of liquor in this Commonwealth his agents servants or employes to sell or offer to sell any liquor in this Commonwealth except to the board for use in Pennsylvania Liquor Stores or to the holder of a sacramental wine [permit] license but a mnaufacturer or licensed importer may sell or offer to sell liquor to persons outside of this Commonwealth

(b) It shall be unlawful for any person to sell alcohol to any person except in accordance with regulations promulgated by the board

Section 602 [Sales by Persons Other Than Manufacturers] Unlawful Acts [(a)] (1) Except as provided in this act it shall be unlawful for any person by himself or by an employe or agent to expose or keep for sale or directly or indirectly or upon any pretense or upon any device to sell or offer to sell any liquor within this Commonwealth but this clause shall not be construed to prohibit hospitals physicians dentists or veterinarians who are licensed and registered under the laws of this Commonwealth from administering liquor in the regular course of their professional work and taking into account the cost of the liquor so administered in making charges for their professional service or a pharmacist duly licensed and registered under the laws of this Commonwealth from dispensing liquor on a prescription of a duly licensed physician dentist or veterinarian or selling medical preparations containing alcohol or using liquor in compounding prescriptions or medicines and making a charge for the liquor used in such medicines or a manufacturing pharmacist or chemist from using liquor in manufacturing preparations unfit for beverage purposes and making a charge for the liquor so used nor prevent any person not licensed under this act from selling to the Pennsylvania Liquor Stores or to any licensee any liquor which was lawfully possessed prior to July first one thousand nine hundred and nineteen under such rules and regulations as the Board shall prescribe All such liquors so administered or sold by hospitals physicians dentists veterinarians pharmacists or chemists shall conform to the Pharmacopoeia of the United States the National Formulary or the American Homeopathic Pharmacopoeia

[(b)] (2) It shall be unlawful for any person except a manufacturer or the board or the holder of a sacramental wine license or of an importer's license to possess or transport any liquor or alcohol within this Commonwealth which was not lawfully acquired prior to January first one thousand nine hundred and thirty-four or has not been purchased from a Pennsylvania Liquor Store or in accordance with the board's regulations The burden shall be upon the person possessing or transporting such liquor or alcohol to prove that it was so acquired But nothing herein contained shall prohibit the manufacture or possession of wine by any person in his home for consumption of himself his family and guests and not for sale not exceeding during any one calendar year two hundred gallons any other law to the contrary notwithstanding Such wine shall not be manufactured possessed offered for sale or sold on any licensed premises

[(c)] (3) [Except as provided in this act] It shall be unlawful for any person within this Commonwealth by himself or by an employe or agent to attempt to purchase or directly or indirectly or upon any pretense or device whatsoever to purchase any liquor or alcohol from any person or source other than a Pennsylvania Liquor Store except in accordance with the provisions of this act or the regulations of the board

[(d)] (4) It shall be unlawful for any person except a manufacturer or the board or the holder of a sacramental wine license or of an importer's license or a priest clergyman or rabbi who has purchased wine from the holder of a sacramental wine [permit] license to have or keep any liquor within the Commonwealth unless the package (except the decanter or other receptacle containing liquor for immediate consumption) in which the liquor is contained has while containing that liquor been sealed with the official seal of the board The use of decanters or other similar receptacles by licensees shall be permitted only in the case of wines and then only in accordance with the regulations of the board but nothing herein contained shall prohibit the manufacture and possession of wine as provided in clause (b) of this section

[(e)] (5) It shall be unlawful for any licensee or the board or any employe servant or agent of such licensee or of the board to sell furnish or give any liquor or malt or brewed beverages or to permit any liquor or malt or brewed beverages to be sold furnished or given to any person visibly intoxicated or to any insane person or to any minor or to habitual drunkards or persons of known intemperate habits

[(f)] (6) It shall be unlawful for any licensee his agent servant or employe to sell or offer to sell or purchase or receive any liquor or malt or brewed beverages except for cash excepting credit extended by a hotel or club to a bona fide guest or member No right of action shall exist to collect any claim for credit extended contrary to the provisions of this clause Nothing herein contained shall prohibit a licensee from crediting to a purchaser the actual price charged for packages or original containers returned by the original purchaser as a credit on any sale or from refunding to any purchaser the amount paid by such purchaser for containers or as a deposit on containers when title is retained by the vendor if such original containers or packages have been returned to the licensee Nothing herein contained shall prohibit a manufacturer from extending usual and customary credit for liquor or malt or brewed beverages sold to customers or purchasers who live or maintain places of business outside of the Commonwealth of Pennsylvania when the liquor or malt or brewed beverages so sold are actually transported and delivered to points outside of the Commonwealth provided however that as to all transactions affecting malt or brewed beverages to be resold or consumed within this Commonwealth every licensee shall pay and shall require cash deposits on all returnable original containers which contain not more than one hundred twenty-eight fluid ounces

[(g)] (7) It shall be unlawful for any licensee or the board or any employe servant or agent of a licensee or of the board to sell offer to sell or furnish any liquor or malt or brewed beverages to any person on a pass-book or store order or to receive from any person any goods wares merchandise or other articles in exchange for liquor or malt or brewed beverages

[(h)] (8) It shall be unlawful for any person to hawk or peddle any liquor in this Commonwealth

[(i)] (9) It shall be unlawful for any licensee or his servants agents or employes except a manufacturer on his own premises to [advertise] display in any manner whatsoever on the outside of any license premises or on any lot of ground on which the licensed premises are situate or on any building of which the licensed premises are a part any advertisement whatever relating to [any] liquor or malt or brewed beverages [by trade name trademark or in any manner which would indicate the manufacturer producer or place of manufacture or production of any liquor or malt or brewed beverages] unless the actual value of such advertisement [or advertising device] shall not be more than twenty-five dollars No sign or advertisement leased furnished or sold by a manufacturer importer importing distributor or distributor shall contain thereon any thing except the trade name trademark or place of manufacture of the liquor or malt or brewed beverages manufactured or sold by him

[(j)] (10) It shall be unlawful for any manufacturer or licensee or his servants agents or employees to give furnish lease or sell or for any other licensee to lease purchase or receive for display or to display on the inside of any licensed premises any advertising matter indicating the trade-mark or trade name of any particular liquor or malt or brewed beverages or the manufacturer producer or place of manufacture or production of any

liquor or malt or brewed beverages unless the actual value [for] of such such advertising device including all displays in connection therewith shall not exceed ten dollars ($10) It shall be unlawful for any licensee to display or permit to be displayed any window or exterior advertising except in accordance with the regulations of the board

[(k)] (11) It shall be unlawful for any licensee his servants agents or employees to advertise or hold out for sale any liquor or malt or brewed beverages by trade name or other designation which would indicate the manufacturer or place of production of the said liquor or malt or brewed beverages unless he shall actually have on hand and for sale a sufficient quantity of the particular liquor or malt or brewed beverages so advertised to meet requirements to be normally expected as a resoult of such advertisement or offer

[(l)] (12) It shall be unlawful for any licensee his agents servants or employes to furnish or serve any malt or brewed beverages from any faucet spigot or other dispensing aparatus unless the trade name or brand of the product served shall appear in full sight of the customer and in legible lettering upon such faucet spigot or dispensing apparatus

[(m)] (13) It shall be unlawful for any licensee or his [or its] servants agents or employes to transport sell deliver or purchase any malt or brewed beverages upon which there shall appear a label or other informative data which in any manner refers to the alcoholic contents of the malt or brewed beverage or which refers in any manner to the original alcoholic strength extract or balling proof from which such malt or brewed beverages was produced This clause shall not be construed to prohibit a manufacturer from designating upon the label or descriptive data the alcoholic contents of malt or brewed beverages intended for shipment into another state or territory when the laws of such state or territory require that the alcoholic content of the malt or brewed beverage must be stated upon the package

[(n)] (14) It shall be unlawful for any licensee [except club licensees] to permit in any licensed premises or in any place operated in connection therewith dancing theatricals floor shows or moving picture exhibitions of any sort unless the licensee shall first have obtained from the board a special permit to provide such entertainment or for any licensee under any circumstances to permit in any licensed premises any lewd immoral or improper entertainment regardless of whether a permit to provide entertainment has been obtained or not The board shall have power to provide for the issue of such special permits and to collect a fee [of twenty-five dollars ($25.00)] for such permits [authorizing theatricals floor shows or moving picture exhibitions] equal to one-fifth of the annual license fee but not less than twenty-five dollars ($25) All such fees shall be paid into the State Stores Fund No such permit shall be issued in any municipality which by ordinance prohibits amusements in licensed places Any violation of this clause shall in addition to the penalty herein provided subject the licensee to suspension or revocation of his permit and his liquor license

[(o)] (15) It shall be unlawful for any manufacturer or other licensee to issue publish or post or cause to be issued published or posted any advertisement of any malt or brewed beverage including a label which shall refer in any manner to the alcoholic strength of the malt or brewed beverage manufactured sold or distributed by such licensees or to use in any advertisement or label such words as "full strength" "extra strength" "high test" "high proof" "pre-war strength" or similar words or phrases which would lead or induce a consumer to purchase a brand of malt or brewed beverage on the basis of its alcoholic content or to use in or on any advertisement or label any numeral unless adequately explained in type of the same size prominence and color or for any licensee to purchase transport sell or distribute any malt or brewed beverage advertised or labeled contrary to the provisions of this clause

[(p)] (16) It shall be unlawful for any retail licensee his agents servants or employes to furnish give or sell below a fair cost any lunch to any consumer such articles of food as the board may authorize and approve

[(q)] (17) It shall be unlawful for any [licensee] person to have alcohol in his possession [on the licensed premises] except in accordance with this act and the regulations of the board

[(r)] (18) It shall be unlawful for any hotel restaurant or club licensee or any servant agent or employe of such licensee to be at the same time employed directly or indirectly by any other person engaged in the manufacture sale transportation or storage of liquor malt or brewed beverages or alcohol

[(s)] (19) It shall be unlawful for any licensee to fail to keep on the licensed premises for a period of at least two years complete and truthful records covering the operation of his licensed business particularly showing the date of all purchases of liquor and malt or brewed beverages the actual price paid therefore and the name of the vendor including State store receipts or to refuse the board or an authorized employe of the board access thereto or the opportunity to make copies of the same when the request is made during business hours

[(t)] (20) It shall be unlawful for any hotel restaurant or club licensee to employ any minor or to permit any minor to render any service whatever in or about the licensed premises except in accordance with board regulations nor shall any entertainer be employed or permitted to perform in any licensed premises in violation of the labor laws of this Commonwealth

[(u)] (21) It shall be unlawful for any hotel restaurant or club licensee his servants agents or employes to permit persons of ill repute known criminals prostitutes or minors to frequent his licensed premises or any premises operated in conection therewith except minors accompanied by parents guardians or under proper supervision

[(v)] (22) It shall be unlawful for any licensee or his servants agents or employes to cash pay roll checks except in accordance with board regulations

[(w)] (23) It shall be unlawful for any restaurant hotel or club licensee his servants agents or employes to fail to break any package in which liquors were contained within twenty-four hours after the original contents were removed therefrom

[(x)] (24) It shall be unlawful for any licensee his servants agents or employes to give furnish trade barter serve or deliver any liquor or malt or brewed beverages to any person during hours or on days when the licensee is prohibited by this act from selling liquor or malt or brewed beverages

[(y)] (25) It shall be unlawful for any licensee or any officer director stockholder servant agent or employe of any licensee to own any interest directly or indirectly in or be employed or engaged in any business which involves the manufacture or sale of any equipment furnishings or fixtures to any hotel restaurant or club licensees licensed under this act or to any importing distributors distributors package retailers or retail dispensers licensed under any other act of this Commonwealth relating to liquor or malt or brewed beverages

(26) It shall be unlawful for any restaurant or hotel licensee his servants agents or employes to sell any liquor or malt or brewed beverages for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public but this section shall not be interpreted to prohibit a hotel licensee or a restaurant licensee when the restaurant is located in a hotel from selling liquor or malt or brewed beverages in any room of such hotel occupied by a bona fide guest

(27) It shall be unlawful for any restaurant hotel or club licensee or the servants agents or employes of such licensees to display on the outside of any licensed premises or to display any place within the licensed premises if it can be seen from the outside of the licensed premises any advertisement whatsoever referring directly or indirectly to the price at which the licensee will sell liquor or malt or brewed beverages except in the interier of the licensed premises where the display cannot be seen

from the outside the price at which liquor or malt or brewed beverages will be sold by him

(28) It shall be unlawful for any licensee or his servants agents or employes to refuse the board or any of its authorized employes the right to inspect completely the entire licensed premises at any time during which the premises are open for the transaction of business

(29) It shall be unlawful for any licensee or his servants agents or employes to offer pay make or allow or for any licensee or his servants agents or employes to solicit or receive any allowance or rebate refunds or concessions whether in the form of money or otherwise to induce the purchase of liquor or malt or brewed beverages or any other commodity manufactured or sold by the licensee

(30) It shall be unlawful for any licensee or any agent employe or representative of any licensee to give or permit to be given directly or indirectly money or anything of substantial value in an effort to induce agents employes or representatives of customers or prospective customers to influence their employer or principal to purchase or contract to purchase liquor or malt or brewed beverages from the donor of such gift or to influence such employers or principals to refrain from dealing or contracting to deal with other licensees

Section 603 Unlawful to Fortify Adulterate or Contaminate Liquor It shall be unlawful for any licensee or any employe or agent of a licensee or of the board to fortify adulterate or contaminate any liquor except as permitted by the regulations of the board or to refill wholly or in part with any liquid or substance whatsoever any bottle or other container previously sealed with the official seal of the board

Section 604 Things of Value Not to be Offered It shall be unlawful for any licensee or the board or any manufacturer or any employe or agent of a manuacturer licensee or of the board to offer to give anything of value or to solicit or receive anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing liquor or malt or brewed beverages or to offer or give or solicit or receive anything of value as a premium or present to induce the purchase of liquor or malt or brewed beverage or for any other purpose whatsoever in connection with the sale of such liquor or malt or brewed beverage or for any licensee manufacturer or other persons to offer or give to trade or consumer buyers any prize premium gift or other similar inducement except advertising novelties of nominal value which the board shall define Provided however That this section shall not apply to the return of any monies specifically deposited for the return of the original containers to the owners thereof

Section 605 Delivery Vehicles to Bear Name and Address of [Manufacturer] Licensee It shall be unlawful for a license permitted to deliver [any] liquor to make any deliveries except in his own vehicle bearing his name [and] address and license number on each side in letters not smaller than four inches in height or in the vehicle of another person duly authorized to transport liquor within this Commonwealth

Section 606 Restrictions on Importation of Liquor and Alcohol into the Commonwealth It shall be unlawful for any person other than the board or the holder of a sacramental wine [permit] license or of an importer's license to import any liquor whatsoever into this Commonwealth but this section shall not be construed to prohibit railroad and pullman companies from selling liquors purchased outside the Commonwealth in their dining club and buffet cars which are covered by public service liquor licenses and which are operated in this Commonwealth

It shall be unlawful for any person to import alcohol into this Commonwealth except in accordance with regulations to be promulgated by the board

Section 607 Restrictions on Members and Employes of the Board (a) A member or employe of the board shall not be directly or indirectly interested or engaged in any other business or undertaking dealing in liquor [or] alcohol or malt or brewed beverages whether as owner part owner partner member of syndicate shareholder agent or employe and whether for his own benefit or in a fiduciary capacity for some other person

(b) [A manager] No member or employe of the board nor any employe of the Commonwealth shall [not] solicit or receive directly or indirectly any commission remuneration or gift whatsoever from any person having sold selling or offering liquor or alcohol for sale to the board for use in Pennsylvania Liquor Stores

(c) It shall be unlawful for any person selling or offering to sell liquor or alcohol to or purchasing at wholesale liquor or alcohol from the board either directly or indirectly to pay or offer to pay any commission profit or remuneration or to make or offer to make any gift to any member or employe of the board or other employe of the Commonwealth or to anyone on behalf of such member of employe

Section 608 Nuisances (a) Any room house building boat vehicle structure or place except a private home where liquor is possessed sold offered for sale bartered or furnished in violation of this act and all liquor and property kept or used in maintaining the same is hereby declared to be a common nuisance and any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties hereinafter provided

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General [of the State] or by the district attorney of the proper county Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by testimony to the satisfaction of the court that such nuisance exists a temporary writ or injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the liquor or other things used in connection with the violation of this act constituting such nuisance No bond shall be required in instituting such proceedings It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no liquor shall be sold offered for sale bartered or furnished in such room house building structure boat vehicle or place or any part thereof Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the court may in its discretion permit it to be occupied or used if the owner lessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the court making the order in the penal and liquidated sum of not less than five hundred dollars ($500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that liquor will not thereafter be manufactured sold offered for sale bartered or furnished therein or thereon in violation of this act and that he will pay all fines costs and damages that may be assessed for any violation of this act upon said property

Section 609 Interlocking Business Prohibited (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a holder of a hotel restaurant or club liquor license

(b) No manufacturer importer or sacramental wine licensee and no officer or director of a manufacturer importer or sacramental wine licensee shall own any stock or have any financial interest in any hotel or restaurant licensed under this act

(c) Excepting as herein [before] provided no manufacturer or officer director stockholder agent or employe of a manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or the equipment of any property or any mortgage lien against the same for which a hotel restaurant or club license is granted nor shall a manufacturer importer or sacramental wine licensee or officer director

stockholder agent or employe of a manufacturer importer or sacramental wine licensee either directly or indirectly lend any moneys credit or give anything of value or the equivalent thereof to or guarantee the payment of any bond mortgage note or other obligation of any hotel [or] restaurant or club licensee his servant agent or employe for equipping fitting out or maintaining and conducting either in whole or in part a hotel [or] restaurant or club licensed for the selling of liquor for use and consumption upon the premises

(d) Excepting as herein [before] provided no hotel license restaurant licensee or club licensee and no officer director stockholder agent or employe of any such licensee shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or the equipment of any property or any mortgage lien against the same used by a manufacturer in manufacturing liquor or malt or brewed beverages nor shall any hotel restaurant or club licensee or any officer director stockholder agent or employe of any such licensee either directly or indirectly lend any moneys credit or give anything of value or the equivalent thereof to any manufacturer for equipping fitting out or maintaining and conducting either in whole or in part an establishment used for the manufacture of liquor or malt or brewed beverages

(e) Except as herein provided no hotel restaurant or club licensee and no officer director stockholder agent or employe of any such licensee shall in any wise be interested directly or indirectly in the ownership or leasehold of any property or the equipment of any property or any mortgage lien against the same used by a distributor importing distributor package retailer retail dispenser licensed under the Beverage License Law or by an importer or sacramental wine licensee in the conduct of his business nor shall any hotel restaurant or club licensee or any officer director stockholder agent or employe of any such licensee either directly or indirectly lend any moneys credit or give anything of value or the equivalent thereof to any distributor importing distributor package retailer retail dispenser importer or sacramental wine licensee for equipping fitting out or maintaining and conducting either in whole or in part an establishment used in the conduct of his business

The purpose of this section is to require a separation of the financial and business interests between manufacturers and holders of hotel or restaurant licenses and as herein provided of club licenses issued under this act and no person shall by any device whatsoever directly or indirectly evade the provisions of the section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest by a manufacturer of any place occupied by a licensee under this act after the manufacturer has continuously owned and had a conflicting interest in such place for a period of at least five years prior to [the effective date of this act] July 18 1935

Section 610 Penalties (a) Any person who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than three hundred dollars ($300.00) and on failure to pay such fine to imprisonment for not less than one month nor more than three months and for any subsequent offense shall be sentenced to pay a fine of not less than three hundred dollars ($300.00) nor more than five hundred dollars ($500.00) and to undergo imprisonment for a period of not less than three months nor more than one year

(b) The right of the [court] board to suspend and revoke licenses granted under this act shall be in addition to the penalty set forth in this section

Section 611 Forfeiture of Property Illegally Possessed or Used (a) No property rights shall exist in any liquor alcohol malt or brewed beverage illegally possessed or in any still equipment material utensil vehicle boat vessel animals or aircraft [illegally] used in the illegal manufacture or illegal transportation of liquor alcohol malt or brewed beverages and the same shall be deemed contraband and shall be forfeited to the Commonwealth No such property when in the custody of the law shall be seized or taken therefrom on any writ of replevin or like process

(b) If upon petition as hereinafter provided nad hearing before the Court of Quarter Sessions it appears that any liquor alcohol or malt or brewed beverage was so illegally possessed or property so used in the illegal manufacture or transportation of liquor alcohol or malt or brewed beverage such liquor alcohol male or brewed beverage or property shall be adjudged forfeited and condemned and shall be disposed of as hereinafter provided unless the court shall otherwise order

(1) Upon conviction of any person of a violation of any of the provisions of this act the court shall order the sheriff to destroy all such condemned liquor alcohol or malt or brewed beverage and property seized or obtained from such defendants except that the court may order the [same] liquor alcohol or malt or brewed beverages or any part thereof to be delivered to a hospital for its use and make return to the court of compliance with said order Except that any vehicle container boat vessel animals or aircraft seized under the provisions of this act shall be disposed of as hereinafter provided

(2) In any case in which (I) the defendant is acquitted of a violation of this act and denies the ownership or possession thereof or (II) no claimant appears for same or (III) appearing is unable to sustain his claim therefor the court shall order all such condemned liquor alcohol and malt or brewed beverages and property (except vehicles boats vessels containers animals and aircraft) publicly destroyed by the sheriff except that the court may order the [same] liquor alcohol or malt or brewed beverages or any part thereof to be delivered to a hospital for its use Return of compliance with said order shall be made by the sheriff to the court

(3) In the case of any vehicle boat vessel container animal or aircraft seized under the provisions of this act and condemned the court shall order [a public sale thereof by the sheriff of the county] the same to be delivered to the board for its use or for sale or disposition by the board in its discretion Notice of such sale shall be given in [the same manner as notice is required to be given of the sale of personal property under a writ of fieri facias] such manner as the board may prescribe The proceeds of such sale shall be paid [to the county treasurer for the use of the county In the event any such vehicle boat vessel or aircraft is when so seized held and possessed under a bailment lease or contract and the legal title thereto is in another person or in the event that any such vehicle boat vessel or aircraft is when so seized subject to the lien of a chattel mortgage or to a contract of conditional sale and if the person holding the legal title thereto or holding such chattel mortgage or contract of conditional sale thereon shall prove that the unlawful use for which the same was seized was without his knowledge or consent then the claim of the bailor for money due under said bailment lease or contract or the claim of the mortgage or conditional seller for money due under said chattel mortgage or contract of conditional sale shall attach to and be paid out of the funds derived from said sale after payment of costs and the balance distributed as above provided In case it appears at said hearing that the owner of any such vehicle boat vessel or aircraft has not been found within the jurisdiction of the court the sheriff shall give ten (10) days notice of said sale by registered letter to the person if any whose name appears thereon as the manufacturer thereof together with the manufacturer's number if any appearing thereon] into the State Stores Fund

(c) In addition to the foregoing provisions the court may in its order of condemnation and in every conviction under this act where it shall appear that liquor alcohol or malt or brewed beverages were unlawfully transported in a motor vehicle declare that the license issued by the Department of Revenue for any motor vehicle so forfeited and condemned or issued to any defendant convicted of transporting liquor alcohol or malt or brewed beverages in any motor vehicle shall be forfeited and revoked and it shall be the duty of the clerk of the court in which such conviction is had and order of condemnation made to certify such conviction to the Secretary of Revenue who shall suspend or revoke the license issued for such

motor vehicle [or to such person nad no other license shall be issued to such person or for such motor vehicle for a period of one (1) year following such suspension or revocation] Provided That a license may be issued for such motor vehicle to the board or to any purchaser of the vehicle after the [public] sale thereof as above provided

(d) (1) The proceedings for the forfeiture or condemnation of all property [the destruction or sale of which is provided for in subsections (2) and (3) of clause (b) of this section] shall be in rem in which the Commonwealth shall be the plaintiff and the property the defendant A petition shall be filed in the Court of Quarter Sessions verified by oath or affirmation of any officer or citizen containing the following (I) A description of the property so seized (II) a statement of the time and place where seized (III) the owner if known (IV) the person or persons in possession if known (V) an allegation that the same had been possessed or used or was intended for use in violation of this act (VI) and a prayer for an order of forfeiture that the same be adjudged forfeited to the Commonwealth [and condemned and be ordered sold or destroyed (as the case may be) according to law] unless cause be shown to the contrary

(2) A copy of said petition shall be served personally on said owner if he can be found within the jurisdiction of the court or upon the person or persons in possession at the time of the seizure thereof Said copy shall have endorsed thereon a notice as follows

"To the Claimant of Within Described Property

"You are required to file an answer to this petition setting forth your title in and right to possession of said property within fifteen (15) days from the service hereof and you are also notified that if you fail to file said answer a decree of forfeiture and condemnation will be entered against said property"

Said notice shall be signed by petitioner or his attorney or the District Attorney or the Attorney General

(3) If the owner of said property is unknown or outside the jurisdiction of the court and there was no person in possession of said property when seized or such person so in possession can not be found within the jurisdiction of the court notice of said petition shall be given [by the sheriff] by an advertisement in [a] only one newspaper of general circulation published in the county where such property shall have been seized once a week for [three (3)] two (2) successive weeks No other advertisement of any sort shall be necessary any other law to the contrary notwithstanding Said notice shall contain a statement of the seizure of said property with a description thereof the place and date of seizure and shall direct any claimants thereof to file a claim therefor on or before a date given in said notice which date shall not be less than ten (10) days from the date of the last publication

(4) Upon the filing of any claim for said property setting forth a right of possession thereof the case shall be deemed at issue and a time be fixed for the hearing thereof

(5) At the time of said hearing if the Commonwealth shall produce evidence that the property in question was unlawfully possessed or used the burden shall be upon the claimant to show (I) that he is the owner of said property [or the holder of a chattel mortgage or contract of conditional sale thereon] (II) that he lawfully acquired the same and (III) that it was not unlawfully used or possessed [by him and (IV) in the event that it shall appear that the property was unlawfully used by a person other than the claimant then such claimant shall show that such unlawful use was without his knowledge or consent]

[(6) Any person claiming the ownership of] [or right of possession to or claiming to be the holder of a chattel mortgage or contract of conditional sale upon] [any liquor alcohol or malt or brewed beverage or still equipment material utensil vehicle boat vessel] container animal [or aircraft the disposition of which is provided for in this section may at any time prior to the sale thereof present his petition to the court alleging his lawful ownership thereof or right of possession thereto] [or his lien thereon or reservation of title thereto] [and if upon public hearing thereon due notice of which having been given to the District Attorney] In the event such claimant shall prove by competent evidence to the satisfaction of the court that said liquor alcohol or malt or brewed beverage or still equipment material utensil vehicle boat vessel container animal or aircraft was lawfully acquired possessed and used then the court may order the same returned or delivered to the claimant [by him] [or] but if it [appearing] appears that the property was unlawfully used [by a person other than the claimant he shall prove that such unlawful use was without his knowledge or consent then the court may order the same returned or delivered to said claimant otherwise] it shall be destroyed or [sold] be turned over to the board (as the case may be) as hereinabove provided

[(7) Unless either the Commonwealth or the claimant shall demand a jury trial within five (5) days after the conclusion of the hearing the right to such jury trial shall be deemed to have been waived]

(e) The provisions of this section shall apply to the disposition of any liquor alcohol or malt or brewed beverage or property in the custody of the law or of any officer at the time of the passage of this act

Article VII

Disposition of Moneys

Section 701 License Fees to Be Returned to Municipalities All license fees collected by the board under the provisions of this act except fees for public service liquor licenses sacramental wine and importers licenses shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as the Liquor License Fund" Fees for public service licenses sacramental wine [and] importers licenses permit fees and compromise penalties in connection with the suspension of licenses shall be paid into the State Stores Fund The moneys in the "Liquor License Fund" shall on the first days of February and August of each year be paid by the board to the respective municipalities and townships in which the respective municipalities and townships in which the respective licensed places are situated in such amounts as represent the aggregate license fees collected from licensees in such municipalities during the preceding period

Section 702 [Application] Filing Fees Forfeiture Penalties and Receipts from Pennsylvania Liquor Stores to Be Retained by the Commonwealth All (application] filing fees and moneys accruing from sales of liquor and alcohol at Pennsylvania Liquor Stores and all forfeitures and compromise penalties collected received or recovered under the provisions of this act shall be paid into the State Treasury through the Department of Revenue into a special fund to be known as "The State Stores Fund" All moneys in such fund shall be available for the purposes for which they are appropriated by law

Section 703 Taxes All taxes collected or received by the board on sales of taxable alcohol under the provisions of this act shall be paid into the State Treasury through the Department of Revenue into the General Fund

Section 704 The board shall have the power to appropriate monies in the Liquor License Fund for the payment of claims for refunds allowed and approved by the board for monies paid into the Liquor License Fund because of the over-payment or over-charge on a liquor license fee In the event that the monies in the Liquor License Fund have been distributed to the respective municipalities and townships the board shall have the authority to deduct from the next semi-annual payment to the respective municipalities and townships the amount of any over-payment previously refunded by the board to any person on account of an over-charge or over-payment on a liqur license fee

Article VIII

Effective Date and Repeal

Sectin 801 Effective Date This amendment and re-enactment shall become effective [immediately upon its final enactment] on the first day of July one thousand nine hundred and thirty-seven except the board may adopt and circulate its regulations at any time after the final enactment of this act and the board may receive and collect additional amusement and entertainment permit fees prior to July first one thousand nine hundred and thirty-seven in order that such permits may be kept in effect for the entire license year

Section 802 Repeal The following acts are hereby repealed The act approved the twenty-seventh day of March one thousand nine hundred twenty-three (Pamphlet Laws thirty-four) entitled "An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic license laws

The act approved the fourteenth day of April one thousand eight hundred and sixty-three (Pamphlet Laws three hundred eighty-nine) entitled "An act to prohibit the use of deleterious drugs in the manufacture and sale of intoxicating malt or alcoholic liquors"

The act approved the ninth day of July one thousand eight hundred and eighty-one (Pamphlet Laws one hundred sixty-two) entitled "An act to prohibit the granting of a license for the sale of liquors to proprietors lessees keepers or managers of theatres or other places of amusement"

All other acts and parts of acts including special or local acts inconsistent herewith are hereby repealed

Section 2 [The board shall have power to extend existing licenses granted under the act to which this is an amendment for such period of time as to it may appear proper and to provide for the payment of license fees for such period on the schedule of fees provided in this act in order to put into effect the system of staggered license dates provided for in this act and shall have power to determine such extensions in any licensing district at any time when arrangements have been completed and licenses issued in such district]

[In the event the board shall establish license districts in any of which the license year for a district shall begin prior to January first one thousand nine hundred and thirty-six all holders of hotel restaurant or club licenses in such districts shall file written applications with the board for licenses for the ensuing license year in accordance with board regulations and those to whom licenses are issued shall be given credit on the license fee for the ensuing license year for the unused portion of the license fee paid by such licensee for the year one thousand nine hundrd and thirty-five In the event any licensee shall be refused a license by the board for the ensuing license year for the district in which his licensed place is located his license shall continue in force for the remainder of the calendar year one thousand nine hundred and thirty-five unless revoked or suspended In the event that any person who at the time of the final enactment of this act is the holder of a hotel restaurant or a club liquor license shall fail to apply for a license at a time to be fixed by the board for the ensuing license year for the district in which such a licensed place may be located the holder of such license shall unless his license shall be revoked or suspended continue to operate until the expiration of the license year for which his license issued but shall not be eligible to apply for a license for such location until after the expiration of one year from the first day of January one thousand nine hundred and thirty-six] All amusement and entertainment permits issued under this act prior to the effective date of these amendments shall be effective for the remainder of the license year for which issued (unless sooner revoked) if the increased permit fees provided for by these amendments shall be paid to the board before July first one thousand nine hundred and thirty-seven If such increased permit fees are not so paid such permits shall expire on June thirtieth one thousand nine hundred and thirty-seven The increased permit fees so payable shall be determined as follows The permit fee fixed by this act for a yearly amusement or entertainment permit shall be divided by twelve and one-twelfth of the total yearly permit fee shall be due and payable for each and every month of the remainder of the license year commencing with the month of July one thousand nine hundred and thirty-seven less a credit against each such monthly fee of two dollars and eight and one-third cents ($2.08 1/3) theretofore paid by the permittee prior to the commencement of the license year

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. McGINNIS. Mr. President, I move that Senate Bill No. 341, (House Bill No.), the bill just read be recommitted to the Committee on State Boards

Mr. THOMPSON. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Mr. McGINNIS. Mr. President, I call up at this time for consideration Senate Bill No. 342, on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 342, as follows:

An Act to re-enact and amend the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled as amended "An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire of any alcohol alcoholic liquid or alcoholic beverage by certain persons requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" further regulating the manufacture sale use and traffic in alcohol and alcoholic liquids conferring additional powers and imposing additional duties upon the Pennsylvania Liquor Control Board further regulating those licensed under this act imposing filing fees changing the method of calculating certain license fees providing for the use of the word "license" instead of "permit" regulating and providing the procedure for the granting suspension and revocation of licenses and for compromises in certain cases providing for the disposition of fees compromise penalties and forfeitures regulating the jurisdiction of courts and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the nineteenth day of February one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled as amended "An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture production distillation development use in manufacture denaturization redistillation rectification blending recovery reuse holding in bond holding in storage by bailees for hire and transportation for hire of any alcohol alcoholic liquid or alcoholic beverage by certain persons requiring

the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts also authorizing the inspection of the records of permittees and purchasers of said alcohol alcoholic liquid and alcoholic beverages also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" is hereby re-enacted to read as follows

Section 1 That this entire act is an exercise of the police power of this Commonwealth for the protection of the public welfare health peace safety and morals of the people of this Commonwealth and all of its provisions shall be liberally construed for the accomplishment of these purposes

Section 2 That section two of the said act as amended by the act approved the eighth day of December one thousand nine hundred thirty-three (one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws fifty-seven) and by the act approved the eighteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws one thousand two hundred eighty-three) is hereby re-enacted and further amended to read as follows

Section 2 (Definitions) For the purpose of this act the following terms shall have the following meanings respectively designated for each

(a) The word "person" shall mean and include natural persons associations partnerships and corporations for whatever purpose organized

(b) The phrase "alcohol and alcoholic liquid" whenever used in this act shall mean and include alcohol and all distilled redistilled denatured recovered liquids or substances and any compound or mixture thereof beer ale wines porter spirits whiskey and all liquors from whatever source or by whatever processes produced which contain any alcohol by volume capable of being used for beverage purposes during or after manufacture production distillation redistillation denaturization rectification blending or recovery

(c) The term "application" shall mean a formal verified written request under oath or supported by a verified statement of facts for a [permit] license for the privilege authorized by law

(d) The term ["permit"] "license" shall mean a formal written authorization by the board setting forth specifically therein the things that are authorized

(e) The term "board" shall mean the Pennsylvania Liquor Control Board

(f) The term "regulation" shall mean any regulation prescribed by the board for carrying out the provisions of this act

(g) The term "container" shall mean and include any receptacle vessel or form of package tank vat cask barrel drum keg can bottle or conduit used or capable of use for holding storing transferring or shipment of alcohol or alcoholic liquid

(h) The term "Federal permit" as used in this act shall be construed to mean what is commonly known as the permit issued by authority of the United States of America in conformity with the acts of Congress and the regulations issued pursuant thereto and shall not include a subsidiary or installment permit

(i) The term "distillery" shall mean and include any premises or plant wherein alcohol or alcoholic liquid is manufactured made and distilled from raw materials blended or rectified or any place wherein alcohol or alcoholic liquid is produced by any method suitable for the production of alcohol The term shall not include a "winery" where alcohol is derived from by-products of wine production by distillation for the sole purpose of adding to the fermented products to fortify the same

(j) The term "denaturing plant" shall mean and include the premises of a distillery used exclusively for the denaturization of alcohol either specially or completely by the admixture of such denaturing materials as shall render the alcohol or any compound in which it is authorized to be used unfit for use as a beverage

(k) The phrase "brewery" shall mean and include any premises and plants where alcoholic liquids or beverages are produced by the process by which beer ale or porter are produced

(l) The phrase "winery" shall mean and include any premises and plants where alcoholic liquids or beverages are produced by the process by which wine is produced or premises and plants wherein liquid such as wine is produced And shall include the manufacture by distillation of alcohol from the by-products of wine (formentation] fermentation when the alcohol so derived is used solely to fortify the fermented products under such regulations as are or may be promulgated by the proper agency of the United States Government and such alcohol for that purpose only may be sold or exchanged between wineries holding permits in this Commonwealth without restriction

(m) The term "bonded warehouse" shall mean and include all places and warehouses legally established under the provisions of the acts of Congress and the administrative provisions of the internal revenue laws of the government of the United States of America for the storage concentration distribution and holding in bond of alcohol or alcoholic liquid

(n) The term "manufacture" shall mean and include all means methods and processes used employed and made use of to produce and make alcohol or alcoholic liquid from raw materials and shall mean and include rectification and blending of alcohol and alcoholic liquid the production recovery or reuse of alcohol in the making developing using in the process of manufacture denaturing redistilling or recovering of any alcohol or alcoholic liquid in distilleries denaturing plants breweries and wineries

(o) The term "denatured alcohol" shall mean and include all alcohol or alcoholic liquid or any compound thereof which by the admixture of such denaturing material or materials is rendered unfit for use as a beverage

Section 3 That sections three five seven eight nine and ten of the said act as amended by the act approved the eighth day of December one thousand nine hundred thirty-three (one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws fifty-seven) are hereby re-enacted and further amended to read as follows

Section 3 It shall be unlawful for any person without a [permit] license from the Commonwealth obtained as hereinafter provided except as exempted by section five hereof to manufacture produce distill develop or use in the process of manufacture denature redistill recover rectify blend reuse hold in bond hold in storage as bailee for hire or transport for hire within this Commonwealth any alcohol or alcoholic liquid except that a person may without a [permit] license manufacture wine out of grapes grown by him and sell the same to a [permit-holding] licensed winery

Section 5 It is hereby declared that [registration of a Federal permit or] securing a [permit] license hereunder shall not be required from any registered pharmacist or a physician licensed by the State Board of Medical Education and Licensure or a person or persons who make and sell vinegar nonalcoholic cider and fruit juices or a person or persons who manufacture store sell or transport methanol propanol butanol and amanol or a person or persons who conduct a wholesale drug business [or a person or persons who conduct a mercantile business chiefly devoted to the sale of food stuffs and having an established place located within the Commonwealth] or a person or persons who manufacture alcoholic preparations not fit for use as a beverage other than denatured alcohol or for beverage purposes a person or persons engaged in the manufacture possession or sale of patent patented or proprietary medicines toilet medicinal or antiseptic preparations unfit for beverage purposes or solutions or flavoring extracts or syrups unfit for beverage purposes or a person or persons who manufacture or sell paints varnishes enamels lacquers stains or paint or varnish removing or reducing compounds or wood fillers or a person or persons who manufacture any substance where the alcohol or alcoholic liquid is changed into other chemical substances and does not appear in

the finished product as alcohol or alcoholic liquid or such common carriers by railroad as are subject to regulations by the Public Service Commission of the Commonwealth of Pennsylvania or a person or persons who sell store or transport alcohol and alcoholic liquids completely denatured as specified by the board

Section 7 Every applicant for a [permit] license under this act shall file with the board a [petition in writing duly verified] written application in such form and containing such information as the board shall from time to time require [setting forth] Every such application shall be accompanied by a filing fee of ten dollars the prescribed license fee and the bond hereinafter specified and shall set forth

1 The legal names of the applicant and of the owner of the place where business under the [permit] license will be carried on with their residence addresses by street and number if a partnership of each separate partner and if a corporation of each individual officer thereof

2 The exact location of said place of business and of every place to be occupied or used in connection with such business the productive capacity of each plant where any alcohol or alcoholic liquid is to be manufactured produced distilled rectified blended developed or used in the process of manufacture denatured redistilled recovered reused the capacity of every warehouse or other place where such alcohol or alcoholic liquid is to be held in bond or stored for hire or the equipment to be used where a transportation business is to be carried on under the [permit] license

[3 The period of time the applicant has been carrying on the business for which the] [permit] [is desired]

[4 If the] [permit] [is for the manufacture production distillation development rectification blending denaturization holding in bond or holding in storage of any alcohol or alcoholic liquid the maximum quantity per month to be manufactured developed or stored and if the] [permit] [is for the use redistillation recovery rectification blending denaturization or reuse of any alcohol or alcoholic liquid or the sale of any alcohol or alcoholic liquid for use in the manufacture or compounding of preparations unfit for beverage purposes the purpose or purposes for which the sale is to be used]

[5 That no one of the applicants has been convicted of a violation of this act or of any law or regulation of the United States of America or of the Commonwealth of Pennsylvania for the control of the manufacture possession and traffic in alcohol or alcoholic liquids]

3 That each and every one of the applicants is a citizen of the United States of America

4 Such other relevant information as the board shall from time to time require by rule or regulation

This [petition] application must be verified by affidavit of the applicant made before any officer legally qualified to administer oaths and if any false statement is wilfully made in any part of said [petition] application the applicant or applicants shall be deemed guilty of the crime of perjury and upon indictment and conviction shall be subject to its penalties

Section 8 Upon [the filing] receipt of the application in the form herein provided the proper fees and [upon execution of] an approved bond as herein designated duly executed payable to the Commnowealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum [of ten thousand dollars ($10,000)] hereinafter specified The board may grant to such applicant a license to engage in the manufacturing producing distilling developing or using in the process of manufacturing denaturing redistilling recovering rectifying blending reusing holding in bond holding in storage as bailee for hire and transporting for hire of alcohol or alcoholic liquid The board may of its own motion and shall upon the written request of any applicant for license or for renewal thereof whose application for such license or renewal has been refused fix a time and place for hearing of such application or renewal notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of such license or renewal thereof The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board The board shall thereafter grant or refuse the license or renewal thereof If the board shall refuse such license or renewal following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order [with] [to be approved by the board which bond] All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth and regulations of the board relating to alcohol or alhocolic liquids and the conditions of the [permit] license and shall have as surety a duly authorized surety company [the board may grant to such applicant a] [permit] [to engage in the manufacturing producing distilling developing or using in the process of manufacturing denaturing redistilling recovering rectifying blending reusing holding in bond holding in storage as bailee for hire and transporting for hire of alcohol or alcoholic liquid] or not less nor more than two individuals each of whom shall own real estate of an assessed valuation over and above all encumbrances and outstanding liabilities at least equal to the penal sum hereinafter fixed for such bond

The penal sum of bonds required to be filed by applicants for license shall be as follows

In the case of a manufacturer the bond shall be in the amount of ten thousand dollars ($10,000) in the case of a bonded warehouse a bailee for hire and a transporter for hire each shall be in the amount of three thousand dollars ($3,000) and in the case of a winery shall be in the amount of five thousand dollars ($5,000) Such bonds shall be filed with and retained by the board Every such bond shall be turned over to the Department of Justice to be collected if and when the licensee's license shall have been revoked and his bond forfeited as provided in this act

Section 9 All persons except as exempted by section five hereof manufacturing producing distilling developing or using in the process of manufacture denaturing redistilling recovering rectifying blending reusing holding in bond holding in storage as bailee for hire or transporting for hire of alcohol or alcoholic liquid under the provisions of this act of Assembly shall securely and permanently attach to every container ready for shipment thereof as the same is manufactured produced distilled developed denatured redistilled recovered rectified blended reused a label stating name of manufacturer kind and quantity of alcohol or alcoholic liquid contained therein and the date of its manufacture together with the number of the [permit] license authorizing the manufacture thereof and all persons possessing such alcohol or alcoholic liquid in wholesale quantities shall securely keep and maintain such label thereon

Section 10 Every [permit] license issued under the provisions of this act [for the manufacture production distillation development denaturization redistillation recovery rectification blending reuse holding in bond holding in storage of any alcohol or alcoholic liquid shall specify the maximum quantity of such alcohol or alcoholic liquid per month which may lawfully be manufactured produced distilled rectified blended developed denaturized redistilled reused held in bond or stored under such permit Any permit issued for the use of any alcohol or alcoholic liquid in the process of manufacture shall specify the purpose or purposes for which such alcohol or alcoholic liquid is to be used and the maximum quantity per month which may lawfully be used under such permit Every permit] shall specify by definite location every place to be occupied or used in connection with the business to be conducted thereunder It shall be unlawful for the holder of any [permit] license [to manufacture produce distill

develop denaturize redistill recover rectify blend reuse hold in bond] hold in storage or use a greater quantity of any alcohol or alcoholic liquid in any such month than that specified in his permit or to use any alcohol or alcoholic liquid for any purpose other than that specified in his permit or] to occupy or use any place in connection with any business authorized under a [permit] license other than the place or places designated therein

Section 4 That section eleven of the said act is hereby re-enacted and amended to read as follows

Section 11 Every person holding a [permit] license issued under the provisions of this act shall keep on the licensed premises daily permanent records which shall show (a) the quantities of any alcohol or alcoholic liquid manufactured produced distilled developed denatured redistilled recovered reused stored in bond stored as bailee for hire received or used in the process of manufacture by him and of all other material used in manufacturing or developing any alcohol or alcoholic liquid (b) the sales or other disposition of any alcohol or alcohlic liquiud (c) the quantities thereof if any stored in bond stored for hire or transported for hire by or for the [permittee] licensee and (d) the names and addresses of the purchasers or other recipients thereof Provided however That persons holding [permits] licenses issued under the provisions of this act for the transportation for hire of any alcohol or alcoholic liquid shall not be required to keep the above records but shall keep daily permanent records showing the names and addresses of the persons from whom any alcohol or alcoholic liquid was received and to whom delivered and such other permanent records as the board shall prescribe

Section 5 That sections twelve and thirteen of the said act as amended by the act approved the eighth day of December one thousand nine hundred thirty-three (one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws fifty-seven) are hereby re-enacted and further amended to read as follows

Section 12 Every place operated under [permit] license secured hereunder where any alcohol any alcoholic liquid is manufactured produced distilled developed or used in the process of manufacture denatured redistilled rectified blended recovered reused held in bond stored for hire or in connection with a [permittee's] licensee's business shall be subject to inspection by members of the board or by persons duly authorized and designated by the board at any and all times of the day or night as they may deem necessary (a) for the detection of violations of this act or of the rules and regulations of the board promulgated under the authority of this act [or of the act to which this is a supplement] or (b) for the purpose of ascertaining the correctness of the records required by this act to be kept by [permittees] licensees and the books and records of [permittees] licensees and the books and records of their customers in so far as they relate to purchases from said [permittees] licensees shall at all times be open to inspection by the members of the board or by persons duly authorized and designated by the board for the purpose of making inspections as authorized by this section Members of the board and the person duly authorized and designated by the board shall have the right without fee or hindrance to enter any place which is subject to inspection hereunder or any place where records subject to inspection hereunder are kept for the purpose of making such inspections

Section 13 Upon learning of any violation of this act or of any rule or regulation promulgated by the board under the authority of this act or of any [provision of the act to which this is a supplement] laws of this Commonwealth relating to alcohol or alcoholic liquids or any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of alcohol or alcoholic liquid by the holder of a [permit] license issued under the provisions of this act or upon other sufficient cause the board [shall] may within one year from the date of such violation or cause appearing cite such [permittee] licensee to appear before it or its examiner not less than ten (10) nor more than fifteen (15) days from the date of sending such [permittee] licensee by registered mail a notice addressed to his licensed premises to show cause why the [permit] license should not be suspended or revoked Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license And upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke such [permit] license notifying the [permittee] licensee thereof by registered letter addressed to his licensed premises or to the address given in his application where no licensed premises is maintained in Pennsylvania

When a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to alcohol and alcoholic liquids until the expiration of three (3) years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which said license was conducted for a period of at least one (1) year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order

Any [permittee] licensee aggrieved by any decision of the board refusing suspending or revoking a license may [file within thirty days thereafter in the Court of Common Pleas of the county in which the permittee is resident and any applicant aggrieved by the refusal of the board to grant a permit may file within thirty days thereafter in the Court of Common Pleas of Dauphin County a petition against the members of the board as defendants alleging therein the action and decision complained of and praying for a reversal thereof Upon personal service of a summons on any member of the board returnable within three days of the date thereof the board shall within one week from such return date file an answer in which it shall allege by way of defense the grounds for its decision and such other grounds as shall in the meantime accrue or be discovered All allegations of the answer shall be deemed to stand denied without further pleading and upon application of either party the cause shall be advanced and heard without delay Mere technical irregularities in the procedure of the board shall be disregarded A judgment sustaining the revocation of or refusal to grant a permit by the board shall not bar after one year a new application by the plaintiff for a permit nor shall a judgment in favor of the plaintiff prevent the board from thereafter revoking or refusing a permit for any proper cause which may thereafter accrue or be discovered The court shall have power to dispose of all costs From the judgments of the Court of Common Pleas appeals may be taken as in other actions at law but during the pendency of any such appeal in which a former permittee is appellant such former permittee shall not carry on any business of the kinds regulated by this act] appeal within twenty days from the date of refusal suspension or revocation to the Court of Quarter Sessions of the county in which the licensed premises or the premises to be licensed are located In the event an applicant or a licensee shall have no place of business established within the Commonwealth his appeal shall be to the Court of Quarter Sessions of Dauphin County Such appeal shall be upon petition of the applicant or licensee as the case may be who shall serve a copy thereof upon the board whereupon the board shall certify and transmit a copy of the record in the case to the clerk of the court within ten days after such appeal petition was served The court shall hear the application de novo at such time as it shall fix of which notice shall be given to the board The court shall in the case of a refusal by the board either sustain such refusal or order the issuance of the license to the applicant There shall be no further appeal Any appeal shall act as a supersedeas In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and shall thereupon rescind its order of suspension In the case of a distillery

licensee the offer in compromise shall be at the rate of one hundred dollars ($100) for each day of suspension in the case of a bonded warehouse bailee for hire and transporter for hire licensees twenty-five dollars ($25) for each day and in the case of a winery licensee fifty dollars ($50) for each day No offer in compromise may be accepted by the board in those cases where the suspension is for a period in excess of one hundred (100) days

Section 6 That section fourteen of the said act is hereby re-enacted and amended to read as follows

Section 14 All [permits] licenses shall expire at the close of the calendar year but new [permits] licenses for the succeeding year shall be issued upon written application therefor duly verified by affidavit stating that the facts in the original [petition] application are unchanged and upon payment of the fee as hereinafter provided and the furnishing of a new bond without the filing of further statements or the furnishing of any further information unless specifically requested by the board Provided however That a [permit] license issued to a corporation under the provisions of this act shall expire thirty (30) days after any change in the officers of such corporation unless the name and address of the new officer or the names and addresses of the new officers of such corporation shall within that period be reported to the board by certificate duly verified Applications for renewals must be made not less than thirty (30) nor more than sixty (60) days before the first day of January of the ensuing year All applications for renewal received otherwise shall be treated as original applications

Section 7 That sections fifteen sixteen seventeen eighteen and nineteen of the said act as amended by the act approved the eighth day of December one thousand nine hundred thirty-three (one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws fifty-seven) are hereby re-enacted and further amended to read as follows

Section 15 [The fee for every brewery permit issued under the provisions of this act shall be one thousand dollars ($1,000.00) per annum] The annual fee for every [permit] license issued to a winery shall be two hundred and fifty dollars ($250.00) The annual fee for every [permit] license issued to a distillery shall be twenty-five hundred dollars ($2,500) per annum if the [authorized] annual production is [less than] five hundred thousand (500,000) proof gallons or less [five thousand dollars ($5,000) per annum if the authorized annual production is five hundred thousand (500,000) proof gallons and more but less than two million (2,000,000) proof gallons ten thousand dollars ($10,00) per annum if the authorized annual production is two million (2,000,000) proof gallons and more but less than five million (5,000,000) proof gallons fifteen thousand dollars ($15,000) per annum if the authorized annual production is five million (5,000,000) proof gallons and more but less than ten million (10,000,000) proof gallons twenty thousand dollars ($20,000) per annum if the authorized annual production is ten million (10,000,000) proof gallons and more but less than fifteen million (15,000,000) proof gallons and twenty-five thousand dollars ($25,000) per annum if the authorized annual production is fifteen million (15,000,000) proof gallons or more] and an additional fee of one hundred dollars ($100) for each one hundred thousand (100,000) proof gallons or fraction thereof in excess of five hundred thousand (500,000) proof gallons but for the purpose of determining the amount of the fee payable by a distillery the [authorized] annual production of alcohol [for the purpose of denaturization] that is denatured during the license year in Pennsylvania and not elsewhere shall be excluded but alcohol and/or alcoholic liquid used by the manufacturer thereof during the license year in rectification or blending shall not be excluded except that no fee for a distillery shall be less than twenty-five hundred dollars ($2,500) per annum The annual fee for all other [permits] licenses shall be one hundred dollars ($100.00) The fees for all [permits] licenses when applied for and issued on or after April first but prior to July first shall be three-fourths of the annual fee July first but prior to October first shall be one-half of the annual fee October first but prior to January first one-fourth of the annual fee All filing and license fees [shall be paid to the board which shall deposit the same in the State Treasury through the Department of Revenue] and all forfeitures and compromise penalties collected received or recovered shall be paid into the State Treasury through the Department of Revenue into a spcial fund to be known as "The State Stores Fund" All moneys in such fund shall be available for the purposes for which they are appropriated by law

For the purpose of this section the term "proof gallon" shall mean a gallon of liquid which contains one-half its volume of alcohol of a specific gravity of seven thousand nine hundred thirty-nine ten thousandths (.7939) at sixty degrees Fahrenheit

Section 16 [Permits] Licenses shall be issued by the board under its official seal Every [permit] license so issued must at all times be posted in a conspicuous place where the business is carried on under it and said place of business must be kept open during general business hours of every day in the year except Sundays and legal holidays No [permit] license shall be issued hereunder to any person unless (a) in case of individuals he or she is a citizen of the United States of America (b) in case of companies or unincorporated associations of individuals each and every one is a citizen of the United States of America (c) in case of corporations each and every stockholder thereof is a citizen of the United States of America [or to any person who has been convicted of a violation of this act or of any law or regulation of the United States of America or of the Commonwealth of Pennsylvania for the control of traffic in any alcohol or alcoholic liquor]

Section 17 The board shall have the power to make and promulgate appropriate rules and regulations for carrying into effect the provisions of this act

Section 18 (a) Any place within this Commonwealth in which any alcohol or alcoholic liquid is manufactured produced distilled developed or used in the process of manufacture denatured redistilled recovered rectified blended reused stored in bond or stored for hire by a person without a [permit] license as required by the provisions of this act and any place in which a person holding a [permit] license issued under the provisions of this act shall violate any provision of this act or any rule or regulation of the board or any [provisions of the act to which this is a supplement] laws of this Commonwealth relating to alcohol or alcoholic liquids is hereby declared to be a common nuisance and upon such violation the [permit] license if any held by such person shall be automatically suspended

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General [of the State] or by the district attorney of the respective county Such action shall be brought and tried as an action in equity and may be brought in any court having jurisidiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the [liquor] alcohol or alcoholic liquid or other things used in connection with the violation of this act constituting such nuisances No bond shall be required in instituting such proceedings It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no alcohol or alcoholic liquid be manufactured produced distilled developed rectified or used in the process of manufacture denatured redistilled recovered reused rectified stored in bond stored for hire or sold at wholesale by a person without a [permit] license as required by the provisions of this act Upon the decree of the court ordering such nuisance

to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the court may in its discretion permit it to be occupied or used if the owner lessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the court making the order in the penal and liquidated sum of not less than five hundred dollars ($500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that no alcohol or alcoholic liquid or alcoholic beverage be manufactured produced distilled developed rectified or used in the process of manufacture denatured redistilled recovered reused rectified stored in bond stored for hire or sold at wholesale by a person without a [permit] license as required by the provisions of this act

Section 19 Whenever any person or persons withdraw or remove any alcohol or alcoholic liquid which has not been denatured from any distillery denaturing plant brewery winery or bonded warehouse for the purpose of denaturing the same it shall be unlawful for any such person or persons to use sell or conceal or attempt to use sell or conceal or be concerned in the sale use or concealment of any such alcohol or alcoholic liquid unless before such sale or use the said alcohol or alcoholic liquid shall be denatured by adding thereto denaturing material or materials or admixtures thereof which render it unfit for beverage purposes

It shall be unlawful for any person or persons to recover and reuse or attempt to recover and reuse by redistillation or by any other process or means whatsoever any alcohol or alcoholic liquid from denatured alcohol or from any other liquid or to knowingly use sell conceal or otherwise dispose of alcohol or alcoholic liquid so recovered or redistilled

Section 8 That section twenty of the said act is hereby re-enacted and amended to read as follows

Section 20 Any person or persons who knowingly violate any of the provisions of this act or any person who shall violate any of the conditions of any [permit] license or who shall falsify any record or report required by this act to be kept or who shall violate any rule or regulation of the board or who shall interfere with hinder or obstruct any inspection authorized by this act or prevent any member of the board or any person duly authorized and desinated by the board from entering any place which such member of the board or such person is authorized by this act to enter for the purpose of making an inspection or who shall violate any other provision of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not less than one hundred dollars ($100.00) nor more than five thousand dollars ($5,000.00) or undergo imprisonment of not more than three (3) years or both at the discretion of the court

Section 9 That section twenty-one of the said act as amended by the act approved the eighth day of December one thousand nine hundred thirty-three (one thousand nine hundred thirty-three one thousand nine hundred thirty-four (Pamphlet Laws fifty-seven) is hereby re-enacted and further amended to read as follows

Section 21 It shall be unlawful for any person or persons to transport any illegal alcohol or alcoholic liquid No property rights shall exist in any alcohol or alcoholic liquid manufactured possessed produced distilled developed or used in the process of manufacture denatured redistilled recovered rectified reused held in bond held in storage [as bailee for hire] or transported [for hire] in violation of any of the provisions of this act and the same shall be deemed contraband and forthwith destroyed No alcohol or alcoholic liquid in the custody of any officer of the law shall be seized or taken from him on any writ of replevin injunction or other like process

Section 10 That sections twenty-two twenty-three and twenty-four of the said act are hereby re-enacted and amended to read as follows

Section 22 It shall be unnecessary in any complaint information indictment or other pleadings to negative any provision or exception contained in this act

Section 23 No person shall be excused on the ground that it may tend to incriminate him or subject him to a penalty or forfeiture from attending and testifying or producing books papers documents and other evidence in obedience to a subpoena of any court or of the board in any suit or proceeding based upon or growing out of any alleged violation of this act but no natural person shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction matter or thing as to which in obedience to a subpoena and under oath he may so testify or produce evidence but no person shall be exempt from prosecution and punishment for prejury committed in so testifying

Section 24 If any section or provision of this act shall be held by any court to be unconstitutional such judgment shall not affect any other section or provision of the same It is hereby declared as the legislative intent that this act would have been passed had such unconstitutional provision not been included therein

Section 11 That sections four and six of the said act are hereby repealed

Section 12 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. McGINNIS. Mr. President, I move that Senate Bill No. 342, the bill just read be recommitted to the Committee on State Boards for the purpose of a hearing.

Mr. THOMPSON. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Mr. McGINNIS. Mr. President, I call up at this time for consideration Senate Bill No. 343, on second reading,

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 343, as follows:

An Act to re-enact and further amend the title and the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Pennsylvania Liquor Control Board Quarter Sessions Courts district attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" defining and further defining and regulating licenees application for licenses and sale by licensees and fixing fees for amusement permits regulating the granting suspension revocation and transfer of licenses and the procedure therefor and conferring jurisdiction on certain courts providing for the granting of licenses by the Pennsylvania Liquor Control Board instead of the county treasurer and prescribing the powers and duties of said board providing for compromises where licenses are suspended and for the disposition of application license permit fees forfeitures and penalties and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of and the entire act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws 252) entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurers the Pennsylvania Liquor Control Board Quarter Sessions Courts District Attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts" as re-enacted and amended by the act approved the eighteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1217) are hereby re-enacted and further amended to read as follows

An Act to regulate and restrain the traffic in malt and brewed beverages as herein defined providing for the licensing of the manufacture transportation sale and distribution of such beverages imposing license and permit fees and providing for collection and distribution thereof restricting ownership and interest in licensed places permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose imposing duties upon county treasurer] the Pennsylvania Liquor Control Board Quarter Sessions Court District Attorneys the Department of Justice proper authorities of political subdivisions of the State and election officers providing penalties and repealing existing acts

Section 1 Short Title This act shall be known and may be cited as the "Beverage License Law"

Section 2 Definitions The following words and terms as used in this act shall be construed as defined in this section

(a) The term "malt or brewed beverage" means any beer lager beer ale porter or similar fermented malt [liquor] or brewed beverage containing one-half of one per centum or more of alcohol by volume by whatever name such [liquors] malt or brewed beverage may be called

(b) The word "person" means and includes natural persons associations partnerships and corporations

(c) The word "manufacturer" means and includes all persons holding licenses issued by the board to engage in the manufacture [bottling] transportation and sale of malt or brewed beverages also all persons engaged in the legal manufacture of malt or brewed beverages within the territorial limits of the United States outside the Commonwealth of Pennsylvania

(d) The term "distributor" means and includes persons licensed by the board to engage in the purchase only from Pennsylvania manufacturers and from importing distributors and the re-sale of malt or brewed beverages except to importing distributors and distributors in the original sealed [packages] containers as prepared for the market by the manufacturer but not for consumption on the premises where sold and in quantities of not less than seventy-two fluid ounces

(e) The term "importing [distributors] distributor" means and includes persons licensed by the board to engage in the purchase from manufacturers and other persons located outside this Commonwealth and from persons licensed as manufacturers and importing distributors under this act and the re-sale of malt or brewed beverages in the original sealed [packages] containers as prepared for the market by the manufacturer but not for consumption on the premises where sold and in quantities of not less than seventy-two fluid ounces

(f) The term [retailer" means and includes persons licensed by the treasurer to engage in the retail sale of malt or brewed beverages classified and defined as follows] "retail dispenser" means and includes persons licensed to engage in the retail sale of malt or brewed beverages for consumption on the premises of such licensee with the privilege of selling malt or brewed beverages in quantities not in excess of seventy-two fluid ounces in a single sale to one person to be carried from the premises by the purchaser thereof or to be delivered by the licensee

(g) The term "original containers" means and includes bottles casks kegs or other suitable containers that have been securely capped sealed or corked by the manufacturer with the name and address of the manufacturer permanently affixed to the botle cask keg or other container or to the cap or cork used in sealing same or to a label securely affixed to a bottle

(h) The term "license" means and includes both the person making the application therefor and the premises upon which the privileges of the license are to be exercised and includes licenses issued under the provisions of this act

(i) "Eating place" means a premise where food is regularly and customarily prepared and sold having a total area of not less than three hundred square feet available to the public in one or more rooms other than living quarters and equipped with tables and chairs accommodating thirty persons at one time

(j) ["Treasurer" means the county treasurer of the county in which is located any place specified in an application as the place for which a license is desired] "Club" means any reputable group of individuals associated together not for profit for legitimate purposes of mutual benefit entertainment fellowship or lawful convenience having some primary interest and activity to which the sale of malt and brewed beverages shall be only secondary which if incorporated has been in continuous existence and operation for at least six months and if first licensed after the effective date of these amendments shall have been incorporated in this Commonwealth and if unincorporated for at least ten years immediately preceding the date of its application for a license under this act and which regularly occupies as owner or lessee a clubhouse or quarters for the use of members Continuous existence must be proven by satisfactory evidence The board shall refuse to grant a license if it appears that the charter is not in possession of the original incorporators or their direct and legitimate successors The club shall hold regular meetings conduct its business through officers regularly elected admit members by written application investigation and ballot and charge and collect dues from elected members and keep records of such activities

(k) "Board" means the Pennsyvania Liquor Control Board of this Commonwealth

(l) As used in this act the singular shall include the plural and the masculine gender shall include the feminine and neuter

(m) The term "manufacture" shall mean and include all means methods and processes used employed and made use of to produce make and manufacture for commercial purposes malt or brewed beverages from raw materials

(n) "Hotel" shall mean any reputable establishment operated by responsible persons of good reputation where the public may for a consideration obtain sleeping accommodations and meals and which in a city has at least [eight] ten and in any other place at least [four] six permanent bedrooms for the use of guests and a public dining room or [eating place] rooms operated by the same management accommodating at least thirty persons at one time and a kitchen apart from the public dining room or [eating place] rooms in which food is regularly prepared for the public

(o) The term "sale" or "sell" shall include any transfer of malt or brewed beverages for a consideration

Section 3 Sales for Consumption on the Premises It shall be unlawful for any person to sell to another for consumption upon the premises where sold or to permit

another to consume upon the premises where sold any malt or brewed beverages unless such persons holds a valid retail dispenser license issued under this act [by the treasurer] or a valid license issued under any other act authorizing the sale of spirituous and vinous liquors and malt or brewed beverages for consumption upon such premises

Section 4 Sales Not for Consumption on the Premises It shall be unlawful for any person to sell to another except as herein otherwise provided in the case of retail dispensers or as may be otherwise authorized by law any malt or brewed beverages not for consumption upon the premises where sold unless such person holds a valid issued under this act permitting such sale

Section 5 Manufacturers' Distributors' and Importing Distributors' Licenses (a) It shall be unlawful for any person to manufacture malt or brewed beverages unless such person holds a valid manufacturer's license issued by the board The board shall issue to any person a resident of this Commonwealth of good repute who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter required a manufacturer's license to produce and manufacture malt or brewed beverages and to transport sell and deliver malt or brewed beverages at or from one or more places of manufacture or storage only in original [packages] containers in quantities of not less than seventy-two fluid ounces anywhere within the Commonwealth Each individual applicant for manufacturer's license and in the case of partnerships and associations each member thereof shall be a citizen of the United States and have been residents of this Commonwealth at least two years prior to the date of their respective applications In the case of corporations organized or registered under the laws of this Commonwealth it must appear that all of the officers and directors and the owners of at least fifty-one per centum of the capital stock of the corporation are citizens of the United States and have for a period of at least two years prior to the date of application been residents of this Commonwealth Licenses for places of storage shall be limited to those maintained by manufacturers on July 18 1935 and thereafter the board shall issue no licenses for places of storage in addition to those maintained on July 18 1935 The application for such license shall be in such form and contain such information as the board shall require All such licenses shall be granted for the calendar year Every manufacturer shall keep at his or its principal place of business within the Commonwealth daily permanent records which shall show (a) the quantities of raw materials received and used in the manufacturer of malt or brewed beverages and the quantities of malt or brewed beverages manufactured and stored (b) the sales af malt or brewed beverages (c) the quantities of malt or brewed beverages stored for hire or transported for hire by or for the licensee and (d) the names and addresses of the purchasers or other recipients thereof Every place licensed as a manufacturer shall be subject to inspection by members of the board or by persons duly authorized and designated by the board at any and all times of the day or night as they may deem necessary (a) for the detection of violations of this act or of the rules and regulations of the board or (b) for the purpose of ascertaining the correctness of the records required to be kept by licensees The books and records of such licensees shall at all times be open to inspection by members of the board or by persons duly authorized and designated by the board Members of the board and its duly authorized agents shall have the right without hindrance to enter any place which is subject to inspection hereunder or any place where such records are kept for the purpose of making such inspections and making transcripts thereof

(b) The board shall issue to any reputable person who applies therefor pays the license fee hereinafter prescribed and files the bond hereinafter required a distributor's or importing distributor's license for the place which such person desires to maintain for the sale of malt or brewed beverages not for consumption on the premises where sold and in quantities of not less than seventy-two fluid ounces and in original [packages] containers as prepared for the market by the manufacturer Such licenses shall be issued only to reputable individuals partnerships and associations who are or whose members are citizens of the United States and have for two years prior to the date of their applications been residents of the Commonwealth of Pennsylvania or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania Such licenses shall be issued to corporations duly organized or registered under the laws of the Commonwealth of Pennsylvania only when it appears that all of the officers and directors of the corporation are citizens of the United States and have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application and that at least fifty-one per centum of the capital stock of such corporation is actually owned by individuals who are citizens of the United States and have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application Such license shall authorize the holder thereof to sell or deliver malt or brewed beverages in quantities of not less than seventy-two fluid ounces anywhere within the Commonwealth of Pennsylvania which in the case of distributors have been purchased only from persons licensed under this act as manfacturers or importing distributors and in the case of importing distributors have been purchased from manufacturers or persons outside this Commonwealth engaged in the legal sale of malt or brewed beverages or from [persons] manufacturers or importing distributors licensed under this act

Section 6 Malt and Brewed Beverages [Retailers'] Retail Licenses (a) Subject to the restrictions hereinafter provided [the treasurer shall issue to a person who conducts a reputable hotel or any reputable incorporated club or a reputable bona fide eating place where food is regularly and customarily prepared and sold and who makes application upon a form as hereinafter prescribed pays the license fee hereinafter prescribed and files the bond hereinafter required a retail dispensers license for such place] in this act and upon being satisfied of the truth of the statements in the application that the premises and the applicant meet all the requirements of this act and the regulations of the board that the applicant seeks a license for a reputable hotel eating place or club as defined in this act the board shall in the case of a hotel or eating place grant and issue and in the case of a club may in its absolute discretion grant and issue to the applicant a retail dispenser's license

[Such] In the case of hotels and eating places license shall be issued only to reputable persons who are citizens of the United States and have for two years been residents of the Commonwealth of Pennsylvania at the date of their application or to reputable corporations organized or duly registered under the laws of the Commonwealth of Pennsylvania all of whom officers and directors are citizens of the United States In the case of incorporated clubs licenses shall be issued only to those incorporated under the laws of Pennsylvania

No retail dispensers license shall be granted in any municipality or township in which the electors shall as hereinafter provided have voted against the licensing therein of places where malt or brewed beverages may be sold for consumption on the premises where sold

(c) In the case of any new license or the transfer of any license to a new location the board shall in its discretion grant or refuse such new license or transfer if such place proposed to be licensed is within three hundred feet of any church hospital charitable institution school or public playground or if such new license or transfer is applied for a place where the principal business conducted is the sale of liquid fuels and oil The board shall not issue new licenses except as herein otherwise provided in any license district more than twice each license year effective from specific dates fixed by the board and new licenses shall not be granted unless th application therefor is filed at least thirty days before the effective date of the license Every applicant for a new or for the transfer of an existing license to another premises not then licensed shall post for a period of at least fifteen days beginning with the day the application is filed with

the board in a conspicuous place on the outside of the premises for which the license is applied a notice of such application in such form of such size and containing such provisions as the board may require by its regulations Proof of the posting of such notice shall be filed with the board

Section 7 License Hearings Appeals from Refusal of Licenses The board may of its own motion and shall upon the written request of any applicant for license or for renewal or transfer thereof whose application for such license renewal or transfer has been refused fix a time and place for hearing of such application for license or for renewal or transfer thereof notice of which hearing shall be mailed to the applicant at the address given in his application Such hearing shall be before the board a member thereof or an examiner designated by the board At such hearing the board shall present its reasons for its refusal or withholding of license renewal or transfer thereof The applicant may appear in person or by counsel may cross-examine the witnesses for the board and may present evidence which shall likewise be subject to cross-examination by the board Such hearing shall be stenographically recorded The examiner shall thereafter report to the board upon such hearing The board shall thereupon grant or refuse the license renewal or transfer thereof If the board shall refuse such license renewal or transfer following such hearing notice in writing of such refusal shall be mailed to the applicant at the address given in his application In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order Any person aggrieved by the refusal of the board [or treasurer] to issue renew or transfer a license may appeal to the Court of Quarter Sessions of the county in which the premises applied for are located within twenty days of date of refusal Such appeal shall be upon petition of the applicant who shall serve a copy thereof upon the board [or treasurer] whereupon [a hearing shall be held upon said petition by the court upon thirty days' notice to the board or treasurer which shall be represented in the proceeding by the Department of Justice or the District Attorney as the case may be At said hearing testimony may be presented by the applicant and the board or treasurer after the consideration of which] the board shall certify and transmit a copy of the record in the case to the clerk of the court within ten days after such appeal petition is served The court shall hear the application de novo at such time as it shall fix of which notice shall be given to the board The court shall either sustain the refusal of the board [or treasurer] or order an issuance of the license to the applicant There shall be no further appeal Any appeal shall act as a supersedeas

Section 8 Public Service Licenses The board may issue public service malt and brewed beverage licenses to a railroad pullman or steamship company permitting malt or brewed beverages to be sold at retail in dining club or buffet cars or the dining compartments of steamships or vessels for consumption on the trains steamships or vessels wherever operated in the State except when standing in stations or terminals within a municipality wherein retail sales are prohibited Such licenses shall only be granted to reputable persons and for fit places The board may issue a master license to railroad or pullman companies to cover the maximum number of cars which the company shall estimate that it will operate within the Commonwealth on any one day Such licensees shall file monthly reports with the board showing the maximum number of cars operated at any time on any day during the preceding month and if it appears that more cars have been operated than covered by its license it shall forthwith remit to the board the sum of ten dollars for each extra car so operated The board shall have the power to suspend or revoke any such licenses for cause after granting a hearing thereon to the licensee Any person aggrieved by the decision of the board in refusing suspending or revoking any such license [may within twenty days thereafter appeal to the Court of Common Pleas of Dauphin County which shall fix a time for hearing of which notice shall be given to the board as the court may provide The court shall hear the appeal de novo and shall make such order affirming modifying or reversing the order of the board as to it shall appear just The action of the court shall be final] may appeal to the Court of Quarter Sessions of Dauphin County in the same manner as provided in this act for appeals from refusals of license

Section 9 License Year Mercantile License Exemption (a) Licenses issued under this act to distributors importing distributors and retail dispensers [licensees] shall unless revoked in the manner provided in this act be valid for the license year which [in the case of retail dispensers shall begin on the first day of June of each year and in the case of distributors and importing distributors shall be for such license year as] may be established by the board for the particular license district in which the license issues Retail dispenser's licenses may be issued at any time during the license year]

(b) Licenses issued under this act to manufacturers and public service companies shall unless revoked in the manner provided in this act be valid for the calendar year for which they are issued Licenses to manufacturers and public service companies may be issued at any time during a calendar year

No licensee under this act shall be required to obtain any mercantile license whatsoever to sell malt or brewed beverages and every license under this act who is also the holder of a mercantile license may deduct the gross income received from sales of malt or brewed beverages from his gross income from all sources in making his returns for mercantile license tax purposes

Section 10 Filing of Applications for Distributors' Importing Distributors' and [Retailer's] Retail Dispensers' Licenses Every person intending to apply for a distributor's importing distributor's or retail dispenser's license as aforesaid in any municipality or township of this Commonwealth shall file with the board [or treasurer as the case may be] his or its application [In the case of distributors and importing distributors] All such applications shall be filed at a time to be fixed by the board for the particular license district as set up by the board under the provisions of the Pennsylvania Liquor Control Act The applicant shall at the time of filing the application and bond pay said board [or treasurer as the case may be] the filing fee of ten dollars as specified in this act

Section 11 Application for Distributors' Importing Distributors' and [Retailers'] Retail Dispensers' Licenses Application for distributors' importing distributors' and [retailers] retail dispensers' licenses shall contain the following information and statements

(a) The name and residence of the applicant and how long he has resided there and if an association partnership or corporation the residences of the members officers and directors for the period of two years next preceding the date of such application

(b) The particular place for which the license is desired and a detailed description thereof

(c) Place of birth of applicant and if a naturalized citizen where and when naturalized and if a corporation organized or registered under the laws of the Commonwealth when and where incorporated with the names and addresses of each officer and director if the application is for a distributor's importing distributor's or retail dispensers license and the applicant therefor is a corporation the application shall also contain a statement that all of the officers and directors are citizens of the United States have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application and the further statement that at least fifty-one per centum of the capital stock of the corporation is actually owned by individuals who are citizens of the United States and who have been residents of the Commonwealth of Pennsylvania for a period of at least two years prior to the date of application together with the names and addresses of all stockholders

(d) Name of owner of premises and his residence

(e) That the applicant is not or in case of a partnership or association that the members or partners are not

and in the case of a corporation that the officers and directors are not in any manner pecuniarily interested either directly or indirectly in the profits of any other class of business regulated under this act except as hereinafter permitted

(f) That applicant is the only person in any manner pecuniarily interested in the business so asked to be licensed and that no other person shall be in any manner pecuniarily interested therein during the continuance of the license except as hereinafter permitted

(g) Whether applicant or in case of a partnership or association any member or partner thereof or in case of a corporation any officer or director thereof has during the three years immediately preceding the date of said application had a license for the sale of malt or brewed beverages or spirituous and vinous liquors revoked or has during the same period been convicted of any criminal offense and if so a detailed history thereof

(h) A full description of that portion of the premises for which license is asked and if any other business is to be conducted concurrently with the sale and distribution of malt or brewed beverages a full history of such business relating the nature thereof the length of time it has so previously been conducted by the applicant or his predecessor at such location and such additional information as the board may require

(i) Every club applicant shall file with and as a part of its application a list of the names and addresses of its members directors officers agents and employes together with the dates of their admission election or employment and such other information with respect to its affairs as the board shall require The [treasurer] board shall refuse to issue licenses to clubs when it appears that the operation of the club license would inure to the benefit of individual members officers agents or employes of the club rather than to the benefit of the entire membership of the club or if incorporated it was not incorporated in Pennsylvania

There shall be annexed to such application a certificate signed by at least twelve reputable qualified electors of the ward borough or township in which such malt or brewed beverages are to be sold setting forth that they have been acquainted with the applicant or applicants or the members of the association or partnership or the directors and officers of the corporation where the applicant is a corporation that they have good reason to believe that each and all the statements contained in the petition are true and they therefore believe that the application should be granted and that the license should issue

The application must be verified by affidavit of applicant and if any false statement is intentionally made in any part of the application the affiant shall be deemed guilty of the crime of perjury A license shall not be granted by the board [or treasurer as the case may be] unless the application contains the information herein required and the premises meet such reasonable sanitary requirements as the board by regulation shall prescribe.

Section 12 Prohibitions Again the Grant of Licenses (a) Any retail dispenser may be granted licenses to maintain operate or conduct any number of places for the sale of malt or brewed beverages but a separate license must be secured for each place where malt or brewed beverages are sold

(b) No person shall possess or be issued more than one distributor's importing distributor's license no person shall possess or be issued more than one class of license No distributor [or] or importing distributor shall maintain or operate any place where sales are made other than that for which the license is granted No distributor [or] or importing distributor shall maintain any place for the storage of malt or brewed beverages except in the same municipality or township in which the licensed premises is located and unless the same has been approved by the board In the event there is no place of cold storage in the same municipality or township the board may approve for an importing distributor or distributor a place of cold storage in the nearest municipality or township No distributor's [or] importing distributor's or package retailer's license shall be issued for any premises in any part of which there is operated any retail license for the sale of liquor or malt or brewed beverages

(c) Licenses shall be granted by the board [or treasurer] only to reputable individuals or to associations partnerships and corporations whose members or officers and directors are reputable individuals

A retail dispenser license shall not be issued to any individual unless such individual for one year immediately preceding the date of his application has been a resident of the county wherein his place of business is or is to be located

No person who holds either by appointment or election any public office which involves the duty to enforce any of the penal laws of the United States of America or any of the penal laws of the Commonwealth of Pennsylvania or any penal ordinance or resolution of any municipal subdivision of this Commonwealth shall be issued any manufacturer's importing distributor's distributor's or retail dispensers license nor shall such a person have any interest directly or indirectly in any such license

Section 13 Revocation and Suspension of Licenses [(a) After a license has been granted by the treasurer upon petition of the Attorney General the board the treasurer the district attorney or fifteen or more taxpayers residents of the ward borough or township where the place of business is located to the Court of Quarter Sessions and upon sufficient cause being shown or proof being made to the court that the licensee holding a license or any partners members officers or directors of the licensee has or have violated any of the laws of this Commonwealth relating to the sale of malt or brewed beverages or relating to the manufacture sale or transportation of alcohol or other alcoholic beverages it may upon due notice and proper hearing being given to the person so licensed suspend or revoke the said retail license issued by the treasurer The Court shall assess or remit the costs in its discretion

Any licensee whose retail license is revoked shall be ineligible to have a license or permit under this act or under another act relating to the manufacture sale or distribution of malt liquor or other alcoholic liquors until the expiration of three years from the date of his license was revoked]

[(b) The board upon sufficient cause being shown or proof being made that any licensee holding a license issued by the board or any partners members officers or directors of the licensee has or have violated any of the laws of this Commonwealth relating to the manufacture sale possession or transportation of malt or brewed beverages alcohol or other alcoholic beverages may upon due notice and proper hearing being given to the person so licensed suspend or revoke the license issued by the board under the provisions of this act In all cases where the board shall suspend or revoke a license it shall set forth its finding of fact the evidence from which such findings of fact are made and the reasons upon which its action is based Any licensee whose license is revoked by the board shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises Any person aggrieved by the suspension or revocation of a license issued by the board under this act may within twenty days after such suspension or revocation appeal to the Court of Quarter Sessions of the county in which the premises in which said license was conducted are located Such appeal shall be upon the petition of the person aggrieved who shall serve a copy thereof upon the board whereupon a hearing shall be held upon the petition by the court after ten days notice to the board which shall be represented in the proceedings by the Department of Justice At such hearing testimony may be presented by the applicant and the board after the consideration of which the court shall either sustain the

suspension or revocation of the license modify or reverse the order of the board In all such cases of appeal the Court of Quarter Sessions shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order

(c) Any person aggrieved by the action of the Court of Quarter Sessions shall have the right to appeal to the Superior Court The Superior Court shall examine the record upon which such appeal is based and shall determine whether or not the action of the Court of Quarter Sessions was properly based upon the evidence presented to it The action of the Superior Court shall be final] Upon learning of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulations of the board adopted pursuant to such laws or any violation of any laws of this Commonwealth or of the United States of America relating to the tax-payment of liquor or malt or brewed beverages by any licensee his officers servants agents or employes or upon any other sufficient cause shown the board may within one year from the date of such violation or cause appearing cite such licensee to appear before it or its examiner not less than ten nor more than fifteen days from the date of sending such licensee by registered mail a notice addressed to him at his licensed premises to show cause why such license should not be suspended or revoked Hearings on such citations shall be held in the same manner as provided herein for hearings on applications for license Upon such hearing if satisfied that any such violation has occurred or for other sufficient cause the board shall immediately suspend or revoke the license notifying the licensee thereof by registered letter addressed to his licensed premises When a license is revoked the licensee's bond may be forfeited by the board Any licensee whose license is revoked shall be ineligible to have a license under this act or under any other act of the Commonwealth of Pennsylvania relating to the manufacture transportation or sale of liquor or malt or brewed beverages until the expiration of three years from the date such license was revoked In the event the board shall revoke a license no license shall be granted for the premises or transferred to the premises in which the said license was conducted for a period of at least one year after the date of the revocation of the license conducted in the said premises except in cases where the licensee or a member of his immediate family is not the owner of the premises in which case the board may in its discretion issue or transfer a license within the said year In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order In the event the person whose license was suspended or revoked by the board shall feel aggrieved by the action of the board he shall have the right to appeal to the Court of Quarter Sessions in the same manner as herein provided for appeals from refusals to grant licenses No appeal shall act as a supersedeas In those cases where the board shall suspend a license the board may accept from the licensee an offer in compromise as a penalty in lieu of such suspension and thereupon rescind such suspension In the case of a manufacturer the offer in compromise shall be at the rate of one hundred dollars ($100) for each day of suspension in the case of an importing distributor thirty dollars ($30) and a distributor twenty dollars ($20) for each day of suspension and in the case of a retail dispenser or transporter for hire ten dollars ($10) for each day of suspension No offer in compromie may be accepted by the board in those cases where the suspension is for a period in excess of one hundred days

Section 14 Licenses Not Assignable Transfers (a) Licenses issued under this act may not be assigned The board upon payment of the transfer filing fee and the execution of a new bond [or treasurer as the case may be] is hereby authorized to transfer any license issued by it [or him] from one person to another or from one place to another or both within the same municipality or township as the board [or treasurer] may determine but no transfer shall be made to a person who would not have been eligible to receive the license originally nor for the transaction of business at a place for which the license could not lawfully have been issued originally nor except as herein provided to a place as to which a license has been revoked [within one year of the date of application] Except in cases of emergency such as death serious illness or circumstances beyond the control of the licensee as the board [or treasurer] may determine such circumstances to justify its [or his] action transfers of licenses may be made only at times fixed by the board [or the treasurer] In the case of the death of a licensee the board may transfer the license to the surviving spouse or personal representative or to a person designated by him From any refusal to grant a transfer the person aggrieved shall have the right to appeal t othe Court of Quarter Sessions of the county in which the licensed premises are situated in the same manner as herein provided for appeals from refusals to grant licenses

(b) In the event that any person to whom a license shall have been issued under the [terms] provisions of this act by the board shall become insolvent make an assignment for the benefit of creditors become a bankrupt by either voluntary or involuntary action [or shall have a receiver appointed by any court whether by voluntary or involuntary action] the license of such person shall immediately terminate and be cancelled without any action on the part of the board and there shall be no refund made or credit given for the unused portion of the license fee for the remainder of the license year for which said license was granted Thereafter no license shall be issued by the board for the premises wherein said license was conducted to any assignee committee trustee receiver or successor of such licensee until a hearing has been held by the board as in the case of a new application for license In all such cases the board shall have the sole and final discretion as to the propriety of the issuance of a license for such premises and as to the time it shall issue and the period for which it shall be issued and shall have the further power to exact conditions under which said license shall be conducted

Section 15 Applications for Transfers Fee Every applicant for a transfer of a license shall file a written application together with a filing fee of Ten Dollars with the board [or treasurer as the case may be] in such form as the board [or treasurer] shall prescribe and at such time as the board [or treasurer] shall fix and shall also file a bond as required on original applications for licenses

Whenever any license is transfered no license or other fees shall be required from the persons to whom such transfer is made for the balance of the then current license year except the filing fee of ten dollars ($10)

Section 16 Renewal of Licenses [All applications for renewal of licenses shall be filed at least sixty days before the expiration date of same and not thereafter Unless within one month of the date of filing of such application for renewal the applicant shall have been notified by the board or treasurer as the case may be of objections to the granting thereof filed by persons authorized so to do upon the payment of the license fee and the filing of a bond as in the case of an original application for license the board or treasurer shall issue such renewal of license Objections to the granting of the renewal of the license shall be limited to those filed by persons authorized to file petitions for the revocation or suspension of licenses as provided in section thirteen hereof] All applications for renewal of licenses shall be filed at least sixty days before the expiration date of same and not thereafter as provided in board regulations Unless the applicant shall have been formally notified by the board of objections to the renewal of his license based upon violation by the licensee or his servants agents or employes of any of the laws of the Commonwealth or regulations of the board relating to the manufacture transportation use storage importation possession or sale of liquors alcohol or malt or brewed beverages or the conduct of a licensed establishment or unless the applicant has by his own act become a person of ill repute or unless the premises do not meet the requirements of this act or the regulations of the board the license of a licensee shall be renewed when the applicant

shall file with the board a new bond and shall pay the requisite filing fee and license fee specified in this act

(c) In case where a licensee or his servants agents or employes are arrested charged with violating any of the laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages and where the board has on file in such cases reports of its enforcement officers or investigators or from other sources that a licensee or his servants agents or employes have violated any of the aforementioned laws and a proceeding to revoke such licensee's license is or is about to be instituted and such arrest occurs or report of violations is received or revocation proceeding instituted or about to be instituted during the time a renewal application of such license is pending before the board the board may in its discretion renew the license notwithstanding such alleged violations but such renewal license may be revoked by the board in the manner herein provided for the revocation of licenses if and when the licensee or any of his servants agents or employes are convicted of or plead guilty to violations under the previous license as aforesaid or if and when such previous license is for any reason revoked

In the event such renewal license is revoked by the board neither the license fee paid for such license nor any part thereof shall be returned to the licensee but the license bond filed with the application for such renewal of license shall not be forfeited

Section 17 Display of License Every licensee shall frame his or its license under a transparent substance and display the same in a conspicuous space so that it may easily be read in his or its place of business and no license shall authorize sales until this section has been complied with

Section 18 All Licensees to Furnish Bond No license shall be issued to any manufacturer distributor importing distributor or [retailer] retail dispenser or to any railroad pullman or steamship company until the licensee shall have first executed a bond to the Commonwealth of Pennsylvania and a warrant of attorney to confess judgment in the penal sum hereinafter prescribed Bonds of all applicants except manufacturer's shall have sufficient sureties either personal or a surety company authorized to do business in this Commonwealth Bonds with personal surety shall be executed by not less nor more than two individuals as sureties each of whom shall own real estate of an assessed valuation over and above all encumbrances and outstanding liabilities of two thousand dollars ($2000) or more Bonds of manufacturers shall have as surety a surety company authorized to do business in this Commonwealth] Such bonds shall not be accepted until approved by the board [or treasurer as the case may be] All such bonds shall be conditioned for the faithful observance of all the laws of this Commonwealth relating to [the] alcohol alcoholic liquors and malt or brewed beverages and the regulations of the board [the manufacture sale possession or transportation of malt or brewed beverages or alcohol or any other alcoholic beverages] All bonds shall be filed with and retained by the board [or treasurer as the case may be] The penal sum of bonds filed by the manufacturers shall be ten thousand ($10,000) dollars for each place at which the licensee is authorized to manufacture The penal sum of bonds filed by distributors shall be one thousand ($1,000) dollars and for importing distributors two thousand ($2,000) dollars The penal sum of bonds filed by all other licensees shall be one thousand ($1,000) dollars for each place at which the licensee is authorized to sell malt or brewed beverages except that in the case of railroad pullman or steamship companies the penal sum of the bond to be filed shall be one thousand ($1,000) dollars irrespective of the number of licensed cars or ships operated by such companies Every such bond may be forfeited when a license is revoked and shall be turned over to [the district attorney or] the Attorney General [as the case may be to be sued out] for collection if and when the licensee's license shall have been revoked and his bond forfeited as herein provided

Section 19 License Fees Distribution of Revenues No license shall be issued to any manufacturer distributor importing distributor or retail dispenser and no public service licenses shall be issued until the licensee shall have first paid an annual license fee [for such grant] as follows

(a) In the case of a manufacturer the license fee shall be one thousand ($1,000.00) dollars for each place of manufacture and shall be paid to the board The fee for all such licenses when applied for and issued on or after April 1 but prior to July 1 shall be three-fourths of the annual fee July 1 but prior to October 1 shall be one half of the annual fee October 1 but prior to January 1 shall be one quarter of the annual fee

(b) In the case of a distributor the license fee shall be four hundred ($400.00) dollars and shall be paid to the board

(c) In the case of an importing distributor the license fee shall be nine hundred dollars ($900.00) and shall be paid to the board

(d) In the case of a retail dispenser except clubs the license fee shall be graduated according to the population of the municipal unit or township in which the place of business is located and shall be paid to the [treasurer] board as follows

	[Retail] [Dispenser]
[(a)] (1) Less than 10,000	$100
[(b)] (2) 10,000 and more but less than 50,000	150
[(c)] (3) 50,000 and more but less than 100,000	200
[(d)] (4) 100,000 and more but less than 150,000	250
[(e)] (5) 150,000 and more	300

(e) In the case of [an incorporated] a club the fee shall be twenty-five dollars in all cases and shall be paid to the [treasurer] board

[(f)] (f) In the case of a public service license for cars the fee shall be ten dollars per car for the maximum number of cars operated on any one day on which malt or brewed beverages are sold to be paid to the board

[(g)] (g) In the case of a public service license for the sale of malt or brewed beverages on a boat or vessel the fee shall be fifty dollars for each such vessel or boat and shall be paid to the board

[(h)] (h) The fee for filing applications for licenses and for renewals shall be ten dollars which together with fees for transfers shall be paid to the board [or treasurer issuing the licenses]

[(i)] (i) The license fees fixed by this section shall be paid before the license or renewal is issued

[(j)] (j) The license fees for manufacturers distributors importing distributors and public service licenses and all filing fees for such licenses and all permit fees forfeitures and compromise penalties collected received or recovered under the provisions of this act shall be transmitted to the State Treasurer by the Board and shall be paid into the State Stores Fund Fees paid for retail dispensers licenses shall be paid into the State Treasury through the Department of Revenue into the special fund known as the "Liquor License Fund" The moneys in the "Liquor License Fund" shall on the first days of February and August of each year be paid by the [treasurer] board to the municipalities and townships in which the licensed places are located in such amounts as represent the aggregate license fees collected from retail dispenser licensees in such municipalities and townships during the preceding period [Filing fees collected by the treasurer shall be for the use of the county]

(k) The board shall have the power to appropriate moneys in the Liquor License Fund for the payment of claims for refunds allowed and approved by the board for moneys paid into the Liquor License Fund because of the over-payment or overcharge on license fees In the event that the moneys in the Liquor License Fund have been distributed to the respective municipalities and townships the board shall have the authority to deduct from the next semiannual payment to the respective municipalities and townships the amount of any over-payment previously refunded by the board to any person on account of an overcharge or over-payment on a license fee

Section 20 Sales by Manufacturers Minimum Quantities No manufacturer shall sell any malt or brewed bev-

erages for consumption on the premises where sold nor sell or deliver any such malt or brewed beverages in other than original containers approved as to capacity by the board nor in quantities of less than seventy-two fluid ounces nor shall any manufacturer maintain or operate within the Commonwealth any place or places other than the place or places covered by his or its license where malt or brewed beverages are sold or where orders are taken

Section 21 Sales by Distributors and Importing Distributors No distributor or importing distributor shall purchase receive or re-sell any malt or brewed beverages except in the original containers as prepared for the market by the manufacturer No distributor or importing distributor shall sell any malt or brewed beverages in quantities of less than seventy-two fluid ounces Provided That no malt or brewed beverages sold or delivered shall be consumed upon the premises of the distributor or importing distributor or in any place provided for such purpose by such distributor or importing distributor

Section 22 Sales by [Retailers] Retail Dispensers (a) No [retailer] retail dispenser shall purchase or receive any malt or brewed beverages except in original containers as prepared for the market by the manufacturer The retail dispenser may thereafter break the bulk upon the licensed premises and sell or dispense the same for consumption on or off the premises so licensed Provided however That no retail dispenser may sell malt or brewed beverages for consumption off the premises in quantities in excess of seventy-two fluid ounces and provided further That no club licensee may sell any malt or brewed beverages for consumption off the premises where sold or to persons not members of the club

No [retailer] retail dispenser shall sell any malt or brewed beverages for consumption on the licensed premises except in a room or rooms or place on the licensed premises at all times accessible to the use and accommodation of the general public but this section shall not be interpreted to prohibit a retail dispenser [licensee] from selling malt or brewed beverages in a hotel or club house in any room of such hotel or club house occupied by a bona fide registered guest or member entitled to purchase the same

(b) The board may with the approval of the Governor temporarily close all licensed premises within any municipality or township during any period of emergency proclaimed to be such by the Governor

Section 23 Unlawful Acts It shall be unlawful [(a)] (I) For any manufacturer or the servants agents or employes of the same to sell trade or barter in malt or brewed beverages between the hours of twelve o'clock midnight of any Saturday and two o'clock in the forenoon of the following Monday or for any distributor or importing distributor or the servants agents or employes of the same to sell transport trade or barter in malt or brewed beverages between the hours of nine o'clock post meridian of any Saturday and two o'clock ante meridian of the following Monday

[(b)] (II) For any hotel [restaurant] or eating place holding a retail dispenser's license or public service licensee or the servants agents or employes of such licensees to sell trade or barter in malt or brewed beverages between the hours of twelve o'clock midnight of any Saturday and seven o'clock in the forenoon of the following Monday or between the hours of two o'clock ante meridian and seven o'clock ante meridian of any week day

[(c)] (III) For any licensee or his servants agents or employes to sell furnish or give any malt or brewed beverages to any person visibly intoxicated or to any insane person or to any minor or to habitual drunkards or persons of known intemperate habits

[(d)] (IV) For any hotel [restaurant] or eating place holding a retail dispenser's license or public service licensee or his servants agents or employes to sell furnish or give any malt or brewed beverages to any person after two o'clock ante meridian or until one hour after the time fixed by law for the closing of polling places on days on which a general municipal special or primary election is being held

[(e)] (V) For any licensee or his servants agents or employes to sell or offer to sell or purchase or receive any malt or brewed beverages except for cash excepting credits extended by a hotel or club to bona fide registered guests or members No rights of action shall exist to collect any claims for credit extended contrary to the provisions of this clause Nothing herein contained shall prohibit a licensee from crediting to a purchaser the actual price charged for [packages or] original containers returned by the original purchaser as a credit on any sale or from refunding to any purchaser the amount paid by such purchaser for such containers or as a deposit on such containers when title is retained by the vendor if such containers [or packages] have been returned to the manufacturer distributor importing distributor or other vendor Nothing herein contained shall prohibit a manufacturer from extending usual and customary credit for malt or brewed beverages sold to customers or purchasers who live or maintain places of business outside of the Commonwealth of Pennsylvania when the malt or brewed beverages so sold are actually transported and delivered to points outside of the Commonwealth provided however that as to all transactions affecting malt or brewed beverages to be resold or consumed within this Commonwealth every licensee shall pay and shall require cash deposits on all returnable original containers which contain not more than one hundred twenty-eight fluid ounces

[(f)] (VI) For any licensee or his servants agents or employes to sell offer to sell or furnish any malt or brewed beverage to any person on a pass book or store order or to receive from any person any goods wares merchandise or other articles except containers returned in exchange for malt or brewed beverages

[(g)] (VII) For any manufacturer importing distributor or distributor his servants agents or employees to give furnish lease or sell or For any licensee or his servants agents or employes except a manufacturer on his own premises to lease purchase or receive for display or to [advertise] display in any manner whatsoever on the outside of any licensed premises or on any lot of ground on which licensed premises are situate or on any building of which the licensed premises are a part any advertisement whatsoever relating to malt or brewed beverages [by trade name trademark or in any manner which would indicate the manufacturer producer or place of manufacture or production of any beverage] unless the actual value of such [advertising device] advertisement shall be not more than seventy-five dollars ($75.00) No sign or advertisement furnished leased or sold by any manufacturer importing distributor or distributor shall contain any thing except the trade name trade mark or place of manufacture of the malt or brewed beverage manufactured or sold by him

[(h)] (VIII) For any manufacturer importing distributor or distributor his servants agents or employes to give furnish lease or sell or for any other licensee or his servants agents or employes to lease purchase or receive for display or to display on the inside of any licensed premises any advertising matter indicating the trade-mark or trade name of any particular malt or brewed beverage or the manufacturer producer or place of manufacture or production of any malt or brewed beverage unless the actual value of such advertising device including all displays in conection therewith shall not exceed ten dollars ($10) It shall be unlawful for any licensee to display or permit to be displayed any window advertising except in accordance with the regulations of the board

[(i)] (IX) For any licensee or his servants agents or employes to advertise or hold out for sale any malt or brewed beverage by trade name or other designation which would indicate the manufacturer or place of production of the said malt or brewed beverage unless he shall actually have on hand and for sale a sufficient quantity of the particular malt or brewed beverage so advertised to meet requirements to be normally expected as a result of such advertisement or offer

[(j)] (X) For any retail dispenser or his servants agents or employes to furnish or serve any malt or brewed beverages from any faucet spigot or other dispensing apparatus unless the trade name or brand of the product

served shall appear in full sight of the customer and in legible lettering upon such faucet spigot or dispensing apparatus

[(k)] (XI) For any licensee or his [or its] servants agents or employes to transport sell deliver or purchase any malt or brewed beverage upon which there shall appear a label or other informative data which in any manner refers to the alcoholic contents of the malt or brewed beverage or which refers in any manner to the original alcoholic strength extract or balling proof from which such malt or brewed beverages was produced This clause shall not be construed to prohibit a manufacturer from designating upon the label or descriptive data the alcoholic contents of malt or brewed beverages intended for shipment into another state or territory when the laws of such state or territory require that the alcoholic content of the malt or brewed beverage must be stated upon the package

[(l)] (XII) For any [retail] licensee his servants agents or employees [except clubs] to permit in any licensed premises dancing theatricals floor show or moving picture exhibitions of any sort unless the licensee shall have first received from the board a special permit to provide such entertainment or for any retail licensee under any circumstances to permit in any licensed premises any lewd immoral or improper entertainment regardless of whether or not a permit to provide entertainment has been obtained The board shall have power to provide for the issue of such special permits and to require a fee [of twenty-five dollars] for permits [authorizing] [theatricals floor shows or moving picture exhibitions] equal to one-half of the annual license fee All such fees shall be paid into the State Stores Fund No such permit shall be issued in any municipality which by ordinance prohibits amusements in licensed places Any violation of this clause shall in addition to the penalty herein provided subject the licensee to suspension or revocation of his permit and his license

[(m)] (XIII) For any distributor or importing distributor or his servants agents or employes without the approval of the board and then only in accordance with board regulations to engage [on the licensed premises] in any other business whatsoever except the business of distributing malt or brewed beverages [or non-intoxicating beverages]

[(n)] (XIV) For any distributor importing distributor or retail dispenser or his servants agents or employes to have in his possession or to permit the storage of on the licensed premises or in any place contiguous or adjacent thereto accessible to the public or used in connection with the operation of the licensed premises [of] any spirituous vinous or alcoholic liquors or alcohol of any sort except malt or brewed beverages

[(o)] (XV) For any licensee or his servants agents or employes except a manufacturer to manufacture import sell transport store trade or barter in any spirituous vinous or other alcoholic liquors or alcohol except malt or brewed beverages

[(p)] (XVI) For any licensee or his servants agents or employes to issue publish or post or cause to be issued published or posted any advertisement of [a] malt or brewed beverages including a label which shall refer in any manner to the alcoholic strength of the malt or brewed beverages manufactured sold or distributed by such licensees or to use in any advertisement or label such words as "full strength" "extra strength" "high test" "high proof" "pre-war strength" similar words or phrases which would lead or induce a consumer to purchase a brand of malt or brewed beverage on the basis of its alcoholic content or to use in or on any advertisement or label any numeral unless adequately explained in type of the same size prominence and color or for any licensee to purchase transport sell or distribute any malt or brewed beverage advertised or labeled contrary to the provisions of this clause

[(q)] (XVII) For any licensee or any agent employe or representative of any licensee to give or permit to be given directly or indirectly money or anything of substantial value in an effort to induce agents employes or representatives of customers or prospective customers to influence their employers or principals to purchase or contract to purchase malt or brewed beverages from the donor of such gift or to influence such employers or principals to refrain from dealing or contracting to deal with other licensees

[(r)] (XVIII) For any licensee or his servants agents or employes to offer or give any prize premium gift or other similar inducement to either trade or consumer buyers except advertising novelties of nominal value which the board shall define

[(s)] (XIX) For any licensee or his servants agents or employes to offer pay make or allow or for any licensee or his servants agents or employes to solicit or receive any allowance or rebate refunds or concessions whether in the form of money or otherwise to induce the purchase of malt or brewed beverages or any other commodity manufactured or sold by the licensee

[(t)] (XX) For any importing distributor distributor retail dispenser or his servants agents or employes to fail to keep on the licensed premises for a period of at least two years such complete and truthful records as the board may prescribe covering the operation of his licensed business and particularly showing the date of all purchases of malt or brewed beverages the actual price paid therefor and the name of the vendor or for any licensee his servants agents or employes to refuse the board or an authorized employe of the board access thereto or the opportunity to make copies of the same when the request is made during business hours

[(u)] (XXI) For any licensee or his servants agents or employes to refuse the board or any of its authorized employes the right to completely inspect the entire licensed premises at any time during which the premises are open for the transaction of business

[(v)] (XXII) For any retail dispenser or his servants agents or employes to furnish give or sell below a fair cost any lunch to any consumer except such articles of food as the board may authorize and approve

[(w)] (XXIII) For any person to hawk or peddle malt or brewed beverages

[(x)] (XXIV) For any licensee or his servants agents or employes to be directly or indirectly employed by any person engaged in the manufacture storage transportation or sale of spirituous or vinous liquors alcohol or malt or brewed beverages

[(y)] (XXV) For any licensee or his servants agents or employes to knowingly sell any malt or brewed beverages to any person engaged in the business of illegally selling liquor or malt or brewed beverages

[(z)] (XXVI) For any person to transport within or import any malt or brewed beverages into this Commonwealth except in accordance with the rules and regulations of the board or for an yperson to transport malt or brewed beverages into or within this Commonwealth unless there shall be affixed to the original containers in which such malt or brewed beverages are transported stamps or crowns evidencing the payment of the malt liquor tax to the Commonwealth Provided however That this clause shall not be construed to prohibit transportation of malt or brewed beverages through this Commonwealth and not for delivery therein if such transporting is done in accordance with the rules and regulations of the board

(XXVII) For any manufacturer importing distributor or distributor or his servants agents or employes except with board approval to deliver or transport any malt or brewed beverages in any vehicle in which any other commodity is being transported

(XXVIII) For any importing distributor distributor or retail dispenser or the servants agents or employes of such licensees to display on the outside of any licensed premises if it can be seen from the outside of the licensed premises any advertisement whatsoever referring directly or indirectly to the price at which the licensee will sell malt or brewed beverages except in the interior of the licensed premises where the display cannot be seen from the outside the price at which malt or brewed beverages will be hold by him

XXIX For any retail dispenser to employ any minor or to permit any minor to render any service whatsoever in or about the licensed premises except in accordance with board regulations nor shall any entertainer be

employed or permitted to perform in any licensed premises in violation of the labor laws of this Commonwealth

XXX For any licensee his servants agents or employes to cash payroll checks except in accordance with board regulations

XXXI For any retail dispenser his servants agents or employes to permit persons of ill repute known criminals prostitutes or minors to frequent his licensed premises or any premises operated in connection therewith except minors accompanied by parents guardians or under proper supervision

XXXII For any licensee his servants agents or employes to give furnish trade barter serve or deliver any malt or brewed beverages to any person during hours or on days when the licensee is prohibited by this act from selling malt or brewed beverages

XXXIII For any club retail dispenser or its servants agents or employes to sell malt or brewed beverages between the hours of three o'clock ante meridian and seven o'clock ante-meridian on any day

XXXIV For any importing distributor or distributor engaged in the sale of products other than malt or brewed beverages to fail to keep such complete separate records covering in every respect his transactions in malt or brewed beverages as the board shall by regulation require

XXXV For any licensee or any officer director stockholder servant agent or employe of any licensee to own any interest directly or indirectly in or be employed or engaged in any business which involves the manufacture or sale of any equipment furnishings or fixtures to importing distributors distributors or retail dispensers licensed under this act or to hotel restaurant or club licensees licensed under any other act of this Commonwealth relating to liquor or malt or brewed beverages provided however that the provisions of this sub-section shall not apply to such a conflicting interest if it has existed for a period of not less than three years prior to January first one thousand nine hundred and thirty-seven and the board shall approve

XXXVI For any importing distributor or distributor to sell any malt or brewed beverages after the hour of seven o'clock post meridian of any day on which they may legally sell malt or brewed beverages except that on Saturdays and days preceding national holidays sales may be made until nine o'clock post meridian

Section 24 Things of Value Not to Be Offered It shall be unlawful for any person licensed to sell malt or brewed beverages or his servants agents or employes to offer or give anything of value or to solicit or receive anything of value as a premium for the return of caps stoppers corks stamps or labels taken from any bottle case barrel or package containing such malt or brewed beverages or to offer or give or solicit or receive anything of value as a premium or present to induce the purchase of such malt or brewed beverages or for any other purpose whatsoever in connection with the sale of such malt or brewed beverages Provided however That this section shall not apply to the return of any moneys specifically deposited for the return of the original containers to the owners thereof

Section 25 Unlawful to Fortify Adulterate or Contaminate Malt or Brewed Beverages It shall be unlawful to fortify adulterate contaminate or in any wise to change the character or purity of the malt or brewed beverages from that as originally marketed by the manufacturer

Section 26 Transportation in Original Packages It shall be unlawful for any [licensee or transporter for hire] person to transport any malt or brewed beverages except in the original containers It shall be unlawful for any [transporter for hire] person to transport for another any malt or brewed beverages within this Commonwealth unless such [transporter] person shall hold a permit issued by the board and shall have paid to the board such permit fee not exceeding one hundred dollars and shall have filed with the board a bond in the penal sum of not more than two thousand dollars as may be fixed by the rules and regulations of the board any other law to the contrary notwithstanding

Section 27 Delivery Vehicles to Bear Name and Address of [Distributor Importing Distributor or Manufacturer] Licensee It shall be unlawful of a [manufacturer importing distributor or distributor] licensee to deliver or transport any malt or brewed beverages excepting in vehicles bearing the name and address and license number of such [distributor importing distributor or manufacturer] licensee painted or affixed on each side of such vehicle in letters no smaller than four inches in height

Section 28 Interlocking Business Prohibited (a) No manufacturer and no officer or director of any manufacturer shall at the same time be a distributor importing distributor or retail dispenser or an officer director or stockholder or creditor of ny distributor importing distributor or retail dispense nor except as hereinafter provided be the owner proprietor or lessor of any place [covered directly or indirectly by any distributor's importing distributor's malt or brewed beverage or liquor license] for which a license has been issued for any importing distributor distributor or retail dispenser under this act or for which a hotel restaurant or club liquor license has been issued under any other act of this Commonwealth

(b) No distributor or importing distributor and no officer or director of any distributor or importing distributor shall at the same time be a manufacturer [or] a retail dispenser or a liquor licensee or be an officer director stockholder or creditor of a manufacturer [or] a retail dispenser or a liquor licensee or directly or indirectly own any stock of or have any financial interest in or be the owner proprietor or lessor of any place covered by any other malt or brewed beverage or liquor license

(c) No licensee licensed under this act and no officer or director of such licensee shall directly or indirectly own any stock of or have any financial interest in any other class of business licensed under this act

(d) Excepting as hereinafter provided no manufacturer importing distributor or distributor shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or in any mortgage against the same for which a liquor or retail dispenser's license is granted nor shall a manufacturer importing distributor or distributor either directly or indirectly lend any moneys credit or equivalent thereof to or guarantee the payment of any bond mortgage note or other obligation of any liquor licensee or retail dispenser in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business operated under a liquor or retail dispenser's license excepting only the usual and customary credits allowed for returning [packages or] original containers in which malt or brewed beverages were packed for market by the manufacturer

(e) Excepting as hereinafter provided no manufacturer shall in any wise be interested either directly or indirectly in the ownership or leasehold of any property or any mortgage lien against the same for which a distributor's or importing distributor's license is granted nor shall a manufacturer either directly or indirectly lend any moneys credit or their equivalent to or guarantee the payment of any bond mortgage note or other obligation of any distributor or importing distributor in equipping fitting out or maintaining and conducting either in whole or in part an establishment or business where malt or brewed beverages are licensed for sale by a distributor or importing distributor excepting only the usual credits allowed for the return of [packages or] original containers in which malt or brewed beverages were originally [packages] packaged for the market by the manufacturer

(f) No distributor importing distributor package retailer or retail dispenser shall in anywise receive either directly or indirectly any credit loan moneys or the equivalent thereof from any other licensee or from any officer director or firm member of any other licensee or from or through a subsidiary or affiliate of another licensee or from any firm association or corporation except banking institution in which another licensee or any officer director or firm member of another licensee has a substantial interest or exercises a control of its business policy for equipping fitting out payment of license fee maintaining and conducting either in whole or in part an establishment or business operated under a distributors importing distributor's or retail dispenser's license excepting only the usual and customary credits allowed for the return

of [packages or] original containers in which malt or brewed beverages were [packed] packaged for the market by the manufacturer at the place of manufacture

The purpose of this section is to require a separation of the financial and business interests between the various classes of business regulated by this act and no person or corporation shall by any device whatsoever directly or indirectly evade the provisions of this section But in view of existing economic conditions nothing contained in this section shall be construed to prohibit the ownership of property or conflicting interest by a manufacturer of any place occupied by a distributor importing distributor or retail dispenser after the manufacturer has continuously owned and had a conflicting interest in such place for a period of at least five years prior to July 18 1935

The term "manufacturer" as used in this section shall include manufacturers as defined in this act and any person manufacturing any malt or brewed beverages outside of this Commonwealth

Section 29 Malt or Brewed Beverages Manufactured Outside This Commonwealth In addition to compliance with all other provisions of this act the board shall require each person desiring to sell any malt or brewed beverages manufactured outside this Commonwealth to Pennsylvania licensees and shall require each Pennsylvania licensee who desires to purchase and resell any such malt or brewed beverages to pay to the board the same fees as are required to be paid by Pennsylvania licensees or by persons or licensees in any state territory or country outside of Pennsylvania who desire to sell malt or brewed beverages manufactured in Pennsylvania to licensees in such other state territory or country of origin of such malt or brewed beverages not manufactured in Pennsylvania and to observe and comply with the same regulations prohibitions and restrictions as are required of or enforced against Pennsylvania licensees or persons who desire to purchase and resell malt or brewed beverages manufactured in Pennsylvania in such other state territory or country of origin In all cases where the board shall have issued any reciprocal regulations or orders concerning malt or brewed beverages manufactured in any state territory or country other than Pennsylvania no Pennsylvania licensee shall purchase any such malt or brewed beverages if their importation has been prohibited or if not entirely prohibited unless such regulations or orders have been observed and complied with by the Pennsylvania licensee and by the person from or through whom the Pennsylvania licensee desires to purchase Any malt or brewed beverages manufactured outside of Pennsylvania which are sold transported or possessed in Pennsylvania contrary to any such regulations or orders of the board or without the payment of the fees herein required shall be considered contraband and shall be confiscated by the board and disposed of in the same manner as any other illegal liquor or malt or brewed beverages

Upon learning of the commission by a manufacturer of malt or brewed beverages whose principal place of business is outside this Commonwealth or by any servant agent employe or representative of such manufacturer within or partly within and partly outside this Commonwealth of any violation of this act or any laws of this Commonwealth relating to liquor alcohol or malt or brewed beverages or of any regulation of the board adopted pursuant thereto or of any violation of any laws of this Commonwealth or of the United States of America relating to the tax payment of liquor or malt or brewed beverages the board shall cite such manufacturer to appear before it or its examiner not less than ten nor more than fifteen days from the date of mailing such manufacturer at his principal place of business wherever located by registered mail a notice to show cause why the further importation into this Commonwealth of malt or brewed beverages manufactured by him should not be prohibited Upon such hearing whether or not an appearance was made by such outside manufacturer if satisfied that any such violation has occurred the board is specifically empowered and directed to immediately issue an order prohibiting the importation of malt or brewed beverages manufactured by such manufacturer into this Commonwealth for a period of not less than six months nor more than three years Notice of such board action shall be given immediately to such manufacturer and to all persons licensed to import malt or brewed beverages within this Commonwealth by mailing a copy of such order to such manufacturer at its principal place of business wherever located and to such licensees at their licensed premises Thereafter it shall be unlawful for any person licensed to import malt or brewed beverages within this Commonwealth to purchase or sell any malt or brewed beverages manufactured by such outside manufacturer during the term of such prohibition Any violation of such prohibitory order shall be a misdemeanor and shall be punished in the same manner as herein provided for any other violation of this act and shall also constitute grounds for revocation or suspensio nof a license to import malt or brewed beverages In all such cases the board shall file of record at least a brief statement in the form of an opinion of the reasons for the ruling or order Any outside manufacturer aggrieved by the action of the board may appeal to the Quarter Sessions Court of Dauphin County in the same manner as herein provided for appeals from refusals to grant licenses No appeal shall act as a supersedeas

Section [29] 30 Penalty (a) Any person copartnership association or corporation or any officer director servant employe or agent of any copartnership association or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine [not exceeding] of not less than one hundred $100) nor more than three hundred ($300) and on failure to pay such fine to imprisonment for not less than one month nor more than three months for the first offense and for any second or subsequent offense shall be sentenced upon conviction to pay a fine [not exceeding] of not less than three hundred dollars ($300) nor more than five hundred dollars ($500) [Any such person or the members agents servants or employes of any such partnership or association or the officers directors agents servants or employes of any such corporation responsible for any violation of any of the provisions of this act in addition to the fines hereinbefore prescribed may upon a first conviction be sentenced to imprisonment for a term not exceeding six months and upon a second or subsequent conviction] and shall be sentenced to imprisonment for a term of not less than three months nor more than one year

(b) Upon proof being made that any licensee or any servant agent or employe of such licensee under this act has violated any of the provisions of this act or regulations of the Board or any of the laws of the Commonwealth relating to liquor alcohol or malt or brewed beverages or the payment of tax thereon or the laws of the United States of America relating to the payment of tax on liquor alcohol or malt or brewed beverages the board [or the Court of Quarter Sessions of the proper county as the case may be] may in its discretion revoke or suspend any license issued under this act to any such licensee The right to suspend or revoke licenses as herein set forth shall be an additional penalty to those set forth in paragraph "A" of this section

Section (30) 31 Nuisance (a) Any room house building boat vehicle structure or place where malt or brewed beverages are manufactured sold transported offered for sale bartered or furnished in violation of this act and all such beverages and property kept or used in maintaining the same are hereby declared to be common nuisances and any person who maintains such a common nuisance shall be guilty of a misdemeanor and upon conviction thereof shall be subject to the penalties provided in this act

(b) An action to enjoin any nuisance defined in this act may be brought in the name of the Commonwealth of Pennsylvania by the Attorney General [of the State] or by the district attorney of the proper county Such action shall be brought and tried as an action in equity and may be brought in any court having jurisdiction to hear and determine equity cases within the county in which the offense occurs If it is made to appear by affidavit or otherwise to the satisfaction of the court that such nuisance exists a temporary writ of injunction shall forthwith issue restraining the defendant from conducting or permitting

the continuance of such nuisance until the conclusion of the proceedings If a temporary injunction is prayed for the court may issue an order restraining the defendant and all other persons from removing or in any way interfering with the beverages or other things used in connection with the violation of this act constituting such nuisance No bond shall be required in instituting such proceedings It shall not be necessary for the court to find the property involved was being unlawfully used as aforesaid at the time of the hearing but on finding that the material allegations of the petition are true the court shall order that no beverage shall be manufactured sold offered for sale transported bartered or furnished in such room house building structure boat vehicle or place or any part thereof Upon the decree of the court ordering such nuisance to be abated the court may upon proper cause shown order that the room house building structure boat vehicle or place shall not be occupied or used for one year thereafter but the court may in its discretion permit it to be occupied or used if the owner lessee tenant or occupant thereof shall give bond with sufficient surety to be approved by the court making the order in the penal and liquidated sum of not less than five hundred dollars ($500.00) payable to the Commonwealth of Pennsylvania for use of the county in which said proceedings are instituted and conditioned that malt or brewed beverages will not thereafter be manufactured sold transported offered for sale bartered or furnished therein or thereon in violation of this act and that he will pay all fines costs and damages that may be assessed for any violation of this act upon said property

Section [31] 32 Local Option In any municipality or township an election may be held but not oftener than once in four years on the date of the primary election immediately preceding any municipal election to determine the will of the electors with respect to the granting of licenses to retail dispensers under the provisions of this act Whenever electors equal to at least [ten] twenty-five per centum of the highest vote cast for any office in the municipality or township at the last preceding general election shall petition the corporate authorities of the municipality or township for a referendum on the question of granting such licenses the said corporate authorities shall cause a question to be submitted at the primary immediately preceding the municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the granting of malt and brewed beverage retail dispenser licenses for consumption on premises where sold in the of ?	Yes	
	No	

In case of a tie vote or if a majority of the persons voting on such question vote "yes" then malt and brewed beverage retail dispenser licenses shall be granted by the [treasurer] board in such municipality or township under the provisions of this act but if a majority of the persons voting on such question vote "no" then the [treasurer] board shall thereafter have no power to grant or to renew upon their expiration any retail dispenser's licenses in such municipality or township under the provisions of this act

No such licenses shall be granted under the provisions of this act as amended in any municipality or township wherein the electors under the provisions of the Beverage License Law of May third one thousand nine hundred and thirty-three (Pamphlet Laws two hundred fifty-two) and its amendments voted prior to the adoption of this amendment against the granting of retail [beverage] dispenser licenses unless in accordance with the provisions of this act as amended the action of the electors is hereafter reversed

Section [32A] 33 Constitutionality The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section [32B] 34 [(a) All licenses or permits issued to manufacturers and railroad pullman and steamship companies prior to the effective date of this act and which remain unrevoked on that date shall continue in force and effect until the first day of January one thousand nine hundred and thirty-six

(b) All licenses issued to distributors for the license year beginning June first one thousand nine hundred and thirty-five prior to the effective date of this act and which remain unrevoked on that date shall be in force subject to adjustment as hereinafter provided for such period of a whose license year as the amount of license fee paid to the county treasurer bears to the amount of the license fee payable for a distributor's license under this act but no such license shall be deemed to expire prior to July first one thousand nine hundred and thirty-five notwithstanding the amount of the license fee paid The board shall have power without hearing to issue to the holders of such distributor's licenses new licenses under the provisions of this act to expire on the date fixed by the board as the expiration date of licenses in the district in which granted for which license a fee shall be paid equal to one-twelfth of the fee fixed by this act for each month such license is to be in force In fixing the expiration dates of existing licenses granted to distributors by county treasurers and the dates when licenses issued by the board shall become effective the board shall not divide any calendar month but shall have full discretion to adjust the time for which credit shall be given for the license fee paid to county treasurers except as above excepted

(c) Upon final enactment of this act the board is authorized to issue importing distributors' licenses to those who qualify without hearings for such period of time as the board determines will expire between such date and the beginning of the license year for the district in which the licensed place is located upon payment of a license fee at the schedule of rates herein set forth said fee to be determined on a monthly basis] All licenses heretofore granted by county treasurers for the license year ending May thirty-first one thousand nine hundred and thirty-seven and in force when this act becomes effective and all licenses and amusement permits granted by the board shall remain in full force and effect (unless sooner revoked) until the end of the license year for which issued and no additional license or permit fees shall be required to be paid by such licensees for such license year In the event that any county treasurer shall have received under the provisions of the act hereby re-enacted and amended but before the effective date of this act from any person an application for the issuance or the renewal of a retail dispenser license together with a filing fee and or a license fee for such license which would have been except for the provisions of this amended act effective for the license year beginning June first one thousand nine hundred and thirty-seven such county treasurer shall upon the effective date of this act and upon demand of such applicant and the return to the treasurer of the license issued to him if any refund to such applicant the license fee paid by him and return any license bond filed by him with the treasurer In any such case the applicant shall not be required to pay to the board a filing fee for filing an application for a license under this act for the period beginning June first one thousand nine hundred and thirty-seven providing he shall submit with his application a receipt from the county treasurer showing the payment of a filing fee to the county treasurer No license or renewal thereof issued by a county treasurer for the period beginning June first one thousand nine hundred and thirty-seven shall confer upon any person the right to sell malt or brewed beverages if this act shall become effective before such date The first licenses and amusement permits issued by the board under the provisions of this act shall be issued for license years or fractions thereof according to the license districts in which

issued and applications for all such licenses and permits shall be filed at such time as may be specified by the board The board shall have power to grant the first licenses and permits under this act in any district for a period of one year or any period more or less than one year in order to provide a staggered system of license dates in the various districts and in such cases the fees for such licenses and amusement permits shall be one-twelfth of that fixed by this act multiplied by the number of months the first license or permit shall be effective

Section 35 General Power to Make Regulations The board may from time to time make such regulations not inconsistent with this act as it may deem necessary for the efficient administration of this act The board shall cause such regulations to be published and disseminated through the Commonwealth in such manner as it shall deem necessary and advisable Such regulations adopted by the board shall have the same force as if they formed a part of this act

Whenever it is provided in this act that any act matter or thing may be done if permitted or authorized by the regulations or may be done in accordance with the regulations or as provided by the regulations prescribed by the board under this act the board subject to the provisions of this act shall have the power to prescribe regulations respecting such act matter or thing

Section 2 This act and the amendments thereto shall become effective immediately upon final enactment

Section 3 The act approved the nineteenth day of February one thousand nine hundred and twenty-six (Pamphlet Laws sixteen) entitled "A Supplement to the act approved the twenty-seventh day of March one thousand nine hundred and twenty-three (Pamphlet Laws thirty-four) entitled 'An act concerning alcoholic liquors prohibiting the manufacture advertising furnishing traffic in and possession of intoxicating liquors for beverage purposes and articles and substances designed or intended for use in the manufacture thereof defining intoxicating liquor providing for penalties forfeitures and the abatement of nuisances and repealing existing alcoholic liquor laws and alcoholic liquor license laws' providing for the registering of federal permits also regulating under permit through a Pennsylvania Alcohol Permit Board created in the Department of Welfare the manufacture production distillation development use in manufacture denaturization redistillation recovery reuse holding in bond holding in storage by bailees for hire sale at wholesale and transportation for hire of any alcohol or alcoholic liquid by certain persons also providing for fees and the disposition thereof also authorizing the inspection of the records of permittees and purchases of said alcohol or alcoholic liquid also declaring certain places nuisances and providing for their abatement also providing penalties and also repealing all acts or parts of acts inconsistent with this act" and the amendments thereto also the act of July ninth one thousand eight hundred and eighty-one (Pamphlet Laws one hundred sixty-two) entitled "An act to prohibit the granting of a license for the sale of liquors to proprietors lessees keepers or managers of theatres or other places of amusement" are hereby repealed in so far as the same relate to the manufacture and sale of malt and brewed beverages and malt liquors and in so far as the same are inconsistent with the provisions of this act relating to the transportation of malt or brewed beverages.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. McGINNIS. Mr. President, I move that Senate Bill No. 343, the bill just read be recommitted to the Committee on State Boards.

Mr. THOMPSON. Mr. President, I second the motion.

The motion was agreed to.

MOTION TO READ BILLS THE FIRST TIME

Mr. HUFFMAN. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. LAW. Mr. President, I second the motion.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 317, (House Bill No. 30), entitled:

An Act to amend clause (b) of section one thousand five hundred and forty of the act approved the first day of May, one thousand nine hundred and thirty-three (Pamphlet Laws one hundred three) entitled, "An act concerning townships of the second class and amending, revising, consolidating and changing the law relating thereto," as amended, providing for compensation for members of joint sewer boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 318, (House Bill No. 31), entitled:

An Act to amend clause (b) of section two thousand four hundred and forty of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws, one thousand two hundred six), entitled, "An act concerning townships of the first class, amending, revising, consolidating and changing the law relating thereto," as amended, providing for compensation for members of joint sewer boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 395, (House Bill No. 697), entitled:

An Act to enable city, county, poor, ward, school, borough, and township tax collectors, their executors and administrators if they are deceased, or either surety or sureties, to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds, or by the expiration of the authority of their respective warrants, or by the expiration of their terms of office, and to extend the time for the collection of the same for a period of two years from the passage of this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 474, entitled:

An Act to amend section six of the act approved the twenty-ninth day of May, one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty) entitled, "An act relating to delinquent taxes on seated lands, and prescribing interest charges on nonpayment thereof; requiring the receivers and collectors of county, city, borough, town, township, school district and poor district taxes to make a return to the county commissioners of such unpaid taxes, and providing for the lien thereof; authorizing the county treasurers to collect such taxes, and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid; and authorizing the county commisisoners to purchase such lands and resell

the same under certain circumstances," by abolishing the commission allowed to tax collectors or receivers of taxes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 499, (House Bill No. 853), entitled:

An Act validating, ratifying, approving and confirming bonds and other instruments or obligations heretofore issued by counties, cities, boroughs, towns, townships, school districts, poor districts and other incorporated districts of this Commonwealth, for public works projects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 500, (House Bill No. 854), entitled:

An Act simplifying the procedure for the construction and financing of public works projects by municipalities; enabling municipalities to make and perform contracts with Federal agencies, relating to the construction and financing of such projects; and conferring additional powers upon municipalities.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 556, entitled:

An Act making an appropriation to the Moore Institute of Art, Science and Industry, Philadelphia School of Design for Women, at Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 596, (House Bill No. 1095), entitled:

An Act empowering municipalities to refund improvement bonds based solely on assessment for grading streets and sewer improvement and imposing no municipal liability by a new issue of bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 664, (House Bill No. 1085), entitled:

An Act to amend the act approved the first day of May, one thousand nine hundred and thirty-three (Pamphlet Laws one hundred three) entitled, "An act concerning townships of the second class and amending, revising, consolidating and changing the law relating thereto," changing the manner of creation of townships of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 838, (House Bill No. 1007), entitled:

An Act to amend the act, approved the twenty-eight day of June, one thousand nine hundred and twenty-three (P. L. 903), entitled "A supplement to an act, approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve), entitled 'An act providing a system for government of boroughs, and revising, amending, and consolidating the law relating to boroughs'; so as to provide a system of government where a borough now has annexed or hereafter shall annex land in an adjoining county, including assessment of property, levying and collection of taxes, making municipal improvements, and filing and collecting of liens for the same; the jurisdiction of courts for the enforcement of borough ordinances and State laws, and primary, general, municipal, and special elections; and repealing inconsistent laws," extending the provisions of this act to boroughs situated in different counties which now have or shall hereafter consolidate.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 922, (House Bill No. 918), entitled:

An Act to amend section five hundred forty-seven as amended, and sections eight hundred two and nine hundred two of, and to add section nine hundred two A to, the act, approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled, "An act concerning townships of the second class and amending, revising, consolidating and changing the law relating thereto," providing for and regulating the method of making appropriations, expenditures, contracts, employments and purchases by the townships relating to the preparation of the annual budget on a uniform form prepared by representatives of the township supervisors, the Department of Highways and the Department of Internal Affairs, providing for public notice of the preparation of such budget relating to the filing of such budget with the Department of Internal Affairs, requiring the auditors to file an annual financial report with said department, conferring jurisdiction of certain cases upon justices of the peace and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 962, (House Bill No. 33), entitled:

An Act to amend clause (b) of section two thousand one hundred and twenty of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended providing for compensation for members of joint sewer boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 978, (House Bill No. 1619), entitled:

An Act to amend sections one thousand one and one thousand seven hundred one of the act approved the twenty-fourth day of June one thousand nine hundred

and thirty-one (Pamphlet Laws twelve hundred six) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto' as amended further regulating the annual budgets of such townships.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 979, (House Bill No. 1628), entitled:

An Act to amend section eight hundred and one of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one, (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," limiting the requirement of bonds of township treasurers to fidelity bonds and regulating such bonds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1097, (House Bill No. 1462), entitled:

An Act providing for and extending the time during which taxes on seated lands for the tax year one thousand nine hundred and thirty-four and previous years shall be liens and during which the county treasurer shall have the right to sell the lands on which such taxes are liens for the payment of such taxes reviving such liens and restoring the treasurers right to sell such lands in certain cases and saving the rights of intervening purchasers mortgagees lien holders and other encumbrance holders.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1191, (House Bill No. 1333), entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand eight hundred four) entitled "An act relative to certain judgments prescribing duties of prothonotaries and repealing prior legislation" requiring a certificate of the address of the defendants on the entry of certain judgments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1200, (House Bill No. 1693), entitled:

An Act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1235, entitled:

An Act providing for the creation division and consolidation of wards in cities of the first class and defining procedure therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1265, entitled:

An Act to amend clause (c) of section fifty-eight of the act approved the seventh day of June, one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled, "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates, including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions, debts of decedents, rents of real estate as assets for payment thereof the lien thereof, sales and mortgages of real estate for the payment thereof, judgments, and executions therefor and the discharge of real estate for the lien thereof, contracts of decedents for the sale or purchase of real estate legacies, including legacies, charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings, devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries, investments by fiduciaries, the organization of corporations to carry on the business of decedent the audit and review of accounts of fiduciaries, refunding bonds, transcripts, to the Court of Common Pleas of balances due by fiduciaries the rights, powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights, powers, duties and liabilities of trustees durante absentia the recording and registration of decrees, reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents," as amended, permitting the assignment transfer payment and delivery to a foreign appointee, executor administrator, trustee guardian committee or other fiduciary of any moneys and property within this Commonwealth by any debtor bailee custodian agent attorney pledgee trustee fiduciary or other individual association partnership or corporation a resident thereof owing the same to or holding the same in the name or for the account of a decedent minor legal incompetent oh cestui que trust a nonresident of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1266, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen and to make uniform the law with reference thereto.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1310, entitled.

An Act to amend sections two and four of the joint resolution approved the twenty-ninth day of April, one

thousand nine hundred thirty-seven (Act No. 127), entitled, "A joint resolution authorizing the appointment of a commission to make a thorough and impartial investigation into the operation of the oil industry in this Commonwealth, with special reference to the adequate, efficient and economical supplying of lubricating oils and gasoline to the people of this Commonwealth; conferring upon the commission full power to issue subpoenas; requiring the commission to make a report of its findings to the Governor, together with its recommendations, as to such regulatory legislation as may be needful to correct any abuses and evils connected with such industry, which are prejudicial to the interest of the citizens of this Commonwealth; authorizing the commission to employ counsel and employes; and making an appropriation," by authorizing the several Courts of Common Pleas, upon application, to adjudge persons refusing to comply with subpoenas of the commission in contempt of court; and by increasing the appropriation to the commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1331, (House Bill No. 1305), entitled:

An Act to amend section twenty-nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents, or rates, sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effort of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by providing that under certain circumstances a municipality may purchase for the sheriff's costs subject to the lien of taxes and municipal claims property sold to satisfy a judgment on a tax or municipal claim and providing for the management and disposition of said property after said sale.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1332, (House Bill No. 1331), entitled:

An Act requiring all persons claiming damages from any county, city, borough, town, township or school district, to file within six (6) months from the origin of such claim, a written notice with such county, city, borough, town, township or school district.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1335, (House Bill No. 1835), entitled:

An Act to authorize the acquisition, improvement, construction, operation and maintenance of electric light and gas systems by cities of the third class and boroughs; authorizing the issuance of revenue bonds of such cities and boroughs, payable solely from earnings to pay the cost of such systems; providing for the fixing of rates and collection of charges for payment of such bonds and for the cost of maintenance, operation, and repair of such systems; providing for condemnation; authorizing the issuance of revenue refunding bonds; and providing that no debt of such cities or boroughs shall be incurred in the exercise of any of the powers granted by this act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1357, entitled:

A Joint Resolution creating a commission to study the practice of chiropody; defining the powers and duties of said commission; providing for the temporary licensing of chiropractors, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1358, entitled:

An Act to amend section six of the act approved the thirty-first day of March, one thousand eight hundred and seventy-six (Pamphlet Laws thirteen) entitled, "An act to carry into effect section five, of Article Fourteen, of the Constitution, relative to the salaries of county officers and the payment of fees received by them into the State or county treasury, in counties containing over one hundred and fifty thousand inhabitants;" by providing that in counties of the first class, salaries of respective county officers shall not exceed the amount fixed by the tax levying body of such county for such offices.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1359, (House Bill No. 1787), entitled:

An Act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at Law and in Equity in certain courts of this Commonwealth; to prescribe rules and regulations for the conduct of any general business either civil or criminal by Judges of any Court of Record; authorizing the Courts of Common Pleas to prescribe and adopt local rules not inconsistent with such general rules of the Supreme Court of Pennsylvania; authorizing the Supreme Court of Pennsylvania to appoint a Procedural Rules Committee and to fix and define its powers and duties; imposing duties on Judges and other officers of every Court of Record;

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1367, (House Bill No. 1650), entitled:

An Act creating in counties of the first class the position of Bail Approval Commissioner, prescribing the powers and duties thereof, limiting jurisdiction to cases in which real property is offered as bail and conferring and imposing such powers and duties upon the controllers of counties of the first class, providing for the appointment by such Bail Approval Commissioner certain necessary clerks and employees and prescribing the duties and compensation thereof, imposing duties on judges or officers

of any of the courts of counties of the first class and upon magistrates in counties of the first class and requiring all departments of counties and cities of the first class to supply certain information prescribing offenses and providing penalties therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1370, entitled:

A Joint Resolution proposing an amendment to section one, Article eighteen of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1373, (House Bill No. 278), entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1376, (House Bill No. 349), entitled:

An Act making an appropriation to the Sleighton Farm School for Girls situate in Delaware County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1380, (House Bill No. 906), entitled:

An Act creating a State Worlds Fair Commission defining the powers and duties of said commission, providing for participation in the New York Worlds Fair and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1382, (House Bill No. 1132), entitled:

An Act making appropriations for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1383, (House Bill No. 1136), entitled:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands the payment of labor and the purchase of supplies, materials and equipment to enlarge and improve the Military Reservation at Indiantown Gap and imposing certain duties upon the State Military Reservation Commission and the Department of Property and Supplies.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1384, (House Bill No. 1138), entitled:

An Act making an appropriation to aid certain school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1385, (House Bill No. 1146), entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers, sailors, marines, female field clerks, yeomen (female) and nurses who were killed in action or died during the World War and conferring certain duties upon the State Veterans' Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1386, (House Bill No. 1152), entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in county and poor district hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1387, (House Bill No. 1330), entitled:

An Act relating to magistrates and magistrates' courts in the city of Philadelphia, imposing certain duties upon and prohibiting certain practices by magistrates, imposing certain duties on the City Controller in regard thereto, authorizing the employment by him of additional clerks and fixing their compensation, regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the County of Philadelphia, conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the Courts of Common Pleas of the County of Philadelphia, providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act, providing penalties for violations of the provisions thereof and repealing certain prior acts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consid-

eration of Senate Bill No. 1388, (House Bill No. 1346), entitled:

An Act making an appropriation to the Treasury Department for the payment of certain claims against the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1393, (House Bill No. 2263), entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1395, (House Bill No. 2264), entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1396, (House Bill No. 2117), entitled:

An Act making an appropriation to the Treasury Department for the refund of transfer inheritance and estate taxes erroneously collected or overpaid into the State Treasury.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1398, (House Bill No. 1086), entitled:

An Act to fix the compensation of the assistant custodians of the Senate chamber and the hall of the House of Representatives.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1404, entitled:

An Act to further amend subparagraph three of subsection (a) of section five hundred five of the act approved the ninth day of April, one thousand nine hundred twenty-nine (Pamphlet Laws, three hundred forty-three) entitled, "An act relating to the finance of the State government; providing for the settlement, assessment, collection, and lien of taxes, bonus, and all other accounts due the Commonwealth, the collection and recovery of fees and other money or property due or belonging to the Commonwealth, or any agency thereof, including escheated property and the proceeds of its sale, the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth, the resettlement of accounts and appeals to the courts, refunds of moneys erroneously paid to the Commonwealth, auditing the accounts of the Commonwealth and all agencies thereof, of all public officers collecting moneys payable to the Commonwealth, or any agency thereof, and all receipts of appropriations from the Commonwealth imposing penalties; affecting every department, board, commission and officer of the State government, every political subdivision of the State, and certain officers of such subdivisions, every person, association, and corporation required to pay, assess or collect taxes, or to make returns or reports under the laws imposing taxes for State purposes, or to pay license fees or other moneys to the Commonwealth, or any agency thereof, every State depository and every debtor or creditor of the Commonwealth," by making further provision relative to interest upon State deposits.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ANNOUNCEMENTS BY THE SECRETARY

There will be a meeting of the Committee on Labor and Industry, Monday, May 24, at 4:00 p. m. in Room 400

The Committee on Constitutional Changes will meet Monday, May 24, at 4:00 p. m. in Room 265.

The Committee on State Boards will meet during recess in Room 265.

The Committee on Judiciary General will meet on Monday, May 24, at 2:00 p. m. in Room 302.

The Committee on Municipal Government will meet immediately in the office of the Lieutenant Governor in Room 200.

RECESS

Mr. HUFFMAN. Mr. President, I move that the Senate do now take a recess until 6:30 o'clock this evening.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEE

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CAVALCANTE from the Committee on Municipal Government reported as committed, Senate Bill No. 1335. (House Bill No. 1835), entitled:

An Act to authorize the acquisition, improvement, construction, operation and maintenance of electric light and gas systems by cities of the third class and boroughs; authorizing the issuance of revenue bonds of such cities and boroughs; payable solely from earnings, to pay the cost of such systems; providing for the fixing of rates and collection of charges for the payment of such bonds and for the cost of maintenance, operation, and repair of such systems; providing for condemnation; authorizing the issuance of revenue refunding bonds; and providing that no debt of such cities or boroughs shall be incurred in the exercise of any of the powers granted by this act.

Mr. THOMPSON. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON, from the Committee on State Boards re-reported as amended, Senate Bill No. 341, entitled,

An Act to reenact and further amend the title and the act, approved the twenty-ninth day of November, one thousand nine hundred and thirty-three, (P. L. 15, 1933-34) entitled as amended "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in, and use of alcohol, and alcoholic and malt or brewed beverages; conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents the Department of Public Instruction, other officers of the State government, courts, and district attorneys; authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises, and the granting of licenses, subject to local option, to sell such beverages for consumption on and off the premises; forbidding importation or bringing of such beverages into the State except as herein provided; prohibiting certain sales or practices in, connection with, and transactions in such beverages by licensees and others; making disposition of the receipts from State stores and of fees; and imposing penalties;" further regulating the manufacture, sale, importation, use and traffic in liquors, alcohol and malt and brewed beverages; conferring additional powers and imposing additional duties on the Pennsylvania Liquor Control Board; further regulating those licensed under this act; imposing additional filing fees and increasing fees for certain permits, and providing for the disposition thereof; further regulating the establishment of State liquor stores and the employment and use of personnel by the board; regulating and providing the procedure for the granting, transfer, revocation and suspension of licenses and for compromises in certain cases and the disposition of moneys arising therefrom; providing for the forfeiture of certain property; regulating the jurisdiction of courts and local option procedure; prohibiting certain interlocking business; and providing penalties.

Also, from the Committee on State Boards, re-reported as amended, Senate Bill No. 342, entitled:

An Act to reenact and amend the act, approved the nineteenth day of February, one thousand nine hundred twenty-six (P. L. 16), entitled, as amended, "An act regulating, under permit, through the Pennsylvania Liquor Control Board, the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, rectification, blending, recovery, reuse, holding in bond, holding in storage by bailees for hire, and transportation for hire, of any alcohol, alcoholic liquid or alcoholic beverage, by certain persons; requiring the registration of Federal permits; also providing for fees and the disposition thereof, and for appeals to the courts; also authorizing the inspection of the records of permittees and purchasers of said alcohol, alcoholic liquid, and alcoholic beverages; also declaring certain places nuisances and providing for their abatement; also providing penalties; and also repealing all acts or parts of acts inconsistent with this act," further regulating the manufacture, sale, use and traffic in alcohol and alcoholic liquids; conferring additional powers and imposing additional duties upon the Pennsylvania Liquor Control Board; further regulating those licensed under this act; imposing filing fees; changing the method of calculating certain license fees; providing for the use of the word "license" instead of "permit"; regulating and providing the procedure for the granting, suspension and revocation of licenses, and for compromises in certain cases; providing for the disposition of fees, compromise penalties and forfeiture; regulating the jurisdiction of courts; and providing penalties.

Also, from the Committee on State Boards, re-reported as amended, Senate Bill No. 343, entitled:

An Act to reenact and further amend the title and the act, approved the third day of May one thousand nine hundred and thirty-three (P. L. 252), entitled as amended "An act to regulate and restrain the traffic in malt and brewed beverages, as herein defined; providing for the licensing of the manufacture, transportation, sale and distribution of such beverages; imposing license and permit fees, and providing for a collection and distribution thereof; restricting ownership and interest in licensed plates; permitting municipalities and townships, by vote of the electors, to prevent the licensing therein of places where such beverages may be sold for consumption on the premises, and regulating elections for this purpose; imposing duties upon county treasurers, the Pennsylvania Liquor Control Board, Quarter Sessions Courts, district attorneys, the Department of Justice, proper authorities of political subdivisions of the State, and election officers; providing penalties; and repealing existing acts;" defining and further defining and regulating licensees, application for licenses and sales by licensees; and providing for the licensing of package retailers, and fixing fees for such licenses, and for amusement permits; regulating the granting, suspension, revocation and transfer of licenses and the procedure therefor; and conferring jurisdiction on certain courts; providing for the granting of licenses by the Pennsylvania Liquor Control Board instead of the county treasurer, and prescribing the powers and duties of said board; providing for compromises where licenses are suspended and for the disposition of application license permit fees forfeitures and penalties and providing penalties.

HOUSE MESSAGE

RESOLUTION RECALLING FROM THE SENATE HOUSE BILL NO. 558

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows considered and agreed to:

In the House of Representatives, May 21, 1937.

Resolved (if the Senate concur) That House Bill No. 558, Printer's Number 992, entitled:

An Act authorizing the Water and Power Resources Board to make a survey and investigation to determine to what extent the beds of rivers, lakes and streams, title to which is in the Commonwealth have been and are occupied or encroached upon; and making an appropriation.

be recalled from the Senate for the reason that the said bill was messaged in error as having passed the House, when in fact the said bill had not been acted upon by the House.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 746

He also presented communication from the House of Representatives informing the Senate that the House had concurred in resolution from the Senate as folows:

In the Senate May 21, 1937.

Resolved (If the House of Representatives concur) That Senate Bill No. 746, Printer's No. 304, entitled:

An Act to amend section two hundred and two of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 682), entitled "An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws," as amended, by extending the purposes for which companies may be incorporated to include insuring glass agtinst all risk; insuring any goods or premises

against any and all loss caused by water; and insuring moneys and securities against all risks.

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN RESOLUTION RECALLING FROM THE GOVERNOR SENATE BILL NO. 775

He also presented communication from the House of Representatives informing the Senate that the House had concurred in resolution from the Senate as follows:

In the Senate, May 21, 1937.

Resolved (if the House of Representatives concur) That Senate Bill No. 775, Printer's No. 224, entitled:

A Supplement to an act approved the twentieth day of July one thousand nine hundred thirty-five (one thousand nine hundred thirty-five Appropriation Acts page seventy-one) entitled "An act to provide for the ordinary expenses of the Execuitve Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-five and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-five" by making the current appropriation to the Department of Military Affairs for the use of the Soldiers' and Sailors' Memorial Home at Erie available for the purchase of land to be available for the burial of deceased members of the home

be recalled from the Governor for the purpose of amendment.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL NO. 1075

He also presented communication from the House of Representatives informing the Senate that the House had concurred in amendments made by the Senate to House Bill No. 1075, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law" by authorizing the district attorney in counties of the third class to purchase and maintain police radio equipment.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL NO. 1567

He also presented communication from the House of Representatives informing the Senate that the House had concurred in amendments made by the Senate to House Bill No. 1567, entitled:

An Act to amend section two, and section nine as amended, of the act, approved the fifth day of January, one thousand nine hundred and thirty-four (P. L. 223, 1933-34), entitled "Veterans Compensation Act" further regulating the making of payments to representatives of persons who cannot personally receive compensation.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL NO. 1354

He also presented communication from the House of Representatives informing the Senate that the House had concurred in amendments made by the Senate to House Bill No. 1354, entitled:

An Act to further amend section two thousand two hundred and twenty-three of an act, approved the eighteenth day of May, one thousand nine hundred and eleven (Pamphlet Laws, three hundred and nine) entitled "Public School Code," as amended, by regulating the retirement of and providing additional retirement allowances for superintendents of schools and superintendents of buildings in districts of the first class, under certain circumstances, and authorizing such school districts to provide for the payment of such additional allowances.

HOUSE CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL NO. 1433

He also presented communication from the House of Representatives informing the Senate that the House had concurred in amendments made by the Senate to House Bill No. 1433, entitled:

An Act to amend section five hundred and fourteen of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," as amended, permitting State institutions and sanatoria to supply water to individuals.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 141, entitled:

An Act making an appropriation to the Supreme Court for a portrait of the former Chief Justice of said court.

HOUSE BILL No. 142, entitled:

An Act making an appropriation to the Supreme Court for a portrait of the Chief Justice of said court.

HOUSE BILL No. 392, entitled:

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

HOUSE BILL No. 393, entitled:

An Act making an appropriation to the Department of Labor and Industry for the purpose of draining flooded mines and quarries in this Commonwealth to recover human bodies lost therein.

HOUSE BILL No. 956, entitled:

An Act making an appropriation out of the Motor License Fund to the Auditor General, State Treasurer and Secretary of Highways as the Commission of the Commonwealth of Pennsylvania, for the acquisition of a bridge over the Delaware River between the Commonwealth of Pennsylvania and the State of New York at Lackawaxen.

HOUSE BILL No. 957, entitled:

An Act making an appropriation out of the Motor License Fund to the Delaware River Joint Toll Bridge Commission for the purpose of acquiring the toll bridge at Dingman's Ferry over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey.

HOUSE BILL No. 1021, entitled:

An Act for the protection of employes by prohibiting those in authority over such employes to request, solicit or require employes to affix signatures to petitions or to threaten or intimidate employes for such purpose.

HOUSE BILL No. 1080, entitled:

An Act authorizing cities of the first and second class and second class A and incorporated towns to make ap-

propriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day.

HOUSE BILL No. 1144, entitled:

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that department in acting as purchasing agent for the Department of Highways.

HOUSE BILL No. 1145, entitled:

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt.

HOUSE BILL No. 1151, entitled:

An Act providing for the return to the State Insurance Fund of moneys transferred therefrom to the General Fund.

HOUSE BILL No. 1265, entitled:

An Act to further amend the title and section one of the act, approved the eighth day of May, one thousand nine hundred and twenty-nine, (P. L. 1656), entitled "An act authorizing county commissioners to refund taxes erroneously and inadvertently paid by persons and corporations into the county treasury," extending said act to all political subdivisions.

HOUSE BILL No. 1343, entitled:

An Act to further amend the first paragraph of section nine of the act, approved the sixteenth day of May, one thousand nine hundred and twenty-three (P. L. 207), entitled "Municipal Claim and Tax Lien Law," by permitting the filing of claims in more than one county in certain cases.

HOUSE BILL No. 1475, entitled:

An Act to amend section eleven of the act, approved the fourteenth day of May, one thousand nine hundred and fifteen (P. L. 483), entitled "Practice Act of 1915," providing that the defendant in a counter-claim may ask for an account in certain cases.

HOUSE BILL No. 1508, entitled:

An Act making an appropriation to the Department of Agriculture for a suitable exhibit at the Seventh World's Poultry Congress.

HOUSE BILL No. 1558, entitled:

An Act to repeal the act, approved the second day of April, one thousand eight hundred sixty-eight (P. L. 55), entitled "A supplement to an act, entitled 'An act to increase the revenues of the Commonwealth by taxation of the shares of stock of the national banks,' approved April twelfth one thousand eight hundred and sixty-seven."

HOUSE BILL No. 1565, entitled:

An Act to amend the act, approved the thirteenth day of May, one thousand nine hundred and nine (P. L. 520), entitled "Pure Food Law" as amended; further regulating the adulteration and misbranding of food; providing for injunctions against the sale of food in certain cases; and changing penalties.

HOUSE BILL No. 1644, entitled:

An Act to amend sections, one, two, four and fifteen of the act approved the twenty-seventh day of April, one thousand nine hundred and twenty-seven, (P. L. 465), entitled "Fire Safety Building Regulation Law" as amended; extending the provisions of said act to additional buildings; providing additional safety regulations and for the closing of certain buildings.

HOUSE BILL No. 1745, entitled:

An Act making an appropriation to the several fire companies of the City of Harrisburg, Pennsylvania.

HOUSE BILL No. 1977, entitled:

An Act supplementing the Act of July 28, 1936, (P. L. 79) four and twenty-eight, sections fourteen, thirty-four and thirty-eight as amended, sections eighteen and sixty-one as amended, sections fifty-four and fifty seven as amended and to repeal section nineteen of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 869), entitled "Pennsylvania National Guard Act," by providing for the reorganization of the division, changing the designation Staff Corps and Departments to State Staff and Detachment defining the powers of the division commander, providing for the vacation of commissions upon transfer to the Inactive National Guard, making the period of enlistment and qualifications conform to the National Guard Bureau, requirements, defining the duties of the Adjutant General, providing for the elimination of officers or warrant officers by courts of inquiry, changing the basic annual allowance for mounted troops and increasing the minimum allowance, providing expenses of headquarters for more than one division and eliminating the allowance for headquarters of trains, providing a term of office for staff and warrant officers and eliminating an obsolete reference to five year terms, providing that any sheriff or constable may receive and confine military offenders, providing that any division commander may appoint a general court-martial, providing for the collection of court-martial fines and execution of sentences of court-martial and rescinding obsolete provisions referring to staff officers.

HOUSE BILL No. 2102, entitled:

An Act to add Section 491.1 to the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law" authorizing counties of the sixth, seventh and eighth classes to pay bounties for the destruction of rattlesnakes and porcupines.

HOUSE BILL No. 718, entitled:

An Act to describe, define, and officially adopt a system of coordinates for designating the positions of points on the surface of the earth within the Commonwealth of Pennsylvania.

HOUSE BILL No. 729, entitled:

An Act to permit the entry of engineers and surveyors and their representatives onto private property for the purpose of using survey stations established by or under the direction of the United States Coast and Geodetic Survey, or as a part of the Pennsylvania Coordinate System, and providing a penalty for the injuring, defacing and destruction of marks and monuments.

HOUSE BILL No. 812, entitled:

An Act relating to cities of the first class, authorizing the issuance of non-debt revenue bonds to finance sewer improvements.

HOUSE BILL No. 1075, entitled:

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law" by authorizing the district attorney in counties of the third class to purchase and maintain police radio equipment.

HOUSE BILL No. 1351, entitled:

An Act to further amend Section two thousand two hundred and twenty-three of an act, approved the eigh-

teenth day of May, one thousand nine hundred and eleven (P. L. 309) entitled "Public School Code," as amended, by regulating the retirement of and providing additional retirement allowances for superintendents of schools and superintendents of buildings in districts of the first class, under certain circumstances, and authorizing such school districts to provide for the payment of such additional allowances.

HOUSE BILL No. 1355, entitled:

An Act to amend paragraphs one, three and five of section one of the act, approved the twelfth day of June, one thousand eight hundred and ninety-three, (P. L. 457), entitled "An act to provide for the erection, maintenance and regulation of public morgues in the several counties of this Commonwealth, for the care and disposal of bodies removed thereto, and providing for the payment of certain expenses of the same by the proper county or district, or by the estate of the deceased person, and providing for the disposal of the personal effects of unclaimed dead," as amended, by transferring certain powers from the county commissioners to the coroner in counties of the first class.

HOUSE BILL No. 1433, entitled:

An Act to amend section five hundred and fourteen of the act, approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "Administrative Code of 1929," as amended, permitting State institutions and sanatoria to supply water to individuals.

HOUSE BILL No. 1499, entitled:

An Act prohibiting certain persons from selling, taking orders for, delivering, or being interested in the manufacture or sale of machinery, equipment, materials, feed supplies or other things used by milk producers and prescribing penalties.

HOUSE BILL No. 1567, entitled:

An Act to amend section two, and section nine as amended, of the act, approved the fifth day of January, one thousand nine hundred and thirty-four (P. L. 223, 1933-34), entitled "Veterans Compensation Act" further regulating the making of payments to representatives of persons who cannot personally receive compensation.

HOUSE BILL No. 1820, entitled:

An Act to amend section three of the act, approved the twenty-fifth day of July, one thousand nine hundred and seventeen (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State aid for certain agricultural associations, regulating the payment thereof," reducing the number of days during which exhibitions need be held.

HOUSE BILL No. 2070, entitled:

An Act to repeal the act approved the twenty-ninth day of April, one thousand nine hundred and twenty-nine (P. L. 851), entitled "An act fixing the time of holding elections on questions submitted to electors of boroughs.

HOUSE BILL No. 1159, entitled:

An Act to amend section one thousand six of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (P. L. 624), entitled "Banking Code," as amended, by providing further with regard to limitations upon loans to one corporation or person.

HOUSE BILL No. 1642, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties.

HOUSE BILL No. 564, entitled:

An Act making an appropriation to the Department of Agriculture to advance the tobacco interest in this Commonwealth.

HOUSE BILL No. 1078, entitled:

An Act to amend clause thirty-four of section two thousand four hundred three of the act, approved the twenty-third day of June, one thousand nine hundred and thirty-one (P. L. 932), entitled "Third Class City Law" by extending the provisions for appropriations to posts of veterans.

HOUSE BILL No. 1133, entitled:

An Act making an apropriation for the purpose of maintaining the public roads, and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township, Warren County Pennsylvania.

HOUSE BILL No. 1216, entitled:

An Act providing that investment in shares of Federal Savings and Loan Associations or shares of other institutions, insured under the Federal Savings and Loan Insurance Corporation, shall be legal investments for certain corporations and certain funds.

HOUSE BILL No. 1250, entitled:

An Act to prohibit the sale and offer for sale of the recognized artificial flowers of certain veteran's organizations except on days appointed for such purpose.

HOUSE BILL No. 1277, entitled.

An Act to amend section one of the act, approved the eighth day of April, one thousand eight hundred and sixty-seven (P. L. 50), entitled "An act to permit disabled soldiers to peddle by procuring a license therefor, without charge," as amended, prohibiting the peddling of recognized flowers of certain veteran's organizations and miniature American flags.

HOUSE BILL No. 1303, entitled:

An Act abating certain tax penalties and interest on city and school taxes in cities of the first class and school districts of the first class.

Whereupon,

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the presence of the Senate signed the same.

REPORT FROM COMMITTEE

Mr. LAW. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. LAW from the Committee on Elections re-reported as amended, Senate Bill No. 1288, (House Bill No. 1792), entitled:

An Act concerning elections, including general, municipal, special and primary elections, and nomination of candidates, primary and election expenses and election contests, creating and defining membership of county boards

of elections, imposing duties upon the Secretary of the Commonwealth, courts, county boards of elections, county commissioners, imposing penalties for violation of the act and codifying, revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections.

MOTION TO READ BILLS THE FIRST TIME

Mr. LAW. Mr. President, I move that Senate Bill No. 1335, (House Bill No. 1835), reported from committee at today's session be read the first time.

Mr. KILGALLEN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1335, (House Bill No. 1835), entitled:

An Act to authorize the acquisition improvement construction operation and maintenance of electric light and gas systems by cities of the third class and boroughs authorizing the issuance of revenue bonds of such cities and boroughs payable solely from earnings to pay the cost of such systems providing for the fixing of rates and collection of charges for the payment of such bonds and for the cost of maintenance operation and repair of such systems providing for condemnation authorizing the issuance of revenue refunding bonds and providing that no debt of such cities or boroughs shall be incurred in the exercise of any of the powers granted by this act.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

HOUSE MESSAGE

RESOLUTION URGING OBSERVANCE OF MAY 22, 1937 AS NATIONAL MARITIME DAY.

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows:

In the House of Representatives May 17, 1937.

Whereas, The President of the United States has by proclamation designated May 22, 1937, the 128th anniversary of the sailing of the S. S. "Savannah" across the Atlantic Ocean, as National Maritime Day; and

Whereas, This day will be celebrated in the various ports and cities throughout the United States with representatives of local, state and federal governments participating, as well as the representatives of private industry, shipping, transportation and maritime enterprise; and

Whereas, The 150th Anniversary of the United States Constitutional Convention in the City of Philadelphia is being celebrated throughout the nation, and particulary in the City of Philadelphia; and

Whereas, The City of Philadelphia, the only ocean port of this Commonwealth, has always been associated with the maritime development and history of the United States from the earliest Colonial times; and

Whereas, The Delaware River, on which the first steamboat was built, has always been an important commercial artery of the United States, supporting important and diversified industries; and

Whereas, The Port of Philadelphia is an important naval base and shipbuilding center; therefore be it

Resolved, That the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, take cognizance of the fact that the President of the United States has by proclamation designated May 22, 1937 as National Maritime Day; heartily endorse and encourage the purpose and observance of the day, in the various ports and cities of the nation and particularly in Philadelphia and throughout the Commonwealth; note the importance of its great port, Philadelphia, internationally known by reason of its colorful history and its splendid modern harbor and transportation facilities, in the economic life of the nation and the welfare and prosperity of this Commonwealth; and declare its interest in an improved and adequate American Merchant Marine and be it further

Resolved, That a copy of this resolution be sent forthwith to the Governor of the Commonwealth with the request that he issue a proclamation calling for the proper observance of National Maritime Day.

Mr. RICE. Mr. President, I ask unanimous consent that Rule 39, which requires concurrent resolutions to be referred to an appropriate committee, be suspended and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any obpection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON THIRD READING

Mr. HOWELL. Mr. President, I call up at this time Senate Bill No. 1069, on third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1069, as follows:

An Act relating to and regulating the mining of anthracite coal providing for the health safety and welfare of persons employed in and about the anthracite coal mines and for the protection and preservation of property connected therewith amending consolidating revising and changing the law relating thereto and imposing penalties

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Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

ARTICLE I

Preliminary Provisions

Section 101 This act shall be known and may be cited as "The Anthracite Mining Code"

Section 102 The provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded nor shall such repeal affect any act done liability incurred or any right accrued or vested or affect abate or prevent any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

Section 103 The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect the validity of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included therein

Section 104 This act shall apply to every anthracite coal mine or colliery in the Commonwealth where five or more persons are employed or engaged in work Provided however That any mine inspector shall nevertheless have the right to enter and inspect all mines where from two to five persons are employed or engaged in work for the purpose of determining the conditions of safety in any such mine In case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner he shall order such unsafe conditions to be forthwith corrected and in default of the owner or operator doing so shall order such mine closed until the unsafe conditions are corrected

ARTICLE II

Inspection Districts

Section 201 The counties of Luzerne Lackawanna Sullivan Susquehanna Wayne Carbon Schuylkill Northumberland Columbia and Dauphin shall be devided into eight inspection districts as follows

First District—County of Luzerne
Second District—County of Lackawanna
Third District—County of Carbon
Fourth District—County of Schuylkill
Fifth District—County of Northumberland
Sixth District—County of Columbia
Seventh District—County of Dauphin
Eighth District—Counties of Susquehanna Wayne and Sullivan

Section 202 The Governor shall appoint the following number of qualified persons to act as mine inspectors of this Commonwealth namely

First Inspection District—Nine Inspectors
Second Inspection District—Six Inspectors
Third Inspection District—One Inspector
Fourth Inspection District—Four Inspectors
Fifth Inspection District—Two Inspectors
Sixth Inspection District—One Inspector
Seventh Inspection District—One Inspector
Eighth Inspection District—One Inspector

Said inspectors shall be under the direction of the Secretary of Mines who shall assign districts to the several inspectors but where an inspector has not enough work or duty to perform in his own inspection district then it shall be the right of the Secretary of Mines to assign said inspector to work or duty in another adjoining district or territory wherein the services of said inspector are necessary

Section 203 It shall be the duty of the Secretary of Mines to direct one or more of the inspectors who shall be appointed under this act and it shall be the duty of said inspectors to obey said orders of the said Secretary of Mines to inspect such collieries as come under this act in counties not mentioned in the act in such manner and at such times as is required by law and the inspectors inspecting said collieries shall make and include in their return a due report of said inspection

ARTICLE III

Examination and Appointment of Mine Inspectors

Section 301 The Anthracite Mine Inspectors' Examining Board shall meet upon the call of the chairman thereof at such times and places as the chairman shall designate and at such times and places as the board may by rule designate

Section 302 The said examining board shall prepare questions and formulate rules to be used in conducting and governing the examinations given to applicants for the office of Anthracite Mine Inspector The members of the board upon assuming office shall each take and subscribe to before any officer authorized to administer the same the following oath namely

"I do solemnly swear that I will perform the duties of examiner of applicants for the office of mine inspector to the best of my ability and that in recommending or rejecting said applicants I will be governed by the evidence of their qualifications to fill the position and not by any consideration of political or personal favor and I will certify all applicants who may be found qualified and no others according to the true intent and meaning of the "law"

The oaths of the members of the examining board shall be filed in the Department of Mines

Section 303 Public notice of an examination shall be given at least two weeks prior thereto in a newspaper published in each of the following counties Luzerne Lackawanna Schuylkill and Northumberland The board shall meet at the time and place set forth in said notice and examine the applicants for the office of Anthracite Mine Inspector and the qualifications of applicants shall be certified to the board and be as follows

(a) They shall be citizens of this Commonwealth and residents of the anthracite region of temperate habits of good repute of personal integrity in good physical condition and not under thirty or over fifty years of age Every applicant shall furnish to the examining board a service statement Such statement shall show the length of time served at each class of work at which the applicant has been employed in and about the mines and be certified to by the superintendent or other responsible official under whom such applicant was employed The owner operator or superintendent of every mine or colliery is hereby required to furnish such a statement to every applicant

(b) They shall give to the board satisfactory evidence of having had at least ten (10) years of practical experience in the Anthracite coal mines of this Commonwealth five (5) years of which they shall have served as qualified coal miners possessing miners' certificates engaged in the actual practice of cutting and blasting coal or rock at the face of a gangway airway breast pillar or other working place in a mine and in performing such other work in such working places as is necessary for the extraction of coal

(c) They shall give to the board satisfactory evidence of having had practical experience with explosive gases and other dangerous and noxious gases found in coal mines

(d) They shall give to the board satisfactory evidence of having a general practical knowledge of mines mining and machinery

(e) They shall give to the board satisfactory evidence of having a general practical and comprehensive knowl-

edge of the chemistry of gases generally found in coal mines

(f) They shall give to the board satisfactory evidence of having knowledge of the methods of administering first aid to the injured and of the work and requirements of rescue corps

(g) They shall give to the board satisfactory evidence of knowledge of the science of electricity as applied to coal mining and they shall in addition give evidence of sufficient knowledge of the science of mining engineering to enable them to read and understand the mine workings of any mine as shown on mine maps presented at such examinations and they shall be able to make a cross section of a mine from said maps

(h) They shall give to the board satisfactory evidence of theoretical and practical knowledge of the different systems of mining and ventilating anthracite coal mines and of their fitness and capability to perform the duties of the office of a mine inspector

Section 304 The examination shall be in writing and the applicants who have made an average of at least ninety per cent including proper allowances for experience shall be deemed successful but in no case shall the allowances for experience be more than twenty-five per cent

Section 305 The manuscripts and all other papers of the applicants in the examination together with the tally sheets and the correct solution of each question as prepared by the examining board shall be filed in the Department of Public Instruction The examining board or at least four members thereof shall certify to the Governor and also to the Secretary of Mines the names and percentages of all successful applicants who are properly qualified under the provisions of this act to fill the office of Anthracite Mine Inspector A certificate of qualification shall be issued to each succesful applicant A certificate so issued shall remain in force for a period of four years only unless the holder thereof has received an appointment as Anthracite Mine Inspector and has served as such for a period of four years in which case the certificate shall become permanent

Section 306 The Anthracite Mine Inspectors holding office at the date this act becomes effective shall continue to serve until the expiration of their respective terms and such persons shall thereafter be eligible for reappointment as Anthracite Mine Inspectors without examination provided they have served as Anthracite Mine Inspectors for a period of four (4) years or longer Such reappointment shall not be governed by the provisions of section three hundred seven of this act

Section 307 When a vacancy occurs in the office of Anthracite Mine Inspector by death or otherwise the Governor shall appoint from the list of successful applicants certified to him by the Anthracite Mine Inspectors to the Examining Board a person to fill such vacancy

Section 308 When there remain upon the list of successful applicants certified to the Governor less than three names as a result of appointments made therefrom or as a result of the expiration of the certificates of qualification of persons named therein or from any other cause the Governor shall call the Anthracite Mine Inspectors' Examining Board to meet and proceed to conduct an examination for the purpose of supplying a new list of eligible applicants

Section 309 The tenure of office of Anthracite Mine Inspectors appointed under this act shall be during good behavior subject to the provisions of section three hundred twelve of this act and the Constitution of this Commonwealth

Section 310 In case an inspector becomes incapacitated to perform the duties of his office or is granted a leave of absence by the Secretary of Mines for sixty (60) days or more it shall be the duty of the Governor at the request of the Secretary of Mines to appoint temporarily to the the office a person on the eligible list of applicants The temporary inspector shall act until the regular inspector is able to resume the duties of his office and shall be paid in the same manner as hereinbefore provided for the payment of regular inspectors

Section 311 No Anthracite Mine Inspector under this act shall act as manager of any anthracite coal mine or be interested in the operation of any anthracite coal mine in this Commonwealth

Section 312 Upon a petition signed by not fewer than fifteen reputable citizens who shall be miners or operators of mines and with the affidavit of one or more of said petitioners attached setting forth that any inspector of mines is holding office illegally or is neglectful or is incompetent or unable to perform the duties of his office or that he is guilty of malfeasance in office or upon petition of the Secretary of Mines setting forth any of the above charges the Court of Common Pleas of the county in which the inspector is acting and is a resident shall issue a citation in the name of the Commonwealth to the said inspector to appear at not less than ten (10) days' notice on a day fixed before said court and the court shall then proceed to inquire into and investigate the allegations of the petitioners If said charges are sustained the court shall declare the office of said inspector vacant and shall so certify to the Governor who shall proceed in compliance with the provisions of this act to fill the vacancy If said charges are not sustained and the court believes there was sufficient ground for said charges the costs shall be placed upon the county

Section 313 Any anthracite mine inspector violating the provisions of section three hundred eleven of this act shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) or undergo imprisonment in the county jail for a period of not less than ninety (90) days or both at the discretion of the court

Any person who shall give any false or forged evidence of any kind to the Anthracite Mine Inspectors' Examining Board or to any member thereof in obtaining a certificate of qualification shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than three hundred dollars ($300.00) or to undergo imprisonment in the county jail for a period of not less than three (3) months or both at the discretion of the court

Any person or persons found to be in collusion with any member or members of the examining board or who shall use any undue influence or attempt to bribe any member or members of the board for the purpose of procuring certificates for applicants or who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of three hundred dollars ($300.00) or undergo imprisonment in the county jail for a period of three (3) months or both at the discretion of the court

ARTICLE IV

DUTIES OF MINE INSPECTORS

Section 401 Each of the said inspectors shall reside in the district for which he is appointed and shall give his whole time and attention to the duties of his office He shall examine all the collieries in his district at least once every three months and as often in addition thereto as the necessities of the case or condition of the mines require He shall see that every precaution is taken to secure the safety of the workmen and that the provisions of this act are observed and obeyed and he shall personally visit each working face and see that the air current is carried to the working faces and is of sufficient quantity or volume to thoroughly ventilate the places He shall make to the Secretary of Mines at the end of every month a detailed report of the number of days worked during the month marking in tabular form the number of hours spent inspecting mines investigating accidents traveling inspecting surface plants around the mines together with any other information that will be of value to the department He shall every four months make a report of the condition of each working place at each colliery on a form to be furnished to the inspector by the Secretary of Mines showing the gangway in which the working place is located and the breast number of said working and their condition shall be designated by

the words "good" "fair" or "bad" as the circumstances may warrant Said report shall also set forth the condition of the mine with respect to ventilation tracks timber drainage and traveling ways and the said report or a duplicate shall be placed in a weather or dust-proof case with a glass front said case to be furnished by the operator and placed in a conspicuouse place at each mine opening shafe slope or drift so that the workmen may have easy access thereto He shall certify in said report that the employes are hoisted to the surface of the ground or given access thereto according to law he shall attend every inquest held by the coroner or his deputy upon the bodies of persons killed in or about the collieries in his district he shall visit the scene of the accident for the purpose of making an examination into the particulars of the same wherever loss of life or serious personal injury occurs as elsewhere herein provided for and make an annual report of his proceedings to the Secretary of Mines of the Commonwealth at the close of every year enumerating all the accidents in and about the collieries in his district marking in tabular form those accidents causing death or serious personal injury the condition of the workings of the said mines with regard to the safety of the workmen therein and the ventilation thereof and setting forth generally the results of such inspection and shall perform such other duties as now are or hereafter may be required by law

Section 402 The mine inspector shall have the right and its is hereby made his duty to enter inspect and examine any mine or colliery in the territory allotted to him and the workings and machinery belonging thereto at all reasonable times either by day or by night but not so as to obstruct or impede the working of the colliery and shall have the power to take one or more of his fellow inspectors into or around any mine or colliery in the territory allotted to him for the purpose of consultation or examination

Section 403 He shall also have the right and it is hereby made his duty to make inquiry into the condition of such mine or colliery working machinery ventilation drainage method of lighting or using lights and into all matters and things connected with or relating to such mine or colliery as well as to make suggestions providing for the health and safety of persons employed in or about the same and especially to make inquiry as to whether the provisions of this act have been complied with

Section 404 The owner operator or superintendent of such mine or colliery is hereby required to furnish the means necessary for such entry inspection examination inquiry and exit

The inspector shall make a record of the visit noting the time and material circumstances of the inspection

Section 405 The maps and plans of the mines and the records thereof together with all the papers relating thereto shall be kept by the inspector properly arranged and preserved in a convenient place in the territory to which the inspector has been allotted and shall be transferred by him with any other property of the Commonwealth that may be in his possession to his successor in office

Section 406 The inspector shall also do the following

(a) Apply to the court for an injunction where the speedy closing of a mine or section thereof is expedient for health or safety

(b) Approve self-acting doors

(c) Assist in determining width of barrier pillars

(d) Inspect emergency hospitals every six months

(e) Reduce the number of persons to be hoisted when necessary

(f) Request the removal of coal dust in breaker where injurious to health

ARTICLE V

EMPLOYMENT OF MINE FOREMEN AND ASSISTANT MINE FOREMEN

Section 501 It shall not be lawful neither shall it be permitted for any person or persons to act as mine foremen or assistant mine foremen of any coal mine or colliery unless they are registered as holders of certificates of qualification for service under this act or unless in the judgment of the employer he is a person possessed of qualifications which make him equally competent to act in such position

ARTICLE VI

EXAMINATION AND QUALIFICATION OF MINE FOREMEN AND ASSISTANT MINE FOREMEN

Section 601 For the purpose of examining applicants for mine foremen's and assistant mine foremen's certificates a board of examiners shall be appointed in each of the inspection districts provided for by this act The said boards shall consist of the district inspector of mines two practical miners and one operator superintendent or mining engineer of a mine The said inspector shall act ex officio and the said operator superintendent mining engineer and miners of the several boards shall be appointed as follows

The Court of Common Pleas of Luzerne County shall appoint for the counties of Luzerne Carbon and Sullivan as many boards as there may be inspectors in the aforesaid counties.

The Court of Common Pleas of Lackawanna County shall appoint for the counties of Lackawanna Susquehanna and Wayne as many boards as there may be inspectors in the aforesaid counties

The Court of Common Pleas of Schuylkill County shall appoint for the counties of Schuylkill Dauphin Columbia and Northumberland as many boards as there may be inspectors in the aforesaid counties.

The person serving as members of mine foremen and assistant mine foremen examining boards on the effective date of this act shall continue to serve under the provisions of this article until the terms for which they were appointed shall have expired.

Section 602 The said boards shall act as such for the period of one year from the date of their appointment Meetings of the boards may be held at any time and they may make such rules and conduct such examination as in their judgment may seem proper for the purpose of such examination The said boards shall report their action to the Secretary of Mines and at least three (3) of the members thereof shall certify to the qualifications of each candidate who has passed such examination.

Section 603 The boards for the examination of applicants for mine foremen and assistant mine foremen in the anthracite mines shall send to the Secretary of Mines all papers of the applicants together with the tally sheet a list of the questions and the solution of each question as given by the examining board which shall be filed in the department as public documents.

Section 604 The members of the several boards appointed under the provisions of this act to examine candidates for foremen's and assistant foremen's certificates shall be compensated at the rate of ten dollars ($10.00) per day for each day during which the said members shall be actually in attendance on the sessions of the board and mile go at the rate of five cents (5c) for each mile actually traveled going from the home of the member to the place of meeting of the board and returning from said place to said home.

Each of the said boards is hereby authorized to employ a clerk whose compensation and mileage shall be the same as that of a member of the board The mine inspector shall be chairman of the board.

Section 605 The members of the said boards shall on the final adjournment of their respective boards submit statements approved by the chairmen of their respective boards setting forth the number of days during which each member shall have been actually in attendence on the sessions of the board of which he is a member as well as the distance from the home of the member to the place of meeting of his board and the number of miles actually traveled by him and the clerks of said boards shall submit like statements and the Auditor General shall upon receipt of such statements draw his warrant upon the State Treasurer in favor of each of such members and clerks for such sums as shall appear to be properly due to each.

Section 606 Certificates of qualification to mine foremen and assistant mine foremen in the anthracite mines

shall be issued by the Secretary of Mines to each applicant who has passed a successful examination and has given satisfactory evidence of having had at least five (5) years' practical experience as a coal miner and of good conduct capability and sobriet Applicants shall be citizens of the United States and residents of the Commonwealth and be at least twenty-five years of age The certificates shall be in such manner and form as shall be prescribed by the Secretary of Mines and a record of all certificates granted shall be kept in the Department of Mines Each certificate shall contain the full name age and place of birth of the applicant and also the length and nature of his previous service in the mines Before the examination for certificates of qualification to mine foremen and assistant mine foremen in the anthracite mines each successful applicant shall pay a fee of two dollars ($2.00) and each successful applicant shall pay an additional fee of three dollars ($3.00) before receiving a certificate The money thus received from applicants shall be transmitted to the Secretary of Mines to be deposited in the State Treasury In case of the loss or destruction of a certificate the Secretary of Mines shall upon the presentation of satisfactory evidence of the loss or destruction issue a copy of the certificate to the original possessor on the payment of the sum of one dollar ($1.00).

Section 607 The said examining boards shall before entering upon the duties of their office take and subscribe to an oath or affirmation before a duly qualified officer that they will to the best of their ability conduct such examinations according to law and that the credits given to an applicant's papers shall be according to merit only Such oaths or affirmations shall be made upon blanks furnished by the Department of Mines and they shall be returned to the department and kept on file as other records are kept Every applicant for a mine foremen's or assistant mine foremen's certificate must furnish the board with a statement of his experience in anthracite mines Such statement must show the class of work the applicant was engaged in together with the length of time at each class of work and be signed by the superintendent of the colliery or other responsible official.

Section 608 If any person or persons shall forge or counterfeit a certificate or knowingly make or cause to be made any false statement in any certificate under this act or in any official copy of the same or shall urge others to do so or shall alter or use any such forged or false certificate or unofficial copy thereof or shall make give alter produce or make use of any false declaration representation or statement in any such certificate or copy thereof or any document containing the same he or they shall be guilty of a misdemeanor and upon conviction thereof shall be fined two hundred dollars ($200.00) or imprisoned for a term not exceeding one year or both at the discretion of the court trying the case.

Section 609 No mine shall be operated for a longer period than thirty (30) days without the supervision of a mine foreman In case any mine is worked a longer period than thirty (30) days without a mine foreman the owner operator or superintendent shall upon conviction thereof be subject to a penalty of twenty dollars ($20.00) per day for each day over the said thirty (30) days during which the said mine is operated

ARTICLE VII

DUTIES OF MINE FOREMAN AND ASSISTANT MINE FOREMEN

Section 701 It shall be the duty of every mine foreman on arrival at his office every morning without delay to make inquiry from his assistants as to the condition of the mine or part thereof under their charge and if any dangerous thing is reported to him by any assistant that may affect the safety of the workmen he shall have the same remedied without delay

Section 702 He shall examine every day all reports made of mine inspections and mine equipment If he finds anything reported as unsafe or dangerous he shall have such unsafe or dangerous thing remedied without delay and no person shall be allowed to work at or near an unsafe or dangerous thing except for the purpose of making it safe He shall sign all said reports after reading them as evidence of having done so

Section 703 Whenever a mine foreman cannot personally carry out the provisions of this act so far as they pertain to him the owner operator or superintendent shall authorize him to employ a sufficient number of competent persons to act as his assistants who shall be subject to his orders

Section 704 The mine foreman shall have charge of all matters pertaining to ventilation and the speed of the ventilators shall be particularly under his charge and direction and any superintendent who shall cause the mine foreman to disregard the provisions of this act shall be amendable in the same manner as the mine foreman The mine foreman shall designate some competent person whose duty it shall be to start and stop all auxiliary and booster fans

Section 705 All accessible parts of an abandoned portion of a mine in which explosive gases have been found shall be carefully examined by the mine foreman or his assistants at least once a week and all danger found existing therein shall be immediately removed. A report of said examination shall be recorded in a book kept at the colliery for that purpose and signed by the person making the same

Section 706 In all mines the mine foreman or his assistant shall make a careful examination every morning of all working places and traveling roads and all other places which might endanger the safety of the workmen before the workmen shall enter the mine and such examination shall b made with a safety lamp within three (3) hours at most before time for commencing work and a workman shall not enter the mine or his working place until the said mine or part thereof and working place are reported to be safe Every report shall be recorded without delay in a book which shall be kept at the colliery for the purpose and shall be signed by the person making the examination Provided That in cases of emergency as from sickness or other causes the mine foreman may designate a competent person to make such examinations

Section 707 The person who makes said examination shall establish proof of the same by marking plainly the date thereof at the face of each working place and all other places examined

Section 708 A station or stations shall be established at the entrance of each mine or different parts of each mine as the case may require and a workman shall not pass beyond any such station until the mine or parts of the mine beyond the same have been inspected and reported to be safe It shall be the duty of the mine foreman to designate some competent person or persons to stand guard at the station from the time that persons begin to enter the mine until the mine or part of the mine shall have been examined and reported to be safe and the said guard shall not allow any person to pass such station without permission from the mine foreman or the assistant foreman

Section 709 If at any time it is found by the person for the time being in charge of the mine or any part thereof that by reason of noxious gases prevailing in such mine or any part thereof or of any cause whatever the mine or the said part is dangerous every precaution shall b used to ensure the safety of the workmen and every workman except such persons as may be required to remove the danger shall be withdrawn from the mine or such part thereof as is so found dangerous until the said mine or said part thereof is examined by a competent person and reported by him to be safe

Section 710 The Mine Foreman or his assistant shall visit and examine every working place in the mine every working day while the men of such place are or should be at work and shall direct that each and every working place is properly secured by props or timber and that safety in all respects is assured by directing that all loose coal or rock shall be pulled down or secured and that no persons shall be permitted to work in an unsafe place unless it be for the purpose of making it secure Provided however That if the mine is idle forty-eight (48) hours or more the mine foreman or

his assistant shall examine every working place the day before operations are resumed

Section 711 The mine foreman or some other competent person or persons to be designated by him shall examine at least once every day all slopes shafts main roads traveling ways signal apparatus pulleys and timbering to see that they are in safe and efficient working condition

Section 712 In every shaft or slope in which provision is made in this act for lowering and hoisting persons a headman and footman shall be designated by the superintendent or foreman to be at their proper places at all times while men are underground Such headman and footman shall personally attend to the signals and see that the provisions of this act in respect to lowering and hoisting persons in shafts and slopes shall be complied with

Section 713 Whenever loss of life to a miner or other employe occurs in or about a colliery notice thereof shall be given promptly to the inspector of mines for the district in which the accident occurred by the mine foreman or outside foreman or other person having immediate charge of the work at the time of the accident and when death results from personal injury such notice shall be given promptly after the knowledge of the death comes to the said foreman or person in charge

Section 714 It shall be the duty of the mine foreman or his assistants in case of injury to any employe by explosion of gas or powder or by any cause while said miners are at work in said mines to at once visit the scene of accident see that the injured is carefully wrapped in woolen blankets and removed to the "medical room" and so treated with oils or other remedies as will add to the comfort and care of the patient After being treated with all the skill known to the foreman or his assistants the injured person shall be carefully wrapped up and sent to the surface to be taken in an ambulance or to the mining hospital as may be desired without expense to the injured person

Section 715 Where an accident to any employe involves injury to limbs or causes loss of blood the foreman or his assistants shall see that the bandages splints and linen shall be applied where necessary to prevent loss of blood and relieve pain The foreman shall in all cases see that the injured person is sent to the surface without delay He shall also keep a record showing the name of the person injured the nature of the injury the treatment and by whom treated at the time of the accident

Section 716 It shall be the duty of the mine foreman or his assistant to test by means of a flame safety lamp or with some other approved device the condition of the atmosphere in each section of his mine each day while the men are at work A report of such examination shall be recorded in a book kept at the colliery for that purpose The test shall show the extent to which gas was detected whether cap or an explosive mixture

ARTICLE VIII

EXAMINATION AND QUALIFICATION OF MINERS

Section 801 Hereafter no person whosoever shall be employed or engaged in the anthracite coal regions of this Commonwealth as a miner in any anthracite coal mine without having obtained a certificate of competency and qualification so to do from the Miners' Examining Board of the proper district and having been duly registered as provided by existing law

ARTICLE IX

DUTIES OF MINERS AND OTHER WORKMEN

Section 901 Before commencing work and also after the firing of every blast the miner working a breast or any other place in a mine shall enter such breast or place to examine and ascertain its condition and his laborer or assistant must not go to the face of such breast or place until the miner has examined the same and found it to be safe

Section 902 A miner or other person who is about to explode a blast by the use of patent or other squibs or matches shall not shorten the match nor saturate it with mineral oil nor turn it down when placed in the hole nor ignite it except at its extreme end nor do anything to shorten the time the match will burn

If a miner or other person uses a fuse to explode a blast such fuse shall be of sufficient length to protrude at least six (6) inches from the mouth of the hole and in no case shall the total length of the fuse be less than eighteen (18) inches

A place shall be stopped for at least thirty (30) minutes after a squib misses fire Where fuses (straight and time fuses) are used and a missed shot occurs the working place shall be stopped for at least twelve (12) hours If a misfire occurs where electric blasting caps are used an interval of at least thirty (30) minutes must elapse before workmen shall return to such working face

Section 903 A miner or other workman shall not withdraw a charge of powder or other explosive in coal slate or rock which has missed fire nor shall the hole be reopened

Section 904 When a miner or other workman is about to fire a blast he shall be careful to notify all persons who may be in danger therefrom and shall give sufficient alarm before firing the blast and after igniting the match so that any person or persons who may be approaching shall be warned of the danger

Section 905 Any miner or other person having charge of a working place in any mine shall keep the roof and sides thereof properly secured by timber or otherwise so as to prevent such roof and sides from falling and he shall not do any work or permit any work to be done under loose or dangerous material except for the purpose of securing the same

Section 906 Any miner or other workman who shall discover anything wrong with the ventilating current or with the condition of the roof side timber or roadway or with any other part of the mine in general such as would lead him to suspect danger to himself or his fellow workmen or to the property of his employer shall immediately report the same to the mine foreman or other person for the time being in charge of that portion of the mine

Section 907 Any miner or other workman shall not be allowed to store gunpowder or any other explosive in a mine He shall not have at any one time in any one place more than one keg or box containing twenty-five (25) pounds unless more is necessary for a person to accomplish one day's work

Section 908 Any miner or other workman who has gunpowder or other explosive in a mine shall keep it in a wooden box securely locked and such box shall be kept at least ten (10) feet from the tracks in all cases

Section 909 Whenever a miner or other workman shall open a box containing explosives or while in any manner handling the same he shall first place his open lamp not less than five (5) feet from such explosives and in such position that the air current cannot convey sparks to it and a workman shall not approach nearer than five (5) feet to an open box containing powder with a lamp lighted pipe or anything containing fire

Section 910 In charging holes for blasting in coal slate or rock no miner or other workman in any mine shall use an iron or steel pointed needle The end of the tamping bar must be tipped with at least six (6) inches of copper or other soft metal The hole must be large enough to admit freely the cartridge containing the explosive and in no case shall a tight cartridge be rammed into a hole

Section 911 When gas is ignited by blast or otherwise the miner or other person igniting the same shall immediately extinguish it if possible and notify the mine foreman or his assistant of the fact and workmen must see that no gas blowers are left burning upon leaving their working places

Section 912 Not more than five blasts shall be fired at the working face of a low coal seam within a period of one hour except by permission from the mine foreman or his assistant and each hole when charged and fired shall constitute a blast This section shall not pertain to cracked gangways

Section 913 No miner or laborer shall run cars out of any breast or chamber or on any gravity road unless

he is a suitable person designated by the mine foreman for that particular work and no person under the age of eighteen (18) years shall be designated by any mine foreman to perform such work

Section 914 No workman or other person shall ride upon or against any loaded car cage or gun-boat in any shaft slope or plane in or about a mine or colliery

Section 915 When any person is about to descend or ascend a shaft or slope the headman or footman as the case may be shall inform the engineer by signal or otherwise of the fact and the engineer shall return a signal before moving or starting the engine In the absence of a headman or footman the person about to descend or ascend shall give and receive signals in the same manner

Section 916 No person shall couple or uncouple loaded or empty cars while the same are in motion Provided however That this shall not apply to the top or bottom men of slopes planes or shafts

Section 917 No person except the man giving the signal shall jump on a car cage or gun-boat after the signal has been given and if any person shall enter a car cage or gun-boat in excess of the lawful number the headman or footman shall notify him of the fact and request him to get off which request must be immediately complied with Any violation of this rule must be promptly reported to the mine foreman

ARTICLE X

MAPS AND PLANS

Section 1001 The owner operator or superintendent of every coal mine or colliery shall make or cause to be made an accurate map or plan of the working or excavations of such coal mine or colliery on a scale of one hundred feet to the inch which map or plan shall exhibit the working or excavations in each and every seam of coal and the tunnels and passages connected with such workings or excavations It shall state in degrees the general inclination of the strata with any material deflection therein in said workings or excavations and shall also state the tidal elevations of the bottom of each and every shaft slope tunnel and gangway and any other point in the mine or on the surface where such elevation shall be deemed necessary by the inspector

The map or plan shall show the number of the last survey station and date of each survey on the gangways or the most advanced workings

It shall also accurately show the boundary lines of the lands of the said coal mine or colliery and the proximity of the workings thereto and in case any mine contains any water dammed up in any part thereof it shall be the duty of the owner operator or superintendent to cause the true location of the said dam to be accurately marked on said map or plan together with the tidal elevation inclination of strata and area of said workings containing water and whenever any workings or excavations are approaching the workings where such dam or water is contained or situated the owner operator or superintendent shall notify the inspector of the same without delay

Whenever a mine fire is sealed an outline of the sealed area must be plainly shown on the mine map together with such data as the mine inspector may request pertaining to the same

Upon request of the mine inspector the location of all bore holes must be placed on the mine inspector's map and the operator or superintendent of the mine shall furnish the inspector with any additional information regarding bore holes upon his request

The said owner operator or superintendent shall deposit a true copy of such map or plan with the inspector of mines for the district in which the said coal mine or colliery is situated showing the workings of each seam if so desired by the inspector on a separate sheet of tracing muslin One copy of said map or plan shall be kept at the colliery

Section 1002 The said owner operator or superintendent shall as often as once in every six months place or cause to be placed on the said inspector's map or plan of said coal mine or colliery the plan of the extensions made in such coal mine or colliery during the preceding six months The said extensions shall be placed on the inspector's map and the map returned to the inspector within two months from the date of the last survey

Section 1003 When any coal mine or colliery is worked out preparatory to being abandoned or when any lift thereof is about to be abandoned the owner operator or superintendent of such coal mine or colliery shall have the maps or plans thereof extended to include all excavations as far as practicable and such portions thereof as have been worked to the boundary lines of adjoining properties Any part or parts of the workings which are intended to be allowed to fill with water must be surveyed in duplicate and such surveys must practically agree They shall be certified to by the owner operator or superintendent and shall be filed with the inspector of the district in which the mines are situated

Section 1004 Whenever the owner operator or superintendent of any coal mine or colliery shall neglect or refuse or from any cause not satisfactory to the inspector shall fail for a period of three months to furnish to the inspector the map or plan of said colliery or of the extensions thereto as provided for in this Article the inspector is hereby authorized to cause an accurate map or plan of such coal mine or colliery to be made at the expense of the owner thereof which cost shall be recoverable from said owner as other debts are by law recoverable

Section 1005 If the inspector finds or has reason to believe that any map or plan of any coal mine or colliery furnished under the provisions of this article is materially inaccurate it shall be his duty to make application to the Court of Common Pleas of the county in which such colliery is situated for an order to have an accurate map or plan of said colliery prepared and if such survey shall prove that the map furnished was materially inaccurate or imperfect such owner operator or superintendent shall be liable for the expense incurred in making the same

Section 1006 If it shall be found that the map or plan furnished by the owner operator or superintendent was not materially inaccurate or imperfect the Commonwealth shall be held liable for the expense incurred in making said test survey

Section 1007 If it shall be shown that the said owner operator or superintendent has knowingly or designedly caused or allowed such map or plan when finished to be incorrect or false such owner operator or superintendent thus offending shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars ($500.00) or imprisonment not exceeding three (3) months at the discretion of the court

Section 1008 The maps or plans of the several coal mines or collieries in each district and which are placed in the custody of the inspector shall be the property of the Commonwealth and shall remain in the care of inspector of the district in which the said collieries are situated to be transferred by him to his successor in office and in no case shall a copy of the same be made without the consent of the owner operator or superintendent

Section 1009 The inspector's map or plan of any particular colliery shall be open for inspection in the presence of the inspector to any miner or miners of that colliery whenever said miner or miners shall have cause to fear that his or their working place or places are becoming dangerous by reason of their proximity to other workings which may be supposed to contain water or dangerous gases Said map shall also be open to the inspection and examination of any citizen interested during business hours

Section 1010 It shall be obligatory on the owners of adjoining coal properties to leave or cause to be left a pillar of coal in each seam or vein of coal worked by them along the line of adjoining property of such width that taken in connection with the pillar to be left by the adjoining property owner will be a sufficient barrier for the safety of the employes of either mine in case the other should be abandoned and allowed to fill with water such width of pillar to be determined by the engineers of the adjoining property owners together with

the inspector of the district in which the mine is situated Such width of pillar as shall have been agreed upon by the adjoining property owners and the mine inspector of the district shall be placed on the inspector's map without delay

The surveys of the fact of the workings along such pillar shall be made in duplicate and must practically agree A copy of such duplicate surveys certified to must be filed with the owners of the adjoining properties and with the inspector of the district in which the mine or property is situated

Section 1011 At the request of the mine inspector the owner operator or superintendent of any coal mine shall furnish him with a geological cross section of such coal seams in such mnie as he may require

ARTICLE XI

SHAFTS SLOPES OPENINGS AND OUTLETS

Section 1101 It shall not be lawful for the owner operator or superintendent of any mine to employ any person or persons in such mine or permit any person or persons to be in such mine for the purpose of working therein unless there are in connection with every seam of coal and from every lift thereof worked in such mine not less than two openings or outlets separated by a stratum of not less than sixty (60) feet in breadth underground and one hundred and fifty (150) feet in breadth at the surface at which openings or outlets safe and distinct means of ingress or egress are at all times available for the person or persons employed in said mine This section shall not apply to opening a new mine or to opening any new lift of a mine while being worked for the purpose of making a connection between said two outlets so long as not more than twenty (20) persons are employed at one time in such mine or new lift of a mine At least half of this number must be employed at making the second outlet Neither shall this section apply to any mine or part of a mine in which the second outlet has been rendered unavailable by reason of the final robbing of pillars previous to abandonment so long as not more than twenty (20) persons are employed therein at any one time The cage or cages and other means of egress shall at all times be available for the persons employed where there is no second outlet.

Section 1102 The owner operator or superintendent of any mine to which there is only one shaft slope or outlet may petition the Court of Common Pleas in and for the county in which said mine is situated which said court is hereby empowered to act in the premises settting forth that in consequence of intervening lands between the working of his mine and the only practicable point at which to make or bring to the surface from the working of his mine he is unable to make an additional shaft slope or outlet in accordance with the requirements of this act whereupon the court may make an order of reference and appoint three disinterested persons residents of a county viewers one or more of whom shall be a practical mining engineer all of whom after being sworn to a faithful discharge of their duties shall view and examine the premises and determine as to whether the owner should have the privilege of making an additional outlet through or upon any intervening lands as the case may require and report in writing to the court which report shall be entered and filed of record.

Section 1103 If the finding of the viewers or any two of them is in favor of the owner of such coal mine or colliery he may make an additional shaft slope or outlet under through or upon intervening lands as may be determined upon and provided for by the award If the finding of the viewers is against the owner or if no award be made by reason of any default or neglect on the part of the owner he shall be bound to comply with the provisions of this act in the same manner as if this section had not been enacted In cast the said owner operator or superintendent desires to and claims that he ought to make an additional opening under through or upon any adjoining or intervening lands to meet the requirements of this act for the ingress and egress of the men employed in his or their mine he or they shall make a statement of the facts in the petition with a survey setting forth the point of commencement and the point of termination of the proposed outlet which he or they their engineers agents or employes may enter upon said intervening lands and survey and mark as he or they shall find it proper to adopt for such additional outlet doing as little damage as possible to the property explored and the viewers shall state in their report what damage will be sustained by the owner or owners of the intervening lands by the opening construction and use of the outlet and if the report is not appealed from it shall be confirmed or rejected by said court as to right and justice shall appertain and any further and all proceedings in relation thereto shall be in conformity with like proceedings as in the case of a lateral railroad across or under intervening lands under the act in relation to lateral railroads approved the fifth day of May Anno Domini one thousand eight hundred thirty-two (Pamphlet Laws five hundred one) and the supplements thereto so far as the provisions of the same are applicable hereto and the notices to the owner of intervening lands of the intention to apply for the privilege of making an outlet and meeting of the viewers shall be given and the costs of the case shall be paid as provided in the said act of May fifth Anno Domini one thousand eight hundred thirty-two (Pamphlet Laws five hundred one) and the supplements thereto.

Section 1104 The main escapement shafts or slopes shall be fitted with safe and available appliances by which persons employed in the mine may readily escape in case an accident occurs deranging the hoisting machinery at the main outlets.

Section 1105 In all slopes where the angle of inclination is fifteen (15) degrees or less there must be provided a separate traveling way which shall be maintained in a safe condition for travel and kept free from steam and dangerous gases.

Section 1106 The top of each slope if dangerous or any intermediate lift thereof shall be securely fenced off by railing or by verticle or flat gates.

Section 1107 Every abandoned slope shaft airhole and drift shall be properly fenced around or across its entrance.

Section 1108 All underground entrances to any places not in actual course of working or extension shall be properly fenced across the whole width of such entrances so as to prevent persons from inadvertently entering the same.

Section 1109 The owner operator or superintendent of any coal mine or colliery which is worked by shaft or slope shall provide and maintain a telephone or suitable appliance by or through which conversation can be held by and between persons at the bottom and at the top of the shaft or slope and also an efficient means of signaling from the bottom of such shaft or slope to the engineer in charge of the hoisting engines The owner operator or superintendent of every coal mine or colliery shall provide and maintain a telephone by or through which conversations can be had between persons on the outside of the mines and the principal centers of operations in the mines.

Section 1110 The owner operator or superintendent of all mines shall see that the surface landing and all other landings of shafts are provided with gates so hung and adjusted that they will close automatically It shall be unlawful for any man employed as a footman at a shaft in which coal or other material is hoisted to work at this occupation unless he has provided himself with a safety headgear or helmet of a design approved by the Department of Mines which headgear or helmet must be worn by him at all times while on duty.

Section 1111 Every cage or gun-boat used for lowering or hoisting persons in any shaft or slope shall be provided with handrails safety catches and a proper protector so constructed that persons while on such cage or gun-boat shall not be struck by anything which may fall or roll down said shaft or slope

Section 1112 Over all shafts which are being sunk or

shall hereafter be sunk a safe and substantial structure shall be erected to sustain the sheaves or pulleys at a height of not less than twenty (20) feet above the tipping place and the top of such shaft shall be arranged in such manner that no material can fall into the shaft while the bucket is being emptied

Section 1113 The said structure shall be erected as soon as a substantial foundation is obtained and in no case shall a shaft be sunk to a depth of more than fifty (50) feet without such structure

Section 1114 If provision is made to land the bucket upon a truck the said truck shall be constructed in such manner that the material cannot fall into the shaft All rock and coal from shafts as they are being sunk shall not be raised except in a bucket or on a cage and such bucket or cage must be connected to the rope or chain by a safety hook or clevis or other safe attachment

Section 1115 Such shafts shall be provided with such guides and guide attachments applied in such manner as to prevent the bucket from swinging while descending or ascending therein and such guides and guide attachments shall be maintained at a distance of not more than seventy-five (75) feet from the bottom of such shaft until its sinking shall have been completed but this section shall not apply to shafts one hundred (100) feet or less in depth.

Section 1116. Where the strata are not safe every shaft shall be securely cased lined or otherwise made secure

Section 1117 The following rules shall be observed as far as practicable in every shaft to which this act applies

First After each and every blast the chargeman must see that all loose material is swept down from the timbers before the workmen descend to their work.

Second After a suspension of work and also after firing a blast in a shaft where explosive gases are evolved the person in charge must have the said shaft examined and tested with a safety lamp before the workmen are allowed to descend.

Third Not more than four persons shall be lowered or hoisted in any shaft on a bucket at the same time and no person shall ride on a loaded bucket

Fourth Whenever persons are employed on platforms in shafts the person in charge must see that the said platforms are properly and safely constructed.

Fifth While shafts are being sunk all blasts therein must be exploded by an electric battery.

ARTICLE XII

VENTILATION

Section 1201 The owner operator or superintendent of every mine shall provide and maintain a constant and adequate supply of pure air for the same as hereinafter provided.

Section 1202 It shall not be lawful to use a furnace for the purpose of ventilating any mine wherein explosive gases are generated.

Section 1203 The quantities of air in circulation shall be ascertained with an anemonmeter or other efficient instrument Such measurements shall be made by the inside foreman or his assistant once every week at the inlet and outlet airways also at or near the face of each gangway and at the nearest cross-heading to the face of the inside and outside chamber or breast where men are employed Such air measurements shall be entered in the colliery report book Cross-headings between chambers or breasts shall not be driven more than sixty (60) feet from the face of each chamber or breast A report of these air measurements shall be sent to the inspector before the twenfth day of each month for the preceding month together with a statement of the number of persons employed in each district.

Section 1204 The minimum quantity of air produced shall not be less than two hundred (200) cubic feet per minute for each and every person employed in any mine and as much more as the circumstances may require.

Section 1205 The ventilating currents shall be conducted and circulated to and along the face of each and every working place throughout the entire mine in sufficient quantities to dilute render harmless and sweep away smoke and noxious or dangerous gases to such an extent that all working places and traveling roads shall be in a safe and fit state to work and travel therein.

Section 1206 All worked-out or abandoned parts of a mine in operation so far as practicable shall be kept free of dangerous bodies of gases or water and if found impracticable to keep the entire mine free from an accumulation of gases or water the mine inspector must be immediately notified.

All accessible parts of an abandoned portion of a mine in which explosive gases have been found shall be carefully examined by the mine foreman or his assistants at least once a week and any dangerous condition found existing therein shall be immediately removed A report of said examination shall be recorded in a book kept at the colliery for that purpose and signed by the person making the same

Section 1207 Every mine employing more than seventy-five (75) persons must be divided into two or more districts Each district shall be provided with a separate split of pure air and the ventilation shall be so arranged that not more than seventy-five (75) persons shall be employed at the same time in any one current or split of air

The inlet and return air passages for any particular district must be separated by a pillar of coal or stone if the thickness and dip of the vein will permit except where it is necessary to cut through said dividing pillar for the purpose of ventilation traffic or drainage.

Section 1208 All air passages shall be of sufficient area to allow the free passage of not less than two hundred (200) cubic feet of air per minute for every person workingthe rein and in no cast in mines generating explosive gases shall the velocity exceed four hundred and fifty (450) lineal feet per minute in any opening through which the air currents pass if gauze safety lamps are used except in the main inlet or outlet airways.

Section 1209 All cross-cuts connecting the main inlet and outlet air passages of every district when it becomes neccssary to close them permanently shall be substantially closed with brick or other suitable building material laid in mortar or cement whenever practicable.

Section 1210 All doors used in assisting or in any way affecting the ventilation shall be so hung and adjusted that they will close automatically

Section 1211 All main doors shall have an attendant whose constant duty it shall be to open them for transportation and travel and prevent them from standing open longer than is necessary for persons or cars to pass through unless a self-acting door is used which is approved by the inspector of the district.

Section 1212 All main doors shall be so placed that when one door is open another which has the same effect upon the same current shall be and remain closed and thus prevent any temporary stoppage of the air current

Section 1213 An extra main door shall be so placed and kept standing open as to be out of reach of accident and so fixed that is can be at once closed in the event of an accident to the doors in use.

Section 1214 The frame work of such main doors shall be substantially secured in stone or brick laid in mortar or cement unless otherwise permitted in writing by the inspector.

Section 1215 All permanent air bridges shall be substantially built of fireproof material and of such strength as the circumstances may require Temporary air bridges or overcasts may be built of other suitable material upon permission from the mine inspector.

Section 1216 All ventilators used at mines shall be provided with recording instruments by which the speed of the ventilators or the ventilating pressure shall be registered for each hour and such data shall be preserved at the colliery for future references for a period of three months.

Section 1217 An accumulation of gas in mines shall not be removed by brushing When such accumulations occur they must be removed by sufficient air currents only

Section 1218 No auxiliary or booster fan shall be allowed in any mine unless a request in writing be made

by the superintendent of such mine to the mine inspector of the district and permission granted by him to install such fan.

Section 1219 Auxiliary fans driven by electric power shall not be used in gaseous mines (C class) unless the motors of such fans are enclosed in explosion proof casings approved by the United Stattes Bureau of Mines All such fans must be located so that there shall be maintained at all times a positive separation of inlet and outlet air currents.

Section 1220 All main fans used to ventilate gaseous mines (both B and C classes) shall be operated continuously If for any reason except repairs it is desired to stop such fan or fans the owner operator or superintendent of such mine or mines shall first make a request in writing to the inspector of the district and he may grant or refuse such request During any period in which repairs are being made to any such fan or fans or in which for any reason any such fans are stopped no person or persons except those necessary to make examinations for gas and operate pumps shall be allowed in any such gaseous mine or mines All such examinations shall be made with an approved safety lamp

Section 1221 Whenever a mine suspends operations temporarily and is being maintained in readiness for operation the mine shall be examined at least once a week in the same manner as if in operation and a report of such examination shall be made in the colliery report book and signed by the person making the examination.

Section 1222 All main fans used to ventilate (A class) mines shall be operated continuously If for any reason except repairs it is desired to stop such fan or fans the owner operator or superintendent of such mine or mines shall first make request in writing to the mine inspector of the district and he may grant or refuse such request

Section 1223 When any main ventilating fans have been stopped they shall prior to the resumption of work in the mine be operated a sufficient length of time to provide a supply of air adequate enough to dilute render harmless and sweep away all smoke and noxious gases and an examination shall be made of all haulage roads traveling roads working places and other places in which accumulations of gas or smoke might endanger the safety of the workmen before the men are allowed to enter the mine.

Section 1224 All inlet and outlet airways shall be kept free from all obstructions and in fit state to be traveled and inspected at all times.

Section 1225 Any person or persons who shall neglect or fail to comply with the provisions of this article or who shall make any false report in regard to air measurements shall be guilty of an offense against this act.

ARTICLE XIII

UNDERGROUND BUILDINGS

Section 1301 All buildings inside of any anthracite coal mine in Pennsylvania including engine-houses pumphouses stables et cetera shall be constructed of incombustible material and no temporary buildings of any character in any mine shall be constructed unless they are constructed of incombustible material.

Section 1302 Any owner operator or superintendent of a coal mine failing to comply with this article shall be deemed guilty of a misdemeanor and upon convictio shall be sentenced to pay a fine of one hundred dollars ($100.-00) or undergo imprisonment in the county jail for a period of ten (10) days or both at the discretion of the court

ARTICLE XIV

CLASSIFICATION OF MINES OR SECTIONS THEREOF WITH REFERENCE TO COMBUSTIBLE GAS

Section 1401 All anthracite mines or sections thereof shall be classed as A B or C as hereinafter provided

Section 1402 A Class A mine or section thereof shall be considered one in which seven one-hundredths (7/100) of one per cent of combustible gas or less is found Such mine or section thereof shall be considered nongaseous.

Section 1403 A Class B mine or section thereof shall be considered one in which more than seven one-hundredths (7/100) of one per cent and less than five-tenths (5/10) of one per cent of combustible gas is found.

Section 1404 A Class C mine or section thereof shall be considered one in which five-tenths (5/10) of one per cent or more of combustible gas is found.

Section 1405 Examinations to determine the classification of mines or sections thereof shall be made by the operator or his representative every six months at the faces of the first and last working place on a split and the average of the tests shall be the determining factor Tests shall be made by use of a methane detector approved by the United States Bureau of Mines or by chemical analyses.

Section 1406 The ventilation must have been stopped or short-circuited for at least fifteen minutes when the aforesaid examinations are made and the results recorded and a copy of the same shall be sent to the inspector of the district within ten days after such examination.

Section 1407 The classification of a section of a mine as "A" "B" or "C" does not of necessity place the whole mine in that class

Section 1408 If one-fourth (1/4) of an inch gas cap can be seen on the flame of an approved safety lamp it shall be assumed that the air contains at least one and one-half (1 1/2) per cent of combustible gas.

Section 1409 No mine or section thereof shall be considered as belonging to a less hazardous class than the one to which it formerly belonged without permission from the inspector of the district.

ARTICLE XV

USE OF ELECTRICITY

Section 1501 All electrical apparatus and conductors shall be so installed and protected as to reduce danger from shock or fire to a minimum.

Section 1502 No higher voltage than medium (650) shall be taken underground except for transmission or for application to transformers or other apparatus in which the whole of the high voltage circuit is stationery.

Section 1503 When high voltage cables are taken into the mine through bore holes shafts slopes and other traveling ways to an underground station from which point low or medium voltage may be conveyed said cables shall be so constructed as to reduce the hazards of accidental shock to a minimum.

Section 1504 In gaseous mines (C class) high voltage transmission cables shall be installed in the intake airways or in bore holes provided such bore holes are in or connected to intake airways

High voltage motors and transformers if used in a mine shall be installed only in underground stations ventilated by intake air which has not passed through a gaseous district.

Section 1505 Gloves and mats of rubber or other suitable insulating material shall be provided and used by persons when making repairs to live parts of any electrical apparatus or when live parts of electrical apparatus have to be handled for the purpose of adjustment Provided That this section shall not apply to electric signal circuits.

Section 1506 Instructions shall be posted in every generating transforming and motor room containing direction as to the restoration of persons suffering from electric shock

Section 1507 In underground stations where switchboards are installed there shall be a passageway in front and in the rear of the switchboard not less than three (3) feet in the clear

When medium voltage is used insulating floors for mats shall be provided where live metal work is on the front of the board When high voltage is used unless installed in a locked room to which only authorized persons are admitted All live metal parts on the front of the main switchboard within seven (7) feet of the floor or platform shall be guarded so as to prevent persons from coming in contact with such live parts The floor

back of the board shall be made of incombustible material and be insulated

Section 1508 Fire buckets filled with clear dry sand or other standard extinguishers for electrical fires shall be kept in underground stations ready for immediate use in extinguishing fires.

Section 1509 Medium or low pressure conductors may be bare except in gaseous portions (C class) of the mines This rule is not to include trolley wire except where hereinafter provided.

Section 1510 At all landings and partings where men are required to work regularly or pass under trolley or other bare power wires which are placed less than six and one-holf (6 1/2) feet above the top of the rail a suitable protection shall be provided This protection may be afforded by channeling the roof placing boards along the wires which shall extend below them or the use of other approved devices that afford protection.

Section 1511 All underground power wires and cables in hoisting shafts or manway compartments shall be highly insulated and substantially fixed in position On main haulage roads all cables and other wires except trolley wires and D C feeder wires when mounted on the same supports shall be kept at least twelve (12) inches away from any part of the mine car or locomotive.

Section 1512 Trailing cables in use shall be examined daily by the machine operator for abrasions and other defects and he shall report any defect to the mine foreman or his assistant and it shall be immediately remedied or the cable put out of service.

Section 1513 All points at which a circuit other than a signal circuit has to be made or broken shall be provided with proper switches The use of hooks or other makeshifts are prohibited except that connection for gathering locomotives or locomotives and machines used in driving headings or chambers may be made to the trolley wire by means of suitable hooks.

Section 1514 In any gaseous portion of a mine (B and C class) a coal-cutting machine shall not be brought beyond the last cross-cut next the working face until the machine man shall have made an inspection for gas or until such examination shall have been made by some other competent person If any explosive gas is found in the place the machine shall not be taken in.

Section 1515 No coal-cutting machine shall be continued in operation in a gaseous portion of a mine (C class) for a longer period than half an hour without an examination being made for gas and if gas is found the current shall at once be switched off and the machine and the trailing cable shall forthwith be disconnected from the power supply.

Section 1516 The person in charge of a coal-cutting machine loading machine or drilling machine shall not leave the machine while it is working and shall before leaving the working place see that the current is cut off from the trailing cables In any gaseous portion of a mine (C class) if an electric spark or arc be produced by the cable or rails the defect shall be immediately reported to the mine foreman or his assistant and the condition remedied without delay.

Section 1517 In any gaseous portion of a mine (C class) any gangway airway or other working which is served by cars being pushed to the face of it must not have any trolley wire therein closer than one hundred and fifty (150) feet from its face No modification of this rule shall be allowed unless the mine inspector of the district be first consulted and his permission obtained to make such modification A trailing cable is permitted in all such cases.

No electric haulage motor shall be taken to the face of any working place in any gaseous portion of a mine (B or C class) in the absence of the men working in such place until it is first examined by a competent person and found to be safe.

Section 1518 In no case shall the potential used in the trolley system be higher than low voltage Provided That this section shall not apply to trolley systems now in service or extensions thereof.

Section 1519 No electrical equipment shall be operated in that part of any mine in which more than one and one-half (1½) per cent of combustible gas can be detected and all work must be stopped except such as may be necessary to reduce the percentage content to one and one-half or less

Section 1520 In gaseous mines (B class) open lights and electric lamps are permissible provided a flame safety lamp approved by the Department of Mines is used for testing purposes Such safety lamps shall be as far as practicable kept near the roof of the working face

It shall not be assumed that a mine or portion thereof is gaseous because of the partial or exclusive use of electric cap lamps

Section 1521 In each part of all gaseous mines (C class) no light other than a locked safety lamp or a locked safety lamp and electric cap lamp both of a type which shall be first approved by the Department of Mines shall be allowed or used in such part Whenever safety lamps or electric cap lamps are required in any mine or part thereof they shall be the property of the owner of said mine and a competent person who shall be appointed for the purpose shall examine every safety lamp and electric cap lamp before it is taken into the workings for use and he shall ascertain that all safety lamps are clean safe and securely locked and safety lamps and electric cap lamps shall not be used until they have been so examined and found safe and in the case of safety lamps clean and securely locked

Section 1522 No one except a duly authorized person shall have in his possession a key or any other contrivance for the purpose of unlocking any safety lamp in any gaseous mine where locked safety lamps or electric cap lamps are used It shall be unlawful for any person or persons working in gaseous mines (C class) or portion of a gaseous mine (C class) which is worked by locked safety lamps or locked safety lamps and electric cap lamps to carry into the mine matches smokers' articles or any other material or articles which may cause fire To prevent such articles being carried into a dangerous mine or section thereof the mine foreman when he sees fit shall cause a search of the men for such articles

Section 1523 In any gaseous portion of a mine (C class) except such parts as are ventilated by pure intake air incandescent lamps shall be protected by gas tight fittings of strong glass

Section 1524 All shot firing in gaseous mines or sections of mines (C class) shall be done by the use of an electric battery approved by the Secretary of Mines and furnished free of charge by the owner or operator of such mine No black powders shall be used in such mines

Section 1525 No shot firing unit shall be connected to the shot firing leads until all other connections preparatory to the firing of shots have been completed and all persons have moved to a place of safety

Section 1526 In any gaseous portion of a mine (C class) the potential used for signaling purposes shall not exceed twenty-four (24) volts and bare wires shall not be used for signal circuits except in intake air currents

Section 1527 Where electric transformers are located on the outside there shall be provided walkways or platforms around such structures so that examinations and inspections can be made of the same

All such transformers within eight (8) feet of the ground shall be protected by fencing such fencing to be of a height that will prevent persons from inadvertently coming in contact with the transformers within

Section 1528 At all surface plants of collieries and in all mines where electric power is used adequate switches shall be provided at the points where it may be necessary to turn power on or off Such switches except high voltage air break and disconnecting switches and those on D C feeder or on trolley circuits shall be so arranged that they can be operated only from and without the box when the latter is completely closed

Section 1529 Any person or persons failing to comply with the provisions of this article shall be guilty of an offense against this act and upon conviction shall be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) or

undergo imprisonment for thirty (30) days in the county jail or both at the discretion of the court

ARTICLE XVI

Inquests

Section 1601 If whenever death occurs from an accident in or about an anthracite coal mine of this Commonwealth and after an examination of such accident the mine inspector finds an inquest should be held he shall notify the coroner to hold such inquest without delay and if no inquest be held by the coroner within forty-eight (48) hours after such notice the inspector shall institute a further and fuller examination of such accident and for this purpose he shall have power to compel the attendance of witnesses at such examination and to administer oaths and affirmations to persons testifying thereat The inspector shall make a record of all such investigations and accidents which record shall be preserved in his office The cost of such investigations shall be paid by the Department of Mines in like manner as other costs are now paid

Section 1602 An inquest held by the coroner upon the body of a person killed by explosion or other accident shall be adjourned by the coroner if the inspector of mines be not present to watch the proceedings and the coroner in such case shall notify the inspector in writing of such adjournment inquest and the time and place of holding the same at least three (3) days previous thereto

Section 1603 Due notice of an intended inquest to be held by the coroner shall be given by the coroner to the inspector and at any such inquest the mine inspector and any representative of a party in interest shall have the right to examine witnesses and read the law governing the case of the coroner's jury

Section 1604 If at any inquest over the body or bodies of persons whose death was caused by an accident in or about a mine or colliery the inspector cannot be present to watch the proceedings the coroner may proceed with such inquest and if it is shown by the evindence given at the inquest that the accident was caused by neglect or by any defect in or about the mine or colliery which in the judgment of the jury requires a remedy the coroner shall send notice in writing to said inspector of such neglect or default

Section 1605 No person who is interested personally nor a person employed in the mine or at a colliery in or at which loss of life has occurred by accident shall be qualified to serve on a jury empaneled on the inquest and a constable or other officer shall not summon such a person so disqualified as a juror but the coroner shall empaneled a majority of the jury from miners who are qualified to judge the nature of the accident

ARTICLE XVII

Medical Rooms and First Aid Treatment

Section 1701 It shall be unlawful to operate any anthracite mine in the State of Pennsylvania employing more than five persons unless said mine is provided with a sufficient quantity of medical supplies bandages linens splints woolen and waterproof blankets The mine foreman or his assistant shall keep a record showing the requried articles on hand Said articles shall be stored in rooms erected at a convenient place in the mine and on the surface which rooms shall not be less than eight by twelve feet and sufficiently furnished lighted clean and ventilated so that therein medical treatment may be given injured employes in case of emergency The furnishings shall be sufficient to accommodate two or more persons in reclining and sitting posture. In the mines where five (5) men or less are employed there shall be kept at such mines first aid kits so that first aid to the injured may be rendered in case of necessity

Section 1702 The neglect or refusal to perform the duties required to be performed by this article or the violation of any of the requirements hereof shall be deemed a misdemeanor and shall upon conviction thereof in the Court of Quarter Sessions of the county wherein the misdemeanor was committed be punishable by a fine not exceeding five hundred dollars ($500.00) or imprisonment in the county jail for a period not exceeding six months (6) or both at the discretion of the court

ARTICLE XVIII

Regulating Weights of Explosives

Section 1801 On and after the passage of this act each and every keg or box of explosives used manufactured or sold in or around the anthracite coal mines of this Commonwealth shall have clearly stamped upon it the name of the person firm or corporation manufacturing said explosives the percentage strength of such explosives and also the number of pounds of explosives contained in said keg or box Said explosives must at all times be contained in a metal keg or wooden box

Section 1802 Any manufacturer or dealer in said explosives making or selling or causing to be made or sold any keg or box of said explosives containing less weight than shall be shown as stamped upon the keg or box shall be subject to a penalty of five dollars ($5.00) for each and every keg or box of said explosives manufactured or sold which does not contain the respective weights as set forth in the foregoing section

Section 1803 It shall not be lawful for any other person firm or corporation except the person firm or corporation whose name shall be stamped on said keg or box to use any such stamped keg or box for the purpose of containing explosives

Section 1804 Any person firm or corporation violating the provisions of section one thousand eight hundred three of this article shall be subject to a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00)

ARTICLE XIX

RECOVERY OF BODIES OF ENTOMBED WORKMEN

Section 1901 Whenever any workman or workmen shall heretofore have been or shall hereafter be enclosed entombed or buried in any anthracite coal mine in this Commonwealth it shall be the duty of the court sitting in equity in the county wherein such workman or workmen are enclosed entombed or buried upon the petition of any of the relatives of those enclosed entombed or buried to make an order of court for the petitioner to take testimony in order that the court may ascertain whether such workman or workmen or the body or bodies of such workman or workmen can be recovered or taken out of said mine

Section 1902 If after full hearing it shall appear to the court that such undertaking is feasible or practicable said court may forthwith issue a peremptory mandamus to the owner or owners lessee or lessees operator or operators of such coal company to forthwith proceed to work for and recover and take out the body or bodies of such workman or workmen and said court shall have full authority to enforce such peremptory mandamus in the manner already provided for the enforcement of such process

ARTICLE XX

RECORDS OF COAL LOADED BY MINERS

Section 2001 At every anthracite coal mine in this Commonwealth where coal is mined and paid for by the car a record of all cars of coal mined shall be kept at the miners' chutes or at the most convenient and practical of said chutes where said coal is loaded in cars which record shall be the final basis of computing the miners' earnings per car without any deduction for any slate or other refuse that may be loaded on said car or cars in the usual and natural course of mining and loading coal and which record shall be open at all times for the inspection of all miners

Section 2002 Any individual firm or corporation violating any of the provisions of section two thousand one shall be guilty of a misdemeanor and upon conviction shall for each offense be sentenced to pay a fine of not less than fifty ($50.00) nor more than one hundred dollars ($100.00) Provided That nothing contained in this article shall affect any existing contract

Section 2003 Any person who wilfully shall from any loaded coal car in or about any mine breaker or yard in this Commonwealth take remove sever carry away obliterate or destroy any ticket card tin-slip or other device or sign used to indicate or identify the person or persons to whom credit or pay is or shall be due for the mining of the coal in said car or for the loading of said car for the purpose of depriving such person or persons from getting credit or pay for said car or for the purpose of defrauding such person in any manner shall be deemed guilty of a misdemeanor and upon conviction therefor shall be sentenced to pay a fine not exceeding one hundred dollars ($100.00) or to undergo imprisonment not exceeding one (1) year either or both at the discretion of the court and the jury trying the case may infer such intent from the fact of taking removing carrying away severing obliterating or destroying in any manner of such tickets card tin-slip or other device or sign as aforesaid

ARTICLE XXI

WASH HOUSES

Section 2101 It shall be the duty of the owner operator or superintendent of each mine or colliery at the request in writing of twenty (20) or more men employed in any of the mines to provide a suitable building not an engine or boiler house which shall be convenient to the principal entrance of such mine for the use of the persons employed therein for the purpose of washing themselves and changing their clothes when entering the mine and returning therefrom The said building shall be maintained in good order be properly lighted and heated and supplied with pure cold and warm water and shall be provided with facilities for persons to wash It shall be the duty of the owner operator or superintendent of each mine or colliery to maintain proper attendants continuously at each and every wash house in order to maintain the wash house in a clean and sanitary condition at all times If any person or persons shall neglect or fail to comply with the provisions of this article or maliciously injure or destroy or cause to be injured or destroyed the said building or any part thereof or any of the appliances or fittings used for suplying light heat and water therein or any act tending to the injury or destruction thereof he or they shall be deemed guilty of an offense against this act

ARTICLE XXII

AMBULANCES AND STRETCHERS

Section 2201 The owner operator or superintendent of every mine or colliery except as hereinafter provided shall provide and keep at such mine or colliery a motor ambulance and also at least two (2) stretchers for the purpose of conveying to their places of abode any person or persons who may be injured while in the discharge of his or their work at such mine or colliery

Section 2202 The said motor ambulance shall be constructed upon good substantial and easy springs It shall be covered and closed and shall have windows on the sides or ends It shall be of sufficient size to convey at least two (2) injured persons with two (2) attendants at one time and shall be provided with spring mattresses or other comfortable bedding to be placed on roller frames together with sufficient covering and protection for the convenient movement of the injured It shall also be provided with seats for the attendants The stretchers shall be constructed in such manner as to afford the greatest ease and comfort in the carriage of injured persons The motor ambulance shall at all times be properly heated

Section 2203 Whenever any person or persons employed in or about a mine or colliery shall receive such injury by accident or otherwise while so employed as would render him or them unable to walk to his or their place of abode the owner operator or superintendent of such mine or colliery shall immediately cause such person or persons to be removed in said motor ambulance to his or their place of abode or to a hospital as the case may require Provided however That where two or more mines or collieries are located within four miles of each other or a motor ambulance is located within four miles of each colliery but one motor ambulance as aforesaid shall be required if said mines or collieries have ready and quick means of communication one with the other by telegraph or telephone

Section 2204 A motor ambulance as aforesaid shall not be required at any mine or colliery at which less than twenty (20) persons are employed

Section 2205 In case the distance from any mine or colliery to the place of abode of the person injured is such as to permit his conveyance to his home or to a hospital more quickly and conveniently by railway such mode of conveyance shall be permitted but in such case the conveyance must be under cover and the comfort of the injured person must be provided for

Section 2206 There shall be furnished free of charge by the State Highway Department a registration certificate and two number tags for each such motor ambulance

ARTICLE XXIII

EMPLOYMENT OF BOYS AND FEMALES

Section 2301 No woman or girl of any age shall be employed or permitted to be in any mine for the purpose of employment therein nor shall a woman or girl of any age be employed or permitted to be in or about the outside structures or workings of a mine or colliery for the purpose of employment Provided however That this prohibition shall not affect the employment of a female of not less than sixteen (16) years of age in an office or in the performance of clerical work at a colliery

Section 2302 No minor under sixteen (16) years of age shall be employed or permitted to work in about or in connection with any breaker or any outside part of any mine or colliery No minor under eighteen (18) years of age shall be employed to be permitted to work inside any coal mine No minor under eighteen (18) years of age shall be empolyed or permitted to work about or in connection with the outside part of any mine or colliery in the operation of hoisting machines at oiling or cleaning machinery in motion at switch-tending and gate-tending at track repairing or in any other dangerous occupation

Section 2303 Before any person under twenty-one (21) years of age shall be permitted to work in or about any mine or colliery he shall first file with the employer a statement properly sworn to before a magistrate or other proper officer setting forth the date and place of birth and post office address Such statements shall be filed in the colliery office and they shall be available at all times for inspection by the mine inspector of the district or other authorized inspectors or officers charged with the enforcement of this act

Section 2304 Any person who shall violate any of the provisions of this article shall upon conviction thereof be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than two hundred dollars ($200.00) or to undergo an imprisonment of not more than ten (10) days or both at the discretion of the court

ARTICLE XXIV

SOLICITING MONEY OR OTHER VALUABLES FROM EMPLOYES

Section 2401 On and after the passage of this act any mine superintendent mine foreman or assistant foreman or any other person or persons who shall receive or solicit any sum of money or other valuable consideration from any of his or their employes for the purpose of continuing in his or their employ or for the purpose of procuring employment shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than fifty dollars ($50.00) nor more than three hundred dollars ($300.00) or undergo an imprisonment of not less than six (6) months or both at the discretion of the court

ARTICLE XXV

DUTIES OF OUTSIDE FOREMEN

Section 2501 The owner operator or superintendent of a colliery shall place a competent person to be called an "outside foreman" in charge of the breaker and outside work of such colliery who shall direct and see that the provisions of this act are complied with in respect to the breaker outside machinery ropes cages and all other

things pertaining to the outside work unless otherwise provided for in this act

Section 2502 Whenever an outside foreman cannot personally carry out the provisions of this act so far as they pertain to him the owner operator or superintendent shall authorize him to employ a sufficient number of competent persons to act as his assistants who shall be subject to his orders

Section 2503 In all coal breakers where the coal dust is so dense as to be injurious to the health of persons employed therein the owner operator or superintendent of said breaker shall upon the request of the inspector immediately adopt measures for the removal of the dust

Section 2504 It shall be the duty of the outside foreman of a colliery or his assistant to inspect and examine personally all machinery in breakers and in all other places where machinery is used for the preparation or storage of coal He shall see that all dangerous machinery rolls pulleys screens belts walks etc are properly protected by coverings railings or fencing so as to prevent persons from inadvertently walking against or falling upon the same

Section 2505 All hoisting ropes safety catches main links and chains shall be carefully examined each day they are used by a competent person delegated by the outside foreman to make such examination A record of any defects found therein by which life or limb may be endangered shall be made in a book and signed by the person making it and said book shall be kept in the colliery office where it shall be available for inspection by the inspector of the district

Section 2506 It shall be the duty of the outside foreman to have all iron hoisting chains main links sockets and slope couplings that are used to lower men into and hoist them from the mines annealed at least once every four (4) months and as much oftener as may be found necessary A record of such annealment shall be kept in a book and signed by the person in charge of the work Provided That this shall not apply to hoisting chains main links sockets and slope couplings that are made of modern heat treated steel

Section 2507 It shall be the duty of the outside foreman to have the motor ambulance kept in good working condition and to this end he shall have it inspected by a competent mechanic once every month and any defects found shall be immediately remedied A record of such motor ambulance inspection together with its condition shall be made in a book and signed by the person making the inspection

Section 2508 It shall be the duty of the outside foreman to keep in the colliery office all employment certificates of minors at which place they shall be open for inspection by the mine inspector of the district or by any other person authorized by law to inspect such certificates

Section 2509 It shall be the duty of the outside foreman to have all cages by which persons are hoisted or lowered in shafts tested for safety as often as once every three (3) months Whenever such test shows that a cage drops nine (9) inches or more or that other dangerous defects exist such cage shall not be further used until all defects therein found have been remedied

Section 2510 If at any time it is found by an employe that any part of the machinery in any breaker or about any colliery has become dangerous he shall immediately notify the foreman whose duty it shall be to have such defect or dangerous condition remedied without delay

Section 2511 The outside foreman shall see that a suitable safety device is installed on the railroad tracks that lead to the breaker and maintained in good working order to protect the loaders who may be loading railroad cars from the coal pockets All railroad car runners shall be provided with safety belts to prevent their falling off such cars

Section 2512 The outside foreman shall before the tenth day of each month send to the mine inspector of the district for the preceding month a report of the condition of all hoisting cages safety catches ropes main links chains breaker machinery motor ambulances or other machinery designating the condition of each by using the words "good" "fair" or "bad" as the case may be This report shall be signed by the outside foreman Such reports shall be made on forms furnished by the Department of Mines

ARTICLE XXVI

BREAKERS AND MACHINERY

Section 2601 No inflammable structure shall be located over the entrance of any mine opening connecting the surface with the underground workings and no breaker or other inflammable structure for the preparation or storage of coal shall be located nearer than two hundred (200) feet to any mine opening provided that this section shall not apply to breakers and other structures that are now erected

Section 2602 The sides of stairs trestles and dangerous plank walls in and around the collieries shall be provided with hand and guard railings to prevent persons from falling over their sides This section shall not forbid the temporary removal of a fence guard rail or covering for the purpose of repairs or other operations if proper precautions are used and the fence guard rail or covering is replaced immediately thereafter

Section 2603 All persons employed to operate machinery in and about the breaker other than that used to lower and hoist persons into and out of the mines shall be sober and competent persons not less than eighteen (18) years of age

Section 2604 A signal apparatus shall be established at important points in every breaker so that in case of an accident the engineer can be promptly notified to stop the machinery

Section 2605 No person under eighteen (18) years of age shall be appointed to oil the machinery and no person shall oil dangerous parts of such machinery while it is in motion

Section 2606 No person shall play with loiter around or interfere with any machinery in or about any mine or colliery

Section 2607 The main link of the chain connecting the rope to the cage gun-boat or car in any shaft or slope shall be made of the best quality of iron or of heat treated steel Bridle chains made of the same quality of iron or heat treated steel shall be attached to the main link rope or rope socket from the cross head of the cage gun-boat or car when persons are being lowered or hoisted thereon

Section 2608 An efficient brake shall be attached to every drum that is used for lowering or hoisting persons or material in any mine

Section 2609 Flanges or horns of sufficient dimensions to prevent the rope from slipping off the said drums shall be provided and properly attached to the drum and all machines used for lowering or hoisting persons in mines shall be provided with an indicator to show the position of the cage car or gun-boat in the shaft or slope

Section 2610 It shall be the duty of the owner operator or superintendent of any or all coal breakers to have them properly heated and lighted in order to prevent injury to the health of persons employed therein

Section 2611 Failure to comply with any of the provisions of this article shall be deemed an offense against this act

ARTICLE XXVII

HOISTING ENGINEERS

Section 2701 No person engaged as hoisting engineer at or about the anthracite coal mines of this Commonwealth part of whose duties it is to lower men and boys into and hoist them and coal from the said mines shall be engaged for a longer period than eight (8) hours out of each day of twenty-four (24) hours

Section 2702 An engineer placed in charge of an engine whereby persons are hoisted or lowered in any mine shall be a sober and competent person of not less than twenty-one (21) years of age

Section 2703 Every engineer shall work his engine slowly and with great care when any person is being lowered or hoisted in a shaft or slope and no one shall interfere with him while in the performance of this duty

Section 2704 of Article XXVII of the bill was read as follows

Section 2704 An engineer who has charge of the hoisting machinery by which persons are lowered or hoisted in a mine shall be in constant attendance for that purpose during the whole time any person or persons are below ground

Section 2705 Any person persons firm partnership corporation or their agents managers or superintendents violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) and not more than one hundred dollars ($100.00)

ARTICLE XXVIII

BOILERS AND CONNECTIONS

Section 2801 All boilers used for generating steam in and about mines and collieries shall be kept in good order and the owner operator or superintendent shall have them examined and inspected by a qualified person as often as once in six (6) months and oftener if necessary The result of such examination under oath shall be certified in writing to the inspector for the district within thirty (30) days thereafter

Section 2802 It shall not be lawful to place any boiler or boilers for the purpose of generating steam under or nearer than one hundred (100) feet to any coal breaker or other structure in which persons are employed in the preparation of coal Provided That this section shall not apply to boilers or breakers already erected or to boilers used for heating purposes only

Section 2803 Each nest of boilers shall be provided with a safety valve of sufficient area for the steam to escape and with weights or springs properly adjusted

Section 2804 Every boiler house shall be provided with a steam gauge properly connected with the boilers to indicate the steam pressure and another steam gauge shall be attached to the steam pipe in the engine house and they shall be placed in such position that the engineer or fireman can readily examine them and see what pressure is carried Such steam gauges shall be kept in good order tested and adjusted as often as once in every six (6) months and their condition reported to the inspector in the same manner as the report of boiler inspection

Section 2805 Every fireman in charge of a boiler or boilers for the generation of steam shall keep constant watch over the same He shall see that the steam pressure does not at any time exceed the limit allowed by the outside foreman or superintendent He shall frequently try the safety valve and shall not increase the weight on the same He shall maintain a proper depth of water in each boiler and if anything should happen to prevent this he shall report the same without delay to the foreman for the time being in charge and take such other action as may under the particular circumstances be necessary for the protection of life and preservation of property

ARTICLE XXIX

PROPS AND TIMBERS

Section 2901 It shall be the duty of the owner operator superintendent or mine foreman of every mine to furnish to the miners all props cap pieces ties rails timbers and other material necessary for the safe mininb of coal suitably prepared and delivered to the workmen as near to their working places as they can be conveyed in ordinary mine cars free of charge and where the mine car cannot reach the foot of a working place such material shall be conveyed there by other means Where cap pieces are used they shall be at least eighteen (18) inches long two (2) inches thick and wide enough to cover the ends of the props

Section 2902 Every workman in want of props ties rails or timbers shall notify the mine foreman or his assistant of the fact at least one day in advance giving the length of the props or timber required and in case of danger from loose roof or sides he shall not continue to cut or load coal until the said props and timber have been properly furnished and the place made secure

Section 2903 No person or persons working in any coal mine or colliery shall cut any props or timbers while the same are in position to support the roof or sides When it becomes necessary to remove any of the said props or timbers for any purpose it may be done by using prop or post pullers or by blasting

ARTICLE XXX

RETURNS AND NOTICES

Section 3001 Notices of death or serious injuries resulting from accidents in or about mines or collieries shall be made to the inspector of mines in writing and shall specify the name age occupation of the person killed or injured and also the nature and character of the accident and of the injury caused thereby

Section 3002 The owner operator or superintendent of a mine or colliery shall without delay give notice in writing to the inspector of the district in which said mine or colliery is situated in any or all of the following cases

First Where any working is commenced for the purpose of opening a new slope or mine to which this act applies

Second Where any mine is abandoned or the workings thereof discontinued

Third Where the working of any mine is recommenced after any abandonment or discontinuance for a period exceeding two (2) months

Fourth Before any new coal breaker is completed and work commenced therein for the purpose of preparing coal for market

Fifth Where the pillars of a mine are to be removed or robbed

Sixth Where a squeeze or crush or any other cause or change may seem to affect the safety of persons employed in any mine or where fire occurs or a dangerous body of gas is found in any mine

Section 3003 On or before the second day of each month the owner operator or superintendent of every mine or colliery shall send to the mine inspector of the district for the preceding month an estimate of the number of days worked tons produced and the number of men employed

Section 3004 On or before the first day of February in each year the owner operator or superintendent of every mine or colliery shall send to the inspector of the district a correct report specifying with respect to the year ending December thirty-first previously the name of the operator and officials of the mine with their postoffice addresses the quantity of coal mined the amount of powder or other explosives consumed and the number of persons employed above and below ground in or about such colliery classifying the persons so employed The report shall be in such form as may be from time to time prescribed by the Secretary of Mines Blank forms for such reports shall be furnished by the Commonwealth

ARTICLE XXXI

GENERAL RULES

Section 3101 The owner operator and superintendent of a mine or colliery shall use every precaution to insure the safety of the workmen in all cases whether provided for in this act or not and shall have supervision direction and control of the mine foreman and all other mine employes

Section 3102 Whenever a place is likely to contain a dangerous accumulation of water the working approaching such place shall not exceed twelve (12) feet in width and there shall be constantly kept at a distance of not less than twenty (20) feet in advance at least one (1) bore hole near the center of the working and sufficient flank bore holes on each side

Section 3103 Not more than ten (10) persons shall be hoisted or lowered at any one time in any shaft or slope and whenever five (5) persons shall arrive at the bottom of any shaft or slope in which persons are regularly hoisted or lowered they shall be furnished with an empty car or cage and be hoisted except however in mines where there is provided a traveling way having an average pitch of fifteen (15) degrees or less and not more than one thousand (1000) feet in length This however shall not prohibit the hoisting or lowering of twenty (20) persons at

one time on slopes where two (2) or more loaded cars are regularly hoisted Provided That not less than thirty (30) workman working therein make such a request in writing to the inspector of the district and if in his judgment the hoisting appliances in every respect are of sufficient strength he may comply with the request of the workmen And provided further That in any coal mine or colliery where the hoisting appliances are not of sufficient strength to hoist or lower the number of persons named he shall have the power to reduce the number of persons to be hoisted or lowered

Section 3104 When high explosives other than gunpowder are used in any mine the manner of storing keeping moving charging and firing or in any manner using such explosives shall be in accordance with special rules as furnished by the manufacturers of the same The said rules shall be endorsed with his or their official signatures and shall be approved by the owner operator or superintendent of the mine in which such explosives are used

Section 3105 Every passageway used by persons in any mine and also used for transportation of coal or other material shall be made of sufficient width to permit persons to pass moving cars with safety but if found impracticable to make any passageway of sufficient width then holes of ample dimensions and not more than one hundred and fifty (150) feet apart shall be made on one side of said passageway The said passageway and safety holes shall be kept free from obstructions and shall be well drained the roof and sides of the same shall be made secure

Section 3106 When locomotives are used in haulage ways in any mine their speed shall not exceed six (6) miles per hour and a red light shall be provided and attached to the front end of every train of cars pushed by the locomotive in any such haulage ways No locomotive shall be permitted to be used in any mine or colliery unless it is manned by two or more men There shall also be provided a red light to be attached to the rear of every train of cars that is pulled by a locomotive in the main haulage ways of any mine

Section 3107 Any person or persons who shall knowingly or wilfully damage or without proper authority remove or render useless any fencing means of signaling apparatus instrument or machine or shall throw open or obstruct any airway or open a ventilating door and not have the same closed or enter a place in or about a mine against caution or handle without proper authority or disturb any machinery or cars or do any other act or thing whereby the lives or health of persons or the security of the property in or about a mine or colliery is endangered shall be guilty of an offense against this act

Section 3108 When cars are run on gravity roads by brakes or sprags the runner shall ride only on the rear end of the last car and when said cars are run by sprags a space of not less than two (2) feet from the body of the car shall be made on one or both sides of the track wherever it may be necessary for the runner to pass along the side of the moving car or cars and said space or passageway shall always be kept free from obstructions

Section 3109 Safety holes shall be made at the bottom of all slopes and planes and be kept free from obstruction to enable the footman to escape readily in case of danger Such safety holes shall be properly heated in cold weather

Section 3110 Safety blocks or some other device for the purpose of preventing cars from falling into a shaft or running away on a slope plane or all other inclined tracks on which it may be necessary to block cars shall be placed at or near the head of every shaft slope plane or inclined track and said safety blocks or other device must be maintained in good working order

Section 3111 No person shall travel on any gravity plane while cars are being hoisted or lowered thereon Whenever ten (10) persons arrive at the bottom or top of any plane on which it is necessary for men to travel traffic thereon shall be suspended for a period of time long enough to permit them to reach the top or bottom of said plane

Section 3112 No mine cars shall be used in any mine unless the bumpers are of sufficient length and width to keep the bodies of said cars separated by not less than twelve (12) inches when the cars stand on a straight level road and the bumpers touch each other

Section 3113 For the purpose of making known the rules and the provisions of this act to all persons employed in or about such mine or colliery to which this act applies an abstract of the act and rules shall be posted up in legible characters in some conspicuous place or places at or near the mine of colliery where they may be conveniently read by the persons employed and so often as the same become obliterated or destroyed the owner operator or superintendent shall cause them to be renewed with all reasonable dispatch Any person who pulls down injures or defaces such abstract of the act or rules when posted up in pursuance of the provisions of this act shall be guilty of an offense against this act

Section 3114 Holes drilled for blasting purposes shall be stemmed to the mouth of the hole and in case of a misfire no stemming or charge shall be removed from such hole but another hole shall be drilled at least eighteen (18) inches from and parallel to the original hole Provided however That where an efficient sealing device is used stemming to the mouth of the hole shall not be necessary and in case of misfire in such sealed holes a second charge may be inserted to explode or destroy the original charge

Section 3115 Explosives shall be transported to the foot of a working place and no one other than the person or persons necessary for the transportation of such explosives shall be in or on the conveyance transporting them Such conveyance shall be properly insulated in all mines using electricity

Section 3116 A gangway or other working place from which chambers are driven or long wall mining is done in a law coal seam shall have a traveling way on one side of same atl east three (3) feet wide and five (5) feet high Chambers or other places driven from such gangways shall not be more than two hundred and fifty (250) feet long unless provided with a traveling way at least three (3) feet wide and three and one-half (3½) feet high

Section 3117 It shall not be lawful for any mine foreman or superintendent of any mine or colliery to employ any person who is not competent to understand the regulations of any mine evolving combustible gas Provided That this rule shall not apply to a section of a mine free from combustible gas

Section 3118 Any superintendent or mine foreman who prevents the footman from giving an empty car or cage to the number of men designated in section three thousand one hundred three shall be guilty of an offense against the provisions of this article and upon conviction shall be sentenced to pay a fine of fifty dollars ($50.00) for each offense An empty trip shall be hoisted in any shaft or slope where the engine has been standing idle for one hour or more before men are hoisted or lowered in said shafts or slopes and no person or persons shall ascend any shaft or slope when working on the night turn until one trip shall first be hoisted therein

Section 3119 When compressed air lines are located in close proximity to electric currents there shall be placed in such air lines at suitable places a safety section of rubber hose of not less than twelve (12) inches in length and of sufficient strength to withstand the air pressure contained in the pipe line Such safety device must be approved by the inspector of the district

Section 3120 In all stripping work which may be in connection with other sections of a mine and in which large charges of high explosives are being used sufficient warning must be given to the mine officials so that all men in the mine may be removed from the danger zone before such blasts are fired in any such strippings

ARTICLE XXXII

DEFINITION OF TERMS

Section 3201 In this act unless the context otherwise requires the term "anthracite coal mine or colliery" includes every operation and work both under ground and above ground used or to be used for the purpose of min-

ing and preparing coal and not included in the bituminous boundaries

Section 3202 The term "workings" includes all the excavated parts of a mine those abandoned as well as the places actually at work

Section 3203 The term "mine" includes all underground workings and excavations and shafts tunnels and other ways and openings also all such shafts slopes tunnels and other openings in course of being sunk or driven together with all roads appliances machinery and material connected with the same below the surface

Section 3204 The term "shaft" means a vertical opening through the strata and which is or may be used for the purpose of ventilation or drainage or for hoisting men or material in connection with the mining of coal

Section 3205 The term "slope" means any inclined way or opening used for the same purpose as a shaft

Section 3206 The term "breaker" means the structure containing the machinery used for the preparation of coal

Section 3207 The term "coal stripping" means an open type of mine from which the soil and all other material overlying the coal seam has been removed Any seam of coal whose thickness is less than three and one-half (3½) feet shall be considered a low coal seam

Section 3208 The terms "owner" and "operator" mean any person or body corporate who is the immediate proprietor or lessee or occupier of any coal mine or colliery or any part thereof The term "owner" does not include a person or body corporate which merely receives a royalty rent or fine from a coal mine or colliery or part thereof or is merely the proprietor of the mine subject to any lease grant or license for the working or operating thereof or is merely the owner of the soil and not interested in the minerals of the mine or any part thereof But any "contractor" for the working of a mine or colliery or part or district thereof shall be subject to this act as an operator or owner in like manner as if he were the owner

Section 3209 The term "superintendent" means the person who shall have on behalf of the owner general supervision of one or more mines or collieries

Section 3210 The term "mine foreman" means the person who shall have on behalf of the owner operator or superintendent charge of a mine with regard to the ventilation mining timbering and transportation of coal and the safety of the persons employed in the mine

Section 3211 The term "coal miner" means a person qualified by law to act as such and who cuts or blasts coal or rock at the face of a gangway airway breast or pillar or other working place in a mine and performs such other work as may be necessary in such working place for the extraction of coal

Section 3212 The term "booster fan" means a fan used to deliver the entire volume of one or more splits of air into the workings of the high resistance circuits

Section 3213 The term "auxiliary fan" means a fan used to deliver only a portion of the volume of the air in a split to the working face through tubing of some type

Section 3214 The term "non-gaseous mine or section thereof" means one in which not more than seven one-hundredths (7/100) of one percent of combustible gas can be found in the manner described in article fourteen of this act

Section 3215 The term "section of a mine" means any portion of such a mine that is being ventilated by one split of air

Section 3216 The term "person" means and includes any individual partnership association or corporation and any employe agent director or officer thereof

Definition of Electrical Terms

Section 3217 (a) Potential The terms "potential" and "voltage" are synonymous and mean electrical pressure

(b) Difference of Potential Term "difference of potential" means the difference of electrical pressure existing between any two points of an electrical system or between any piece of electrical apparatus and the earth as determined by a voltmeter

(c) Where the conditions of supply of electricity are such that normally the difference in potential between any points of the circuit cannot exceed three hundred and twenty-five (325) volts the supply shall be deemed a low voltage

(d) Where the conditions of the supply of electricity are such that the difference of potential between any two points in the circuit may at any time exceed three hundred and twenty-five (325) volts but cannot exceed six hundred and fifty (650) volts the supply shall be deemed a medium voltage

(e) Where the conditions of supply of electricity are such that the difference of potential between any two points in the circuit at any time exceeds six hundred and fifty (650) volts the supply shall be deemed a high voltage

(f) Grounding Grounding any part of an electrical system shall consist of so connecting such part to the earth as will insure at all times a proper path for the immediate discharge of electrical energy

(g) Underground stations as herein considered are places where electrical machinery including transformers are permanently installed

ARTICLE XXXIII

Arbitration

Section 3301 Whenever an inspector finds any mine or colliery or part thereof or any matter thing or practice connected with such mine which in any respect thereof is not covered or provided against by any provision of this act or by any rule to be dangerous or defective or which in his judgment tends to bodily injure a person he shall give notice thereof in writing to the owner operator or superintendent of such mine or colliery stating in such notice the particular matter or defect requiring remedy and may demand that the same be remedied but the owner operator or superintendent of said mine or colliery shall have the right to refer the demand of the inspector to a board of arbitration and the matter shall then be arbitrated within forty-eight (48) hours of the time such complaint or demand is made and the party against whom the award is given shall pay all costs attending the case The said board of arbitration shall be composed of three (3) persons one of whom shall be chosen by the inspector one by the said owner operator or superintendent and a third by the two thus selected and the decision of a majority of such board shall be final and binding in the matter

ARTICLE XXXIV

Injunctions

Section 3401 Upon application of the inspector of mines of the proper district acting in behalf of the Commonwealth any of the courts of law or equity having jurisdiction where the mine or colliery proceeded against is situated whether any proceedings have or have not been taken shall prohibit by injunction or otherwise the working of any mine or colliery in which any person is employed or is permitted to be for the purpose of working in contravention of the provisions of this act and may award such costs in the matter of the injunction or other proceedings as the court may think just but this section shall be without prejudice to any other remedy permitted by law for enforcing the provisions of this act Written notice of the intention to apply for such injunction in respect to any mine or colliery shall be made to the owner operator or superintendent of such mine or colliery not less than twenty-four (24) hours before the application is made

ARTICLE XXXV

Penalties

Section 3501 Any person or persons who shall neglect or fail to comply with any of the provisions of articles five (V) seven (VII) nine (IX) ten (X) eleven (XI) twelve (XII) fourteen (XIV) fifteen (XV) sixteen (XVI) twenty-one (XXI) twenty-two (XXII) twenty-five (XXV) twenty-six (XXVI) twenty-eight (XXVIII) twenty-nine (XXIX) thirty (XXX) or thirty-one (XXXI) of this act shall be guilty of an offense against this act

Such offenses against this act are declared to be misdemeanors

Section 3502 Any judge of the Court of Quarter Sessions

of the peace of the county in which a mine or colliery at which an offense against this act as hereinafter stated has occurred is situated is hereby authorized and required upon the presentation to him of the affidavit of any citizen of the Commonwealth setting forth that the owner operator or superintendent or any other person employed in or about such mine or colliery has been negligently guilty of an offense against the provisions of this act whereby a dangerous accident has resulted or might have resulted to any person or persons employed in such mine or colliery to issue a warrant to the sheriff of said county directing him to cause such person or persons to be arrested and brought before said judge who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted he or they shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) in all cases not otherwise provided for in this act or to undergo an imprisonment in the county jail for a period not exceeding three (3) months or both at the discretion of the court Provided Tha any defendant may waive trial before a judge as herein provided and at any time at or before the time of such trial demand a trial by a jury in the Court of Quarter Sessions in which case he may enter into a recognizance before said judge with such surety or sureties and in such sum as said judge may approve conditioned for his appearance at the next Court of Quarter Sessions to answer the charge against him and abide the orders of the court in the premises meanwhile to be of good behavior and keep the peace or in default of such recognizance to be committed to the county jail to await such trial

Section 3503 If any person shall feel himself aggrieved by such conviction and sentenced before a judge as aforesaid he may appeal therefrom subject to the following conditions namely the appellant shall within seven (7) days after the decree has been made give notice to the prosecutor of his intention to appeal and within the same time enter into a recognizance with such surety or sureties and in such sum as shall be approved by said judge conditioned to appear and try such appeal before the next Court of Quarter Sessions of the peace and to abide the judgment of the court thereon and to pay all such costs and penalties as may be there awarded and upon compliance with such conditions the judge shall release the appellant from custody pending the appeal

Section 3504 Nothing in this act shall prevent any person from being indicted or liable under any other act to any higher penalty or punishment than is herein provided and if the court before which any such proceeding is had shall be of the opinion that proceedings ought to be taken against such persons under any other act or otherwise it may adjourn the case to enable such proceedings to be taken

Section 3505 All fines imposed under this act shall be paid into the county treasury for the use of the county

Section 3506 No conviction or acquittal under this act in any complaint shall be received in evidence upon the trial of any action for damages arising from the negligence of any owner operator or superintendent or employe of any mine or colliery

Section 3507 For any violation of duty by the mine inspector prescribed by this act he shall be deemed guilty of a misdemeanor and upon conviction be sentenced to pay a fine of not more than three hundred dollars ($300.00) or be imprisoned for a period not exceeding three (3) months either or both at the discretion of the court

Section 3508 The mine foreman and assistant mine foreman and any person placed in charge of the works or any part thereof shall be the agents of the owners and operators and such owners and operators shall employ them and discharge them at will

ARTICLE XXXVI

Effective Date

Section 3601 This act shall become effective immediately upon its final enactment Provided however That a period of six (6) months shall be allowed for mine owners operators or superintendents to adapt their mines to comply with the changes made in the existing law by this act and that this time may be extended by the Secretary of Mines for a further period not exceeding six (6) months upon sufficient cause being shown by the owners operators or superintendents of their inability to comply with the provisions of this act within the time herein specified

ARTICLE XXXVII

Repealer

Section 3701 Repeals The following acts and parts of acts of assembly are hereby repealed as respectively indicated

The act approved the ninth day of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred fifty-four) entitled "An act to provide for the recovery of the bodies of workmen enclosed buried or entombed in coal mines" insofar as it relates to anthracite mines

The act approved the second day of June one thousand eight hundred ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" and its amendments

The act approved the fifteenth day of June one thousand eight hundred ninety-seven (Pamphlet Laws one hundred fifty-seven) entitled "An act for the better protection of employes in and about the coal mines by preventing mine superintendents mine foremen and assistants from receiving or soliciting any sums of money or other valuable consideration from men while in their employ and providing a penalty for violation of the same" insofar as it relates to anthracite mines

The act approved the twenty-ninth day of May one thousand nine hundred one (Pamphlet Laws three hundred forty-two) entitled "An act relating to anthracite mines and providing for the care and life and attention of employes injured in and about said mines" and its amendments

The act approved the twenty-eighth day of May one thousand nine hundred seven (Pamphlet Laws two hundred seventy) entitled "An act making the removing obliterating or destroying tickets cards tin-slip or other device used to indicate or to identify persons loading coal in cars from mine-cars a misdemeanor and providing penalty therefor" insofar as it relates to anthracite mines

The act approved the twenty-ninth day of April one thousand nine hundred eleven (Pamphlet Laws one hundred two) entitled "An act to provide for the safety of persons employed in and about the anthracite coal-mines of this Commonwealth and to limit the hours of labor of hoisting-engineers employed at or about the same and fixing a penalty for the violation of this act"

The act approved the fifteenth day of June one thousand nine hundred eleven (Pamphlet Laws nine hundred seventy-nine) entitled "An act to safeguard life in the coal mines of the Commonwealth of Pennsylvania and to protect and preserve the property connected therewith by providing that all inside buildings shall be constructed of incombustible material and providing penalties for failure to comply with the terms of this act and making a violation thereof by mine superintendents a misdemeanor" insofar as it relates to anthracite mines

The act approved the twenty-fifth day of July one thousand nine hundred thirteen (Pamphlet Laws one thousand thirty-eight) entitled "An act requiring any invididual firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars providing that said record shall be the final basis in computing the miners' earnings per car without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal providing further that said record shall be open for the inspection of all miners and providing penalties for failure to comply with the provisions of this act"

The act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and terms of office and abolishing the terms of office of the present mine inspectors of the anthracite mines"

All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. HOWELL. Mr. President, I ask unanimous consent to amend section 303 (b), page 8, by adding after line 2 the following:

or they shall give to the Board satisfactory evidence of having had at least ten (10) years of practical experience in the Anthracite coal mines of this Commonwealth, five (5) years of which they shall have served as qualified mine foremen or qualified assistant mine foremen, possesing mine foremen's or assistant mine foremen's certificates and one year of which they shall have served as qualified coal miners, possessing miners' certificates engaged in the actual practice of cutting and blasting coal or rock at the face of a gangway, airway, breast, pillar or other working place in a mine and in performing such other work in such working places as is necessary for the extraction of coal.

Amend Section 304, page 9 so as to read as follows:

Section 304: Examination shall be in writing and the applicants who have made an average of at least (eighty) ninety per cent, including proper allowances for experience shall be deemed successful but in no case shall the allowances for experience be more than (twenty-five) fifteen per cent.

Amend Section 606, page 19, to read as follows:

Section 606: Certificates of qualification to mine foremen and assitant mine foremen in the anthracite mines shall be issued by the Secretary of Mines to each applicant who has passed a successful examination and has given satisfactory evidence of having had at least five (5) years practical experience (as a coal miner) in the anthracite mines of the Commonwealth of Pennsylvania and of good conduct capability and sobriety. Applicants shall be citizens of the United States and residents of the Commonwealth and be at least twenty-five years of age. The certificates shall be in such manner and form as shall be prescribed by the Secretary of Mines and a record of all certificates granted shall be kept in the Department of Mines. Each certificate shall contain the full name, age, and place of birth of the applicant and also the length and nature of his previous service in the mines. Before the examination for certificates of qualification to mine foremen and assistant mine foremen in the anthracite mines each applicant shall pay a fee of two dollars ($2.00) and each successful applicant shall pay an additionl fee of three dollars ($3.00) before receiving a certificate. The money thus received from applicants shall be transmitted to the Secretary of Mines to be deposited in the State Treasury. In case of loss or destruction of a certificate the Secretary of Mines shall upon the presentation of satisfactory evidence of loss or destruction issue a copy of the certificate to the original possessor on the payment of the sum of one dollar ($1.00).

Amend Section 701, page 21, to read as follows:

Section 701: It shall be the duty of every mine foreman on arrival at his office every morning without delay to make inquiry from his assistants as to the condition of the mine or part thereof under their charge and if any dangerous thing is reported to him by any assistant that may affect the safety of the workmen he shall have the same remedied without delay. If any dangerous condition is discovered by any assistant, he shall take immediate steps to correct the same and report the same to the Mine Foreman without delay.

Amend Section 706, page 23, to read as follows:

Section 706: (In all mines the mine foreman or his assistant shall make a careful examination every morning) In all gaseous (B and C Classes) mines, which in the opinion of the local Inspector require inspection, the Mine Foreman or his assistant or a competent person to be selected by the Mine Foreman, who in the opinion of the Mine Foreman is qualified to make the necessary examination of a working place or places, shall make a careful examination every morning of all working places and traveling roads and all other places which might endanger the safety of the workmen before the workmen shall enter the mine and such examination shall be made with a safety lamp within three (3) hours at most before time for commencing work and a workman shall not enter the mine or his working place until the said mine or part thereof and working place are reported to be safe. Every report shall be recorded without delay in a book which shall be kept at the colliery for the purpose and shall be signed by the person making the examination. Provided, That in cases of emergency as from sickness or other causes the mine foreman may designate a competent person to make such examinations.

Amend Section 708, pages 23-24, to read as follows:

Section 708: (A station or stations shall be established at the entrance to each mine or different parts of each mine as the case may require and a workman shall not pass beyond any such station until the mine or parts of the mine beyond the same have been inspected and reported to be safe. It shall be the duty of the mine foreman to designate some competent person or persons to stand guard at the station from the time that persons begin to enter the mine until the mine or part of the mine shall have been examined and reported to be safe and the said guard shall not allow any person to pass such station without permission from the mine foreman or the assistant foreman)

Section 708: It shall be the duty of the Mine Foreman to establish at the entrance to each Class B and C mines or at the entrance to such separate sections of such mines as may require it, a station or stations clearly barricaded and no workman shall pass beyond such barricade until the mine or that portion beyond such a clearly barricaded station has been inspected and reported to be safe.

Amend Section 710, page 24, to read as follows:

Section 710: (The mine foreman or his assistant shall visit and examine every working place in the mine every working day while the men of such place are or should)

Section 710: The Mine Foreman or his assistant shall visit and examine every working place in the mine every working day and if safe and practicable, this visit and examination shall be made while the men of such place are or should be at work and shall direct that each and every working place is properly secured by props or timber and that safety in all respects is assured by directing that all loose coal or rock shall be pulled down or secured and that no person shall be permitted to work in an unsafe place unless it be for the purpose of making it secure. Provided, however, that if the mine is idle (forty-eight (48) hours or more) the mine foreman or his assistant shall examine every working place (the day) three (3) hours before operations are resumed.

Amend Section 712, page 25, to read as follows:

Section 712: In every shaft or slope in which provision is made in this act for lowering and hoisting persons a headman and) or footman shall be designed by the superintendent or foreman to be at their proper places from the time that persons begin to descend until all the persons waiting on the surface shall have been lowered into the mine and likewise from the time that persons quitting work arrive at the bottom of the shaft or slope until they shall have been hoisted. Such headman or footman or both as the case may be shall personally at-

tend to the signals and see that the provisions of this act in respect to lowering and hoisting persons in shafts and slopes shall be complied with.

Amend Section 904, page 35, to read as follows:

Section 904: When a miner or other workman is about to fire a blast he shall be careful to notify all persons who may be in danger therefrom and shall give sufficient alarm before firing any blast (and after igniting the match) by any means whatsoever so that any person or persons who may be approaching shall be warned of the danger.

Amend Section 910, page 37, to read as follows:

Section 910: In charging holes for blasting in coal slate or rock no miner or other workman in any mine shall use an iron or steel pointed needle. The end of (the) any metal tamping bar must be tipped with at least six (6) inches of copper or other soft metal. The hole must be large enough to admit freely the cartridge containing the explosive and in no case shall a tight cartridge be rammed into a hole.

Amend by adding new section on page 38, to read as follows:

Section 918: No workman shall pass a fenced off place, a fenced off traveling way, or a designated danger station unless accompanied by a colliery official or unless he has been directed by a colliery official to pass such place, fenced off traveling way, or such designated danger station, for the purpose of making such place or places safe.

Amend Section 1218, page 54, to read as follows:

Section 1218: No auxiliary or booster fan shall be allowed in any Class C mine unless a request in writing be made by the superintendent of such mine to the mine inspector of the district and permission granted by him to install such fan.

Amend Section 1219, page 54, to read as follows:

Section 1219: Auxiliary (or booster) fans driven by electric power shall not be used in gaseous mines (C class) unless the motors of such fans are enclosed in explosion proof casings approved by the United States Bureau of Mines. All such fans must be located so that there shall be maintained at all times a positive separation of inlet and outlet air currents.

Amend Section 1220, page 55, to read as follows:

Section 1220: (All main fans used to ventilate gaseous mines (both B and C classes) shall be operated continuously if for any reason except repairs it is desired to stop such fan or fans the owner operator or superintendent of such mine or mines shall first make a request in writing to the inspector of the district and he may grant or refuse such request. During any period in which repairs are being made to any such fan or fans or in which for any reason any such fans are stopped no person or persons except those necessary to make examinations for gas and operate pumps shall be allowed in any such gaseous mine or mines. All such examinations shall be made with an approved safety lamp.

Section 1220: All main fans used to ventilate gaseous mines shall be operated continuously when necessary for the safety of the men employed therein and when the Mine Inspector so orders. During any period in which repairs are being made to any such fan or fans or for any reason, any such fans are stopped, no person or persons shall be allowed in any gaseous part of said mine except for the purpose of making examinations and observations of gaseous conditions. All such examinations shall be made with an approved safety lamp.

Amend Section 1221, page 55, to read as follows:

Section 1221: (Whenever a gaseous mine (both B and C Classes) suspends operations temporarily and the ventilating fans continue to operate the mine shall be examined at least once a week in the same manner as if in operation and report of such examination shall be made in the colliery report book and signed by the person making the examination)

Section 1221: Whenever a mine suspends operations temporarily and is being maintained in readiness for operation, the mine shall be examined at least once a week in the same manner as if in operation and a report of such examination shall be made in the colliery report book and signed by the person making the examination.

Amend Section 1222, page 55, to read as follows:

Section 1222: (All main fans used to ventilate (A class) mines shall be operated continuously. If for any reason except repairs it is desired to stop such fan or fans the owner operator or superintendent of such mine or mines shall first make request in writing to the mine inspector of the district and he may grant or refuse such request.)

Section 1222: When non-gaseous (Class A) mines in which mining has been suspended and fans stopped during such idle periods, before such mine or mines resume mining, all such fans shall be put in operation at least twelve (12) hours before work is resumed. An examination of all working places, haulage roads, traveling roads, etc., shall be made before the men are allowed to enter the mine.

Amend Section 1504, page 59, to read as follows:

Section 1504: In gaseous mines (C class) high voltage transmision cables shall be installed in the intake airways or in bore holes provided such bore holes are in or (connected to intake airways) connected to intake airways unless specific permission to install high voltage cables has been given by the Inspector in writing and in response to a specific written request.

Amend 1507, page 59, to read as follows:

Section 1507: (In underground stations where switchboards are installed there shall be a passageway in front and in the rear of the switchboard not less than three (3) feet in the clear.

When medium voltage is used insulating floors or mats shall be provided where live metal work is on the front of the board. When high voltage is used unless installed in a locked room to which only authorized persons are admitted all live metal parts on the front of the main switchboard within seven (7) feet of the floor or platform shall be guarded so as to prevent persons from coming in contact with such live parts. The floor back of the board shall be made of incombustible material and be insulated.

Section 1507: In underground stations where switchboards are installed there shall be a passageway in front of the switchboard not less than three (3) feet in the clear. The rear of said switchboard must be fenced off so that there is no passageway in the rear, or if this be impracticable any such passageway must be three (3) feet in the clear.

When medium voltage is used insulating floors or mats shall be provided where live metal work is on the front of the board. When high voltage is used, unless installed in a locked room to which only authorized persons are admitted, all live metal parts on the front of the main switchboard within seven (7) feet of the floor or platform shall be guarded so as to prevent persons from coming in contact with such live parts. The floor back of the board shall be made of incombustible material. Provided, however, that this section does not apply to switchboards now in service or extensions thereof.

Amend Section 1527, page 64-65, to read as follows:

Section 1527: (Where electric transformers are located on the outside there shall be provided walkways or platforms around such structures so that examinations and inspections can be made of the same.

All such transformers within eight (8) feet of the ground shall be protected by fencing such fencing to be of a height that will prevent persons from inadvertently coming in contact with the transformers within.)

Section 1527: Where electric transformers are located on the outside and mounted on steel structures there shall be provided proper walkways or platforms so that examinations or inspections of the same can be made. All transformers within eight (8) feet of the ground shall be protected by fencing, such fencing to be of a height that will prevent persons from inadvertently coming in contact with same.

Amend Section 1528, page 65, to read as follows:

Section 1528: At all surface plants of collieries and in all mines where electric power is used adequate switches shall be provided at the points where it may (be necessary to turn power on or off. Such switches ex-

cept those on D C feeder or trolley circuits shall be so arranged that they can be operated only from without the box when the latter is completely closed) SC be necessary to turn power on or off. Such switches, except high voltage air brake and disconnecting switches, and those on D C feeder or on trolley circuits, shall be so arranged that they can be operated only from and without the box when the latter is completely closed.

Amend Section 1701, page 67, to read as follows:

Section 1701: It shall be unlawful to operate any anthracite mine in the State of Pennsylvania employing more than (ten (10)) five (5) persons unless said mine is provided with a sufficient quantity of medical supplies bandages liens splints woolen and waterproof blankets. The mine foreman or his assistant shall keep a record showing the required articles on hand. Said articles shall be stored in rooms erected at a convenient place in the mine and on the surface which rooms shall not be less than eight by twelve feet and sufficiently furnished lighted clean and ventilated so that therein medical treatment may be given injured employes in case of emergency. The furnishings shall be sufficient to accommodate two or more persons in a reclining and sitting posture. In mines where five (5) men or less are employed there shall be kept at such mines first aid kits so that first aid to the injured may be rendered in case of necessity.

Amend Section 2801, page 82, to read as follows::

Section 2801: All boilers used for generating steam in and about mines and collieries shall be kept in good (condition) order and the owner operator or superintendent shall have them examined and inspected by a qualified (inspector properly certified by the Commonwealth) person as often as once in six (6) months and oftener if necessary. The result of such examination under oath shall be certified in writing to the inspector for the district within thirty (30) days thereafter.

Amend Section 2901, page 84, to read as follows:

Section 2901: [It shall be the duty of the owner operator superintendent or mine foreman of every mine to furnish to the miners all props cap ties rails and timbers] timbers and other materials necessary for the safe mining of coal suitably prepared and delivered to the workmen as near to their working places as they can be conveyed in ordinary mine cars free of charge and where the mine car cannot reach the foot of a working place such [timber] material shall be conveyed there by other means. Where cap pieces are used they shall be at least eighteen (18) inches long two (2) inches thick and wide enough to cover the end of the props]

Section 2901: It shall be the duty of the owner, operator, superintendent or mine foreman of every mine to furnish to the miners all props, ties, rails and timbers necessary for the safe mining of coal and for the protection of the lives of the workmen. Such props, ties, rails, and timbers shall be suitably prepared and shall be delivered to the workmen as near to their working places as they can be conveyed in ordinary mine cars free of charge.

Amend Section 3115, page 91, by eliminating entire section.

Section 3115: (No one other than the person or persons necessary for the transportation of explosives shall be in or on the conveyance transporting them. Such conveyance shall be properly insulated in all mines using electricity.)

Amend Section 3117, page 91, to read as follows:

Section 3117: A gangway or other working place from which chambers are driven or long wall mining is done in a low coal seam shall have a traveling way on one side of same at least three (3) feet wide and five (5) feet high. Chambers or other places driven from such gangways shall not be more than (two hundred and fifty (250) three hundred (300) feet long unless provided with a traveling way at least three (3) feet wide and three and one-half (3½) feet high.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

ADJOURNMENT

Mr. OWLETT. Mr. President, I move that the Senate do now adjourn.

Mr. WOLFENDEN. Mr. President, I second the motion.

The PRESIDENT, Taking judicial notice that there is no quorum, the motion is not accepted.

Mr. KILGALLEN. Mr. President, I understand that one of the Senators desires to present an amendment to a bill, and it seems to me that we have been here for a time, in which to permit another amendment to be presented for some other bill, and I think in all fairness we should allow this Senator to present this amendment before we adjourn.

Mr. OWLETT. Mr. President, The Chair has already ruled that there is not a quorum here, so that we cannot consider any motion to amend a bill anyways.

POINT OF ORDER

Mr. LAW. Mr. President, I rise to a point or order.

The PRESIDENT. The Senator from Mercer, Mr. Law, will state his point of order.

Mr. LAW. Mr. President, my point of order is that the Chair should not so rule because no member from the floor suggested the absence of a quorum.

The PRESIDENT. The Chair rules that he can take judicial notice to the fact that a quorum is not present.

Mr. WOLFENDEN. Mr. President, the motion to adjourn is not debatable.

The PRESIDENT. That is true.

Mr. LAW. Mr. President, to keep the records straight for future proceedings, I would suggest that the Chair has no way of determining that there is not a quorum unless the roll is called.

Mr. FREY. Mr. President, I ask for a call of the house.

The PRESIDENT. The Clerk will poll the Senate.

POINT OF ORDER

Mr. DENT. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Westmoreland, Mr. Dent, will state his point of order.

Mr. DENT. Mr. President, the motion to adjourn the Senate is not amendable and not debatable.

The PRESIDENT. The Chair did not receive the motion. There was a motion pending before the second motion by the Senator from Tioga, Mr. Owlett, and the Senator from Lancaster, Mr. Homsher. It seems to the Chair, the vote on the motion to adjourn would determine the issue.

Mr. OWLETT. Mr. President, it would.

The PRESIDENT. If there is no objection, the Chair will put the motion to adjourn.

POINT OF ORDER

Mr. FREY. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Allegheny, Mr. Frey, will state his point of order.

Mr. FREY. Mr. President, my point of order is that I made a motion for a call of the House.

The PRESIDENT. The parliamentary situation was that there was a motion pending to adjourn before the Senator from Allegheny, Mr. Frey, asked for a poll of the Senate.

POINT OF ORDER

Mr. HOMSHER. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Lancaster will state his point of order.

Mr. HOMSHER. Mr. President, my point of order is that it requires four members of the Senate to make a call of the House.

Mr. DENT. Mr. President, in order to bring the thing to an issue, or the issue rather to a vote, I move the previous question.

POINT OF ORDER

Mr. OWLETT. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Tioga, Mr. Owlett will state his point of order.

Mr. OWLETT. Mr. President, there has been a motion made to adjourn, which has been seconded, and that has been the only thing that is in order, and I ask that the motion be voted upon.

The PRESIDENT. The motion was to adjourn to a definite time and that motion is debatable, that is what we are hearing at the moment.

POINT OF LEGISLATIVE INQUIRY.

Mr. LAW. Mr. President, I rise to a point of legislative inquiry.

The PRESIDENT. The Senator from Mercer. Mr. Law, will state his point of legislative inquiry.

Mr. LAW. Mr. President, was this motion to adjourn to a definite time or was it simply an adjournment motion?

Mr. OWLETT. Mr. President, Monday evening, 9:00 o'clock, was the motion in accordance with the resolution previously passed by this Senate.

The PRESIDENT. That is true.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. LAW. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Westmoreland, Mr. Dent, will state his question of parliamentary inquiry.

Mr. DENT. Mr. President, when a motion is made that is debatable and there is a call for the previous question, that previous question becomes the next question before the house?

The PRESIDENT. The Chair thinks it is far fetched.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. LAW. Mr. Presidest, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Mercer, Mr. Law. will state his question of parliamentary inquiry.

Mr. LAW. Mr. President, my question of parliamentary inquiry is whether in the present case we are voting whether the previous motion shall be put, or whether we are voting on the motion.

The PRESIDENT. The previous question, if put, would be the motion to adjourn, that is the previous question.

Mr. LAW. Mr. President, this is an affirmative motion, and I inquire whether a vote 'aye' means that the previous question shall be put.

The PRESIDENT. I would say that the motion is a neutral motion, rather than an affirmative or a positive motion.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. OWLETT. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Tioga, Mr. Owlett, will state his question of parliamentary inquiry.

Mr. OWLETT. Mr. President, may I ask why the motion to adjourn is not put to the Senate?

The PRESIDENT. The Chair has been listening to debate on parliamentary inquiry and a lot of motions, all of which has constituted a part of the debate on the original motion. The motion to adjourn at a definite date is debatable.

Mr. OWLETT. Mr. President, there is no debate, why cannot we have a roll call on it?

Mr. LAW. Mr. President, if they desire to debate, I am willing to talk on any particular point, and I will ask the members, in view of the fact that the 4th of July comes on Sunday, we should go into this question at great length, and consider it fully, irrespective of party privilege and everything else. I think we should proceed to consider this, and I would suggest that if it is necessary that a committee of legislative inquiry be appointed to go into this question as to whether we may adjourn to a particular time without debate or with debate, or with a particular date specified, or whether it should be necessary.

Mr. DENT. Mr. President, in order that the Senator from Mercer shall have his fifteen minutes, I will ask to tell a few stories myself on why we should not adjourn from now until the 1st or 4th of July, which he is speaking about or that we should adjourn on Monday night, but in order to bring this to a point, I call for the previous question.

POINT OF ORDER

Mr. LAW. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Mercer, Mr. Law, will state his point of order.

Mr. LAW. Mr. President, my point of order is that there is no motion for the previous question.

Mr. OWLETT. Mr. President, there is a motion before the Senate, and I ask for a roll call on the motion.

The motion is to adjourn until next Monday evening, at 9:00 o'clock. The Chair is not going to stultify himself by withholding action on the motion unless there is debate.

And the question recurring,

Will the Senate agree to the motion?

A division being called for 13 Senators voted in the affirmative and 5 in the negative, whereupon the question was decided in the affirmative.

The Senate adjourned at 8:27 o'clock p. m. until Monday evening, May 24, 1937, at 9:00 o'clock p. m.

HOUSE OF REPRESENTATIVES

FRIDAY, MAY 21, 1937

The House met at 12:00 noon.
The SPEAKER (Roy E. Furman) in the Chair.

PRAYER

The Chaplain, Rev. EPHRAIM Z. GALLAHER, offered the following prayer:

Our heavenly Father, we believe in the efficacy of prayer. Thus it is that we call upon Thee to direct our actions this day. It is fitting and proper that we begin our daily session with prayer, but may we keep in mind that he prayeth best who liveth best; that prayer is not words of rhetorical beauty. It is a life fashioned after Thy will and purpose. So may we always pray.

In Christ's name Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when on motion of Mr. WATKINS, the further reading was dispensed with and the Journal approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1733

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1733, Printer's No. 823, entitled, "An Act to amend section four hundred six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled 'An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto' by further regulating depositories of funds of counties of the second class."

GEORGE H. EARLE.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 958 and 1467

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 959, Printer's No. 630, entitled "An Act making an appropriation to the Department of Forests and Waters for the completion of the dike or river bank protection along the Delaware River at Milford Pike County Pennsylvania."

House Bill No. 1467, Printer's No. 560, entitled "An Act to amend section one thousand six hundred seven of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled 'An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith' as amended providing for the furnishing of the National Flag Code to certain pupils and for the use thereof."

GEORGE H. EARLE.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 528, 859, 914, 1273, 1464, 1562 and 2154

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 528, Printer's No. 792, entitled "An Act authorizing the Secretary of Property and Supplies to sell and convey a certain lot of ground in Jackson Township Lebanon County."

House Bill No. 859, Printer's No. 409, entitled "An Act to further amend section four of the act approved the third day of June one thousand nine hundred and eleven (P. L. 639) entitled as amended 'An act relating to the right to practice medicine and surgery in the Commonwealth of Pennsylvania and providing a Bureau of Medical Education and Licensure as a bureau of the Department of Public Instruction and means and methods whereby the right to practice medicine and surgery and any of its branches may be obtained and exemptions therefrom and providing for an appropriation to carry out the provisions of said act and providing for revocation and suspension of licenses by said bureau and providing penalties for violation thereof and repealing all acts or parts of acts inconsistent therewith' by changing the requirements of medical educational institutions."

House Bill No. 914, Printer's No. 206, entitled "An Act requiring the Department of Public Instruction to collect past due fees and penalties before issuing renewal licenses or registration certificates to persons engaged in professions trades or occupations requiring such renewals."

House Bill No. 1273, Printer's No. 808, entitled "An Act to amend section eleven of the act approved the sixth day of June, one thousand eight hundred and ninety-three (P. L. 335), entitled "An act to provide for the consolidation of boroughs, and the government and regulation thereof"; making further regulations for the election of justices of the peace in such consolidated boroughs.

House Bill No. 1464, Printer's No. 574, entitled "An Act providing for the creation of a Board of Arbitration of Claims arising from contracts with the Commonwealth providing for and regulating the procedure in prosecuting claims before such Board defining the powers of the Board and fixing the compensation of members and employes thereof providing that the awards of such Board shall be final providing for the payment of awards and authorizing an appropriation."

House Bill No. 1562, Printer's No. 797, entitled "An Act to amend section one of the act approved the first day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand four hundred six) entitled "An act authorizing the Attorney General under certain conditions to enter into agreements to collect certain claims from boroughs for the maintenance of State highways in installments after such claims have been reduced to judgment and to compound certain judgments" by extending the act to all pending claims of the Department

of Highways against boroughs for the construction reconstruction or maintenance of State highways

House Bill No. 2154, Printer's No. 949, entitled "An Act authorizing the Commonwealth to negotiate temporary emergency loans to defray the current and other expenses of the State government during the two fiscal years beginning the first day of June one thousand nine hundred thirty-seven evidence by tax anticipation notes secured by and payable from current revenue levied assessed collectible and accruing during such two fiscal years defining the powers and duties of the Governor the Auditor General and the State Treasurer in relation thereto providing for the payment of interest on and the repayment of such loans and making an appropriation

GEORGE H. EARLE.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 23.

An Act making an appropriation out of the Motor License Fund to carry into effect the provisions of the act approved the nineteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws one thousand three hundred forty-eight) entitled "An act creating a commission to compile edit publish and distribute pamphlets descriptive of scenic and historic interest and making an appropriation" and its amendments and defining the purposes for which said appropriation may be expended.

SENATE BILL No. 337.

An Act relating to memorial halls in counties of the second class erected in memory of the soldiers sailors and marines who served in the Civil War and providing for the use upkeep and management and control of such halls

SENATE BILL No. 377.

An Act to reenact and further amend the title and the act approved the first day of June one thousand nine hundred and thirty-three (Pamphlet Laws 1409) entitled "An act authorizing the Secretary of Highways to enter into agreements relating to support for State highway right of ways underlaid by coal and for the ascertainment and assessment of damages sustained by reason of the obligation to furnish such support whether the damages are payable by the Commonwealth or a county" by extending said act as amended to all counties of this Commonwealth and further clarifying the provisions of the act.

SENATE BILL No. 425.

An Act for the protection of the health and welfare of women and minors by regulating under the police power the minimum fair wages which shall be paid by employers providing for wage boards and defining the powers and duties of such boards and of the Department of Labor and Industry imposing duties on employers providing for directory and mandatory orders on employers and the publication of the names of employers who do not comply with such orders exempting certain persons from the provisions of this act and providing penalties.

SENATE BILL No. 560.

An Act providing for the acquisition of the Daniel Boone Homestead by the Department of Property and Supplies and for its management and development by the Pennsylvania Historical Commission and making an appropriation.

SENATE BILL No. 562.

An Act making an appropriation to the Seventy-fifth Anniversary of the Battle of Gettysbury Commission.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

BILL INTRODUCED AND REFERRED

By Mr. WAGNER. HOUSE BILL No. 2402.

An Act making an appropriation to the Flagship Niagara Commission.

Referred to the Committee on Appropriations.

RESOLUTION INTRODUCED AND REFERRED

By Mr. HERING. RESOLUTION No. 92.

In the House of Representatives, May 19, 1937.

Whereas, In the City of Philadelphia, there are many districts that are densely populated; and

Whereas, In many of these districts, not only are the housing conditions unsafe, but there are no playgrounds or recreation centers in which the children might play; and

Whereas, In one district of Philadepphia, comprising of the thirty-first ward, there are crowded together many thousands of people in a comparatively small area, and within that district there exists not a single playground or recreation center for the children; and

Whereas, In the above-mentioned ward, there is a very large percentage of accidents involving children, and it is the opinion of many persons that the source of these accidents is due to overcrowding and the absence of playgrounds and recreation centers in this district; therefore, be it

Resolved, That the House of Representatives of Pennsylvania hereby urge the Mayor and the Council of the City of Philadelphia to make an immediately survey of these needs and to institute a broad program of playground and recreation center construction at the earliest possible date; and be it further

Resolved, That a copy of this resolution be sent, by the Chief Clerk of the House, to the Mayor and to the Secretary of the Council of the City of Philadelphia.

Referred to the Committee on Rules.

SENATE MESSAGE

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 141.

An Act making an appropriation to the Supreme Court for a portrait of the former Chief Justice of said court.

HOUSE BILL No. 142.

An Act making an appropriation to the Supreme Court for a portrait of the Chief Justice of said court.

HOUSE BILL No. 392.

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

HOUSE BILL No. 393.

An Act making an appropriation to the Department of Health for the purpose of draining flooded mines and quarries in this Commonwealth to recover human bodies lost therein.

HOUSE BILL No. 956.

An Act making an appropriation out of the Motor

License Fund to the Auditor General, State Treasurer and Secretary of Highways as the Commission of the Commonwealth of Pennsylvania, for the acquisition of a bridge over the Delaware River between the Commonwealth of Pennsylvania and the State of New York at Lackawaxen.

HOUSE BILL No. 957.

An Act making an appropriation out of the Motor License Fund to the Delaware River Joint Toll Bridge Commission for the purpose of acquiring the toll bridge at Dingman's Ferry over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey.

HOUSE BILL No. 1021.

An Act for the protection of employes by prohibiting those in authority over such employes to threaten or intimidate employes failing or refusing to sign petitions.

HOUSE BILL No. 1080.

An Act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day.

HOUSE BILL No. 1144.

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of the costs incurred by that department in acting as purchasing agent for the Department of Highways.

HOUSE BILL No. 1145.

An Act making an appropriation of moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt.

HOUSE BILL No. 1151.

An Act providing for the return to the State Insurance Fund of moneys transferred therefrom to the General Fund.

HOUSE BILL No. 1265.

An Act to further amend the title and section one of the act approved the eighth day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1656) entitled "An act authorizing county commissioners to refund taxes erroneously and inadvertently paid by persons and corporations into the county treasury" extending said act to all political subdivisions.

HOUSE BILL No. 1343.

An Act to further amend the first paragraph of section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvments made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by permitting the filing of claims in more than one county in certain cases.

HOUSE BILL No. 1475.

An Act to amend section eleven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws 483) entitled "An act relating to practice in the Courts of Common Pleas in actions of assumpsit and trespass except actions for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" providing that the defendant in a counter-claim may ask for an account in certain cases.

HOUSE BILL No. 1508.

An Act making an appropriation to the Department of Agriculture for a suitable exhibit at the Seventh World's Poultry Congress.

HOUSE BILL No. 1558.

An Act to repeal the act, approved the second day of April, one thousand eight hundred sixty-eight (Pamphlet Laws, fifty-five), entitled "A supplement to an act, entitled 'An act to increase the revenues of the Commonwealth by taxation of the shares of stock of the National banks, approved April twelfth, one thousand eight hundred and sixty-seven."

HOUSE BILL No. 1565.

An Act to amend the act approved the thirteenth day of May one thousand nine hundred and nine (Pamphlet Laws 520) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having in possession with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violathereof" as amended further regulating the adulteration and misbranding of food providing for injunctions against the sale of food in certain cases and changing penalties.

HOUSE BILL No. 1664.

An Act to amend sections one two four and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as amended extending the provisions of said act to additional buildings providing additional safety regulations and for the closing of certain buildings.

HOUSE BILL No. 1745.

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

HOUSE BILL No. 1977.

An Act to amend section three seven eight fifteen twenty-four and twenty-eight sections fourteen thirty-four and thirty-eight as amended sections eighteen and sixty-one as amended sections fifty-four and fifty-seven as amended and to repeal section nineteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land

forces of this Commonwealth" by providing for the reorganization of the division changing the designation Staff Corps and Departments to State Staff and Detachment defining the powers of the division commander providing for the vacation of commissions upon transfer to the Inactive National Guard making the period of enlistment and qualifications conform to the National Guard Bureau requirements defining the duties of the Adjutant General, providing for the elimination of officers or warrant officers by courts of inquiry changing the basic annual allowance for mounted troops and increasing the minimum allowance. providing expenses of headquarters for more than one division and eliminating the allowance for headquarters of trains, providing a term of office for staff and warrant officers and eleminating an obsolete reference to five year terms, providing that any sheriff or constable may receive and confine military offenders, providing that any division commander may appoint a general court-martial, providing for the collection of court-martial fines and execution of sentences of court-martial and rescinding obsolete provisions referring to staff officers.

HOUSE BILL No. 2102.

An Act to add section 491.1 to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing counties of the sixth seventh and eighth classes to pay bounties for the destruction of rattlesnakes cooperhead snakes and porcupines.

With the information that the Senate has passed the same without amendment.

LEAVES OF ABSENCE

Mr. Wood asked and obtained leave of absence for Mr. TROUT for the remainder of the week.

Mr. Schrock asked and obtained leave of absence for Mr. FRANCIS T. BAKER for the remainder of the week.

Mr. Merrell asked and obtained leave of absence for Mr. GILLETTE for the remainder of the week.

Mr. Jacob F. Matthews asked and obtained leave of absence for Mr. PEALE for the remainder of the week.

Mr. Schumacher asked and obtained leave of absence for Mr. ECKELS for the remainder of the week.

Mr. Alexander asked and obtained leave of absence for Mr. HETRICK for the remainder of the week.

Mr. Reuben E. Cohen asked and obtained leave of absence for Mr. GORSKI for the remainder of the week on account of illness.

Mr. McGee asked and obtained leave of absence for Mr. CORRIGAN for the remainder of the week.

Mr. John J. Baker asked and obtained leave of absence for Mr. MIHM for the remainder of the week.

Mr. McGee asked and obtained leave of absence for Mr. BRIGERMAN for the remainder of the week.

REPORTS FROM COMMITTEES

Mr. BOHN, from the Committee on State Boards, reported as committed, House Bill No. 1638, entitled:

An Act to amend section five of the act, approved the first day of May, one thousand nine hundred and nineteen (P. L. 103), entitled "An act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings· requiring the approval of the commission of the design and location of all public monuments, memorials, buildings, or other structures, and certain private structures, proposed to be erected anywhere in this Commonwealth other than in cities of the first and second classes," extending the powers of the State Art Commission to bridges, and subjects and over bordering streams.

Mr. COSTANZO, from the Committee on Judiciary General, reported as committed, House Bill No. 2401, entitled:

An Act validating certain sheriffs' sales of real estate and the title to such real estate in the hands of purchasers, their heirs, grantees and assigns.

Mr. STOCKHAM, from the Committee on Forestry, reported as amended, House Bill No. 1327, entitled:

An Act providing for the construction of slack water dams in conjunction with State highway bridge and culvert improvements; defining the powers and duties of the Department of Highways, and the Water and Power Resources Board; authorizing political subdivisions, persons, copartnerships, associations, corporations and the Board of Fish Commissioners to contribute to the cost of the construction, maintenance and repair of any such dam; providing for acceptance by agencies of the Commonwealth of gifts and lease of lands; and making appropriations from the Motor License Fund and the Fish Fund.

Mr. HOLSTROM, from the Committee on State Boards, reported as committed, House Bill No. 1776, entitled:

An Act relating to the trade or occupation of shoe rebuilder, remodeler or repairman; providing for the licensing of persons engaged in such trade or occupation, and for the revocation of such licenses subject to appeal and creating the Shoe Rebuilders, Remodelers and Repairmen's Licensing Board as a departmental administrative board in the Department of Labor and Industry.

Mr. WEIDEMANN, from the Committee on Townships, reported as committed, House Bill No. 2351, (Senate Bill No. 1110), entitled:

An Act to add subdivision (h) to article fifteen of the act approved the first day of May one thousand nine hundred and thirty-three (Pamphlet Laws 103) entitled "An act concerning townships of the second class and amendnig revising consolidating and changing the law relating thereto" by providing for a revolving fund for permanent street sidewalk and sewer improvements.

Mr. McFALL, from the Committee on Mines and Mining, reported as amended, House Bill No. 2355, (Senate Bill No. 1119), entitled:

An Art providing for the qualifications examination appointment term of office and removal of Anthracite Mine Inspectors conferring powers and imposing duties in connection therewith upon the Governor the Anthracite Mine Inspectors' Examining Board the Department of Mines and the courts and imposing penalties.

Mr. McFALL, from the Committee on Forestry, reported as committed, House Bill No. 2357, (Senate Bill No. 1137), entitled:

A Joint Resolution proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania by adding section eighteen.

Mr. RICHTER, from the Committee on Townships, reported as committed, House Bill No. 2350, (Senate Bill No. 1109), entitled:

An Act to amend section two thousand six hundred and one of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 1206) entitled "An act concerning townships of the first class amending revising consolidating and

changing the law relating thereto" providing for the beginning of a revolving fund for street sidewalk and sewer improvements by funds raised from bond issues.

Mr. ZAPPALA, from the Committee on Corporations, reported as committed, House Bill No. 2354, (Senate Bill No. 1116), entitled:

An Act to amend section one of the act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws 759) entitled "An act granting the right and lawful authority to corporations to construct operate and maintain tunnels under the bed of navigable streams where necessary to reach their coal supply subject to the approval of the Water Supply Commission" extending the provisions of said act to additional corporations.

Mr. VOGT, from the Committee on Forestry, re-reported as amended House Bill No. 1629, entitled:

An Act dedicating and setting aside certain lands in Lackawanna and Luzerne Counties as a public park and pleasure ground; and imposing certain powers and duties in connection therewith on the Department of Forests and Waters.

Mr. McSHANE, from the Committee on Public Health and Sanitation, re-reported as amended, House Bill No. 920, entitled:

An Act requiring operators of swimming pools to which admission fees are charged to have an oxygen inhaler at such pools and a person in attendance competent to use the same making failure to comply a misdemeanor and prescribing penalties.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1755.

An Act providing for the regulation by the Insurance Department of non-profit corporations organized to provide hospital care and service for subscribers prescribing legal investments for the funds of such corporations and the hospitals with which such corporations may enter into contracts for hospital care and service conferring powers on the Insurance Department and the Department of Welfare exempting such corporations from taxation and providing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, by striking out in lines 2 and 3 the words "hospital care and service" and inserting in lieu thereof the word "hospitalization"; also by striking out in line 6 the words "hospital care and service" and inserting in lieu thereof the word "hospitalization."

Amend section 1, page 1, by striking out in line 5 the word "Service".

Amend section 2, page 2, by striking out in line 6 the word "service"; also by striking out in lines 6 and 7 the words "hospital care and service" and inserting in lieu thereof the word "hospitalization"; also in line 9 by striking out the words "Care and service" and inserting in lieu thereof the word "hospitalization"; also line 27 by striking out the words "hospital care and service" and inserting in lieu thereof the word "hospitalization."

Amend section 3, page 3, line 3 by striking out the words "hospital care and service" and inserting in lieu thereof the word "hospitalization".

Amend section 4, page 3, line 14 by striking out the word "service".

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID UPON THE TABLE

Mr. HERBERT B. COHEN. Mr. Speaker, I move that House Bill No. 1755, together with the message from the Senate be laid upon the table.

The motion was agreed to.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 564.

An Act making an appropriation to the Department of Agriculture to advance the tobacco interest of this Commonwealth.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 1, line 4, by striking out the word "fifteen" and inserting in lieu thereof the word "ten"; also at the beginning of line 5 by striking out the figures "($15,000)" and inserting in lieu thereof the figures "($10,000)".

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—190

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, John A.,
Atkins,	Hall,	Moomaw,	Smith, James A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,

Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1078.

An Act to amend clause thirty-four of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by extending the provisions for appropriations to posts of veterans.

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend bill, page 2, by inserting after line 19 the following new section:

"Section 2 This act shall become effective immediately upon final enactment."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—190

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, John A.
Atkins,	Hall,	Moomaw,	Smith, James A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1133.

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 1, page 1, line 11, by striking out after the word "Reservation" the word "is" and inserting in lieu thereof the word "in".

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, John A.,
Atkins,	Hall,	Moomaw,	Smith, James A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,

Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	Leisey,	Reese,	Walsh,
Coleman,	LaRue,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee.	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1250.

An Act to prohibit the sale and offer for sale of the recognized artificial flowers of certain veterans' organizations except on the days appointed for such purpose

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, by striking out at the end of line 1 the word "recognized" and inserting in lieu thereof the word "labeled".

Amend section 1, page 1, line 4, by inserting before the word "sell" the word "imitate"; also in line 5 by striking out the word "recognized" and inserting in lieu thereof the word "labeled".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—190

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boies,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee.	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1216.

An Act providing that investment in shares of Federal Savings and Loan Associations or shares of other institutions, insured under the Federal Savings and Loan Insurance Corporation, shall be legal investments for certain corporations and certain funds.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, by inserting after the word "company" at the end of line 8 the words "mutual fire insurance company"; also on page 2, line 3, by inserting after the word "officer" the words "guardian trustee or other fiduciary school district or township"; also same page by striking out in lines 11 and 12 the words "the Federal Government of the United States through".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,

Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hall,	Merrell,	Smith, James A.,
Atkins,	Hagerty,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin.	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1277.

An Act to amend section one of the act approved the eighth day of April one thousand eight hundred and sixty-seven (Pamphlet Laws fifty) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" as amended prohibiting the peddling of recognized flowers of certain veteran's organizations and miniature American flags.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 6, by striking out the word "recognized" and inserting in lieu thereof the word "labeled".

Amend section 1, page 2, line 28, by striking out the word "recognized" and inserting in lieu thereof the word "labeled".

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—190

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Bradley,	Holmes,	Ominsky,	Thomas,
Boyer,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1303.

An Act abating certain tax penalties and interest on city and school taxes in cities of the first class and school districts of the first class

With the information that the Senate has passed the same with admendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, line 4, by striking out after the word "penalties" the word "and;" also same line by

inserting after the word "interest" the words "and costs;" also same line by inserting after the word "imposed" the words "but not actually paid out;" also line 7 by striking out the word "thirty-six" and inserting in lieu thereof the word "thirty-four;" also by inserting at the end of the same line after the word "years" the words "and the penalties and costs imposed but not actually paid out on such taxes for the tax year one thousand nine hundred thirty-five on any parcel or parcels of real estate;" also by striking out in lines 13 to 15 inclusive the following: "semi-annual installments beginning not later than August first one thousand nine hundred and thirty-seven and that" and inserting in lieu thereof the following: "installments as follows one-fourth on or before the first day of November one thousand nine hundred and thirty-seven one- fourth on or before the first day of November one thousand nine hundred and thirty-eight one-fourth on or before the first day of May one thousand nine hundred and thirty-nine and the final one-fourth on or before the first day of November one thousand nine hundred and thirty-nine."

Amend section 2, page 2, line 4, by striking out at the beginning of said line the word and figure "Section 2" and inserting in lieu thereof the letter "(c)," also in line 7 by striking out after the word "penalties" the word "and;" also same line by inserting after the word "interest" the words "and costs;" also in lines 10 and 11 by striking out the words "Provided however That at any time during the installment period;" also line 11 by inserting before the word "any" the word and gure "Section 2," also same line by striking out the word "any" and inserting the word "Any;" also by striking out in lines 11 and 12 the words "who has accepted the installment system of payment provided by this act;" also in line 12 by inserting after the word "may" the words "on or before November first one thousand nine hundred and thirty-seven;" also at the beginning of line 13 by striking out the word "balance" and inserting in lieu thereof the word "amount;" also in line 14 by striking out the word "thirty-six" and inserting in lieu thereof the word "thirty-five;" also line 15, by striking out after the word "penalties" the word "and;" also same line by inserting after the word "interest" the words "and costs;" also in line 16 by striking out the words "such years" and inserting in lieu thereof the words "the year one thousand nine hundred and thirty-four and previous years and penalties and all costs on delinquent taxes for the year one thousand nine hundred and thirty-five;" also by striking out at the end of line 17 the words "upon tender;" also by striking out all of lines 18 to 29 inclusive on page 2 and all of line 1 on page 3 as follows: "of the costs due thereon Provided further however That the taxes for the then current year and all years subsequent to one thousand nine hundred and thirty-six during the installment period have been paid

Section 3 Any taxpayer who has not accepted the installment system provided by this act may at any time before January first one thousand nine hundred and thirty-eight anticipate the payment of all taxes for the year one thousand nine hundred and thirty-six and all previous years by paying the same in full less all penalties and interest whereupon all such penalties and interest shall be abated and the liens filed for the same shall be marked satisfied of record upon tender of the costs due thereon" and inserting in lieu thereof the following: "Section 3 Any taxpayer may at any time during the installment period pay the balance due on said delinquent taxes provided for in this act provided that at the time such payment is made the conditions of section one (a) have been complied with and further provided that the taxes for the then curent year have been paid."

Amend bill, page 3, by inserting after line 20 the following new section: "Section 7 Any taxpayer who on the efiective date of this act is making payments on delinquent taxes under the provisions of the act of July twenty-second one thousand nine hundred and thirty-six (Pamphlet Laws 67) may secure the benefits of this act by making payments on the balance due on such delinquent taxes at the times and in the fractional parts prescribed herein."

Amend section 7, page 3, line 21, by striking out after the word "Section" the figure "7" and inserting in lieu thereof the figure "8."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—190

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Haberlen,	Melchiorre,	Skale,
Allen,	Habbyshaw,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Vallbus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker	Yeakel,
Flannery	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 20, 1937.

Resolved (if the Senate concur), That the Legislative Reference Bureau is hereby directed to have printed, as a legislative document, three thousand copies of the Second Class Township Law of May first, one thousand nine hundred thirty-three, Pamphlet Laws one hundred three, with all amendments thereto up to and including the regular session of one thousand nine hundred thirty-seven, to be distributed as follows: five hundred copies for the use of the Senate, one thousand copies for the use of the House of Representatives, three hundred copies for the

use of the Legislative Reference Bureau, and the remaining copies to be distributed and sold by the Division of Documents of the Department of Property and Supplies in the manner provided by law. The cost of such printing shall be paid out of the item of appropriation set aside and budgeted for legislative printing.

Mr. YOURISHIN in the Chair.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2010, entitled:

An Act to amend section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons asociations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost or construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purpose of this act" as amended by changing certain routes and adding certain new routes.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2012, entitled:

An Act to amend section two of the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" as amended by changing certain routes and adding certain new routes.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1238, entitled:

An Act to validate certain debts and obligations of school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 934, entitled:

An Act to amend section five hundred and six of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended authorizing any school district to incurr or increase its indebtedness in order to purchase perpetual fire insurance and to issue bonds to secure the same providing for the deduction of the deposit money in ascertaining the indebtedness of any such school district and providing for the application of such deposit

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No 1362, entitled:

An Act making the insurer in an action in tort involving the operation of a motor vehicle a proper party to the action in certain cases and providing for the effect of such joinder.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1262, entitled:

An Act to amend section seven of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws four hundred twenty-seven) entitled "An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" by vesting in coroners the power to admit to bail persons accused of murder or manslaughter.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1762, entitled:

An Act to further amend section one of the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred seventeen) entitled "An act making it unlawful for any persons to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" by defining and prohibiting certain acts related to the practice of the law by persons partnerships associations and corporations not duly and regularly admitted to practice law and defining the practice of law and defining those who may engage in the practice of law and providing for penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 1735, entitled:

An Act to amend section sixteen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws five hundred seven) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection

therewith and modifying eixsting legislation which provided for raising revenue for State purposes" by providing that the taxes hereafter or hereon all real property of the resident against whom the same are assesed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1324, entitled:

An Act authorizing cities of the third class to surrender their charter and be constituted a borough or boroughs providing the procedure therefor and terminating the terms of the officers of such city when the borough government or governments are organized.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1126, entitled:

An Act to further amend the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue; and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring that coaches of athletics shall be teachers regularly employed by the school district; conferring upon the State Council of Education authority to designate the minimum program of instruction in elementary and secondary schools and to set up standards and regulations for the establishment and classification of secondary schools and allowing certain pupils to attend school in other districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1840, entitled:

An Act to amend section one thousand one hundred two of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to estabish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended providing that county district assistant and associate superintendents shall not be otherwise employed for remuneration.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1785, entitled:

An Act to further amend section sixteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by providing for special registration of veterans in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1757, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and further providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

MOTION TO RECOMMIT BILL

Mr. JIROLANIO. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General.

On the question,

Will the House agree to the motion?

Mr. COAKLEY. Mr. Speaker, I object to having this bill recommitted, and I ask for a roll call.

The yeas and nays were required by Mr. COAKLEY and Mr. HAGERTY.

Mr. COAKLEY. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—63.

Baker, J. J.,	Horting,	Ostroff,	Strode,
Blank,	Imbrie,	Perry,	Turner,
Boose,	Jirolanio,	Powers,	Valibus,
Boyer,	Kane,	Readinger,	VanAllsburg,
Brancato,	Keenan,	Reese,	Walsh,
Cadwalader,	Kline,	Richter,	Wampole,
Cohen, H. B.,	Kroll,	Robinson,	Watkins,
Costanzo,	Longaker,	Royer,	Webster,
DeNote,	Lopresti,	Rush,	Weiss, D. H.,
Donohoe,	Lyons,	Sarraf,	Weiss, S. A.,
Dubbs,	Marino,	Schor,	Whitenight,
Fiss,	Matthews, J. F.,	Schrock,	Wilson,
Hall,	Moomaw,	Schumacher,	Wood,
Hays,	Muir,	Shea,	Woodside,
Hering,	Nagel,	Spengler,	Wright,
Hess,	O'Connor,	Stackpole,	

NAYS—67.

Allen,	Fitch	McDermott,	Shaw,
Arnold,	Flinchbaugh,	McElroy,	Shoemaker,
Aukerman,	Ganser,	McFall,	Shugarts,
Baine,	Haberlen,	McGee,	Siegel,
Balthaser	Hagerty,	McShane,	Simon,
Bierly,	Hamilton, F. P.,	Mellott,	Smith, James A.,
Bohn,	Hirsch,	Moran,	Smith, John A.,
Boltz,	Holland,	Moul,	Stank,
Bradley,	Holmes,	Murrin,	Toole,
Broad,	Holstrom,	O'Neill,	Tumelty,
Brownfield,	Hontz,	Patterson, C. S.,	VanSickle,
Caesar,	LaRue,	Pearson,	Veidemann,
Coakley,	Levy,	Pershing,	Welliver,
Decker,	Lewis,	Reising,	Welsh,
Dougherty,	Long,	Rothenberger,	Yanoshat,
Downey,	Lovett,	Scanlon,	Yourishin,
Elpern,	Matthews, H. T.,	Schrope,	

So the question was determined in the negative and the motion was not agreed to.

RESOLUTION

RECALLING HOUSE BILL No. 2055 FROM THE GOVERNOR.

Mr. SAMUEL A. WEISS offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 21, 1937.

Resolved (if the Senate concur), that House Bill No. 2055, Printer's No. 816, entitled "An Act authorizing any county of the second class and any city in any such county in which the countyseat is within the limits of such city to agree upon the joint management and control of any or all city hospitals and institutions and any or all county hospitals and institutions within the city and providing for the appointment of a board of managers and for professional staffs and employes and for the apportionment of costs and expenses," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2315, (Senate Bill No. 1020), entitled:

An Act to amend section two thousand six hundred sixteen of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for the employment by school auditors and for the compensation of an attorney.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2338, (Senate Bill No. 606), entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same, and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for sabbatical leaves of absence for certain employes of school districts

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2345, (Senate Bill No. 104), entitled:

An Act to amend section one thousand two hundred and two of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring teachers to be citizens except in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2283, (Senate Bill No. 785), entitled:

An Act authorizing political subdivisions other than cities of the first class to set-off delinquent taxes and municipal claims and penalties interest and cost due thereon against claims and accounts due by such political subdivisions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2182 (Senate Bill No. 435), entitled:

An Act to amend section five of the act approved the nineteenth day of April one thousand nine hundred and one (Pamphlet Laws 88) entitled "An act relating to replevin and regulating the practice in cases where the writ of replevin is issued" as amended fixing the time when judgement by default for want of an appearance may be taken in replevin proceedings.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2328, (Senate Bill No. 1166), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the California State Teachers College to acquire a certain tract of land for the use of said college and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2344, (Senate Bill No. 998), entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by further regulating the incurring or refunding of indebtedness the issuing of bonds by school districts and the retiring of indebtedness making payroll obligations preferential claims against the district providing for penalties for failure to comply with any part of the act and repealing provisions of state laws inconsistent with this act.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2370, (Senate Bill No. 758), entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred fifty-three) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility and further regulating insurance policies which may be accepted as proof of financial responsibility imposing further duties upon the Secretary of Revenue and the prothonotaries and clerks of the various courts of this Commonwealth imposing further duties upon owners and operators of vehicles providing exceptions imposing duties upon insurers and upon brokers agents or representatives of insurers providing for the payment of judgments in installments prescribing additional penalties and adding new sections.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

The SPEAKER (Roy E. Furman) in the Chair.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1881, as follows:

An Act to provide for a third additional law judge of the Court of Common Pleas of the Tenth Judicial District

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the judges provided for by existing laws a third additional law judge is hereby authorized and provided for the Court of Common Pleas of the Tenth Judicial District comprising the County of Westmoreland who shall possess the same qualifications which are required by the Constitution and laws for the president judge of said district and who shall hold his office for a like term and by the same tenure and shall have the same powers authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive the same compensation provided by law for judges of the courts of said judicial district

Section 2 At the next municipal election after the passage of this act the qualified electors of the said Tenth Judicial District shall elect in the manner prescribed by law for the election of a President Judge one competent person learned in the law to serve as third additional law judge of the Court of Common Pleas in said Tenth District from the first Monday of January one thousand nine hundred and thirty-eight for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filled in the same manner as is required by law in case of a similar vacancy in the office of president judge

Section 3 The Governor is hereby authorized by and with the consent of the Senate to appoint one competent person learned in the law as such additional law judge of the Court fo Common Pleas of the said Tenth Judicial District to serve until the first Monday of January succeeding the next municipal election

Section 4 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 450, as follows:

A Joint Resolution proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania by adding thereto section twenty

Whereas The Congress of the United States in section twelve of the Hayden-Cartwright Act of June 18 1934 known as 48 Stat 993 said "It is unfair and unjust to tax motor vehicle transportation unless the proceeds of such taxation are applied to the construction or maintenance of highways" now therefore

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania is hereby proposed in accordance with the eighteenth Article thereof

That Article nine of the Constitution of Pennsylvania is hereby amended by adding thereto the following section

Section 20 No motor vehicle registration fees operator's license fees liquid fuel taxes or other taxes and fees on motor vehicle owners and operators thereof (except taxes on gross receipts derived from the operation of motor vehicles engaged as common carriers) dedicated by laws in force at the date of the adoption of this provision of the Constitution for the construction improvement and maintenance of highways administrative expenses in connection therewith and for the payment of interest and the retirement of the debt of the State or any political subdivision thereof incurred for highway purposes shall to the extent of such dedication be hereafter appropriated or used for any other purposes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1364, as follows:

An Act relating to ice hockey and ice skating exhibitions on Sunday prohibiting ice hockey and ice skating exhibitions on Sunday unless the electors of a municipality or township are in favor of the same and requiring in certain cases that a license has first been secured from the municipal authorities providing for referendums to ascertain the will of the electors and for the enactment and repeal of ordinances and resolutions in accordance therewith providing penalties and repealing inconsistent laws

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Municipality Defined The word "municipality"

as used in this act shall be construed to mean and include any city borough town and township of this Commonwealth

Section 2 Penalty for Unlawful Ice Hockey and Ice Skating Exhibitions on Sunday It shall be unlawful for any persons copartnership association or corporation to conduct stage or engage in any ice hockey game or ice skating exhibition regardless whether a charge or an admission thereto or incidental thereto is made or whether labor or business is necessary to conduct manage stage or operate the same on the first day of the week commonly called Sunday unless the voters in the municipality have first voted in favor of ice hockey and ice skating exhibitions on Sunday as hereinafter provided and unless the person copartnership association or corporation proposing to conduct or stage any such ice hockey game or ice skating exhibition to which an admission charge is made or is incidental shall first have secured from the proper municipal authority of municipality a license authorizing him her or it to conduct or stage such ice hockey game or ice skating exhibition on Sunday

Any person copartnership association or corporation violating any of the provisions of this section shall upon conviction thereof in a summary proceeding be sentenced to pay a fine not exceeding ten dollars ($10) and in default of the payment of such fine and costs of prosecution such person or any member or agent of any copartnership or association or any officer or agent of any corporation responsible for such violation shall be imprisoned for a period of not more than five days

Section 3 Ordinances and Resolutions License Fees If at the election in the year one thousand nine hundred and thirty-seven as hereinafter provided a majority of the electors in any municipality voting at said election vote in favor of ice hockey games and ice skating exhibitions on Sunday then each municipality other than a township of the second class shall by ordinance and each township of the second class shall by resolution of the township supervisors provide for the licensing of ice hockey games and ice skating exhibitions to which an admission fee is charged or is incidental on Sunday If the vote of the electors in the municipality was not in favor of ice hockey games and ice skating exhibitions then no ordinance or resolution providing for the licensing of ice hockey games and ice skating exhibitions shall be enacted or adopted

The license fees to be charged under any such ordinance or resoution for any ice hockey game or ice skating exhibition to which an admission is charged or is incidental shall not exceed the following amounts In cities of the first and second class fifty dollars ($50) in cities of the second class (a) and third class twenty-five dollars ($25) in boroughs five dollars ($5) and in townships one dollar ($1)

All license fees collected under the provisions of any such ordinance or resolution shall be paid into the treasury of the municipality

Section 4 Referendum Statement of Question on Ballots At the primary election in the year one thousand nine hundred and thirty-seven there shall be submitted in the manner provided by the election laws of the Commonwealth a question to determine the will of the electors of each municipality in this Commonwealth with respect to ice hockey games and ice skating exhibitions on Sunday Such question shall be in the following form

Do you favor the conduct staging and playing of ice hockey games or the holding of ice skating exhibitions regardless of whether an admission charge is made or incidental thereto or whether labor or business is necessary to conduct stage or operate the same on Sunday	Yes	
	No	

The said question shall be printed on separate official ballots in bound form by the county commissioners of each county and sufficient number of ballots shall be furnished to the election officers in each election district of the county so that one ballot may be supplied to each voter at such primary election

Section 5 Returns and Computation of Votes The votes cast on such question shall be counted by the election officers and returns thereof made by them to the return board The return board shall compute the said returns by municipalities and certify the results of the vote cast on the question to the legislative body of each municipality within the county

Such primary election shall be governed by the primary election laws of the Commonwealth and all penalties provided by said laws shall apply to such primary elections

Section 6 Future Referendums In any municipality the will of the electors with respect to ice hockey and ice skating exhibitions on Sunday may after the year one thousand nine hundred and thirty-seven but not oftener than once in three years be ascertained and the question as provided in this act shall be submitted to the electors of any municipality upon demand in writing of petitioners equal to at least five per centum of the highest vote cast for any office in the municipality at the last preceding general or municipal election Such petition shall be filed with the corporate authorities at least sixty days before the day of any general or municipal election at which the question is to be submitted and if the petition is sufficiently signed shall thereupon be certified to the county commissioners who shall cause such question to be submitted in the same manner as is provided in this act for the election in the year one thousand nine hundred and thirty-seven

If a majority of the electors voting in any municipality which licenses ice hockey and ice skating exhibitions to which an admission charge is made or is incidental are not in favor of such licensing then the ordinance or resolution licensing such ice hockey and ice skating exhibitions shall be repealed but if a majority of the electors in any municipality which does not license ice hockey and ice skating exhibitions are in favor of such licensing then an ordinance or resolution shall be enacted or adopted licensing ice hockey and ice skating exhibitions to which an admission charge is made or is incidental as provided in this act

Section 7 Intent of Act It is the intent of this act to provide a method whereby the will of the electors of each municipality with respect to ice hockey games and ice skating exhibitions on Sunday may be ascertained and it shall be the duty of the legislative body of each municipality to enact adopt or repeal any ordinance or resolution in accordance with the will of the electors as ascertained at said elections In case of a failure so to do the duty herein imposed upon the legislative body of any municipality may be enforced by mandamus

Section 8 Repeal Section one of the act approved the twenty-second day of April one thousand seven hundred and ninety-four (three Smith Laws one hundred seventy-seven) entitled "An act for the prevention of vice and immorality and of unlawful gaming and to restrain disorderly sports and dissipation" is hereby repealed in so far as it prohibits ice hockey games and ice skating exhibitions on Sunday

Section 9 Constitutionality The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provisions not been included herein

Section 10 Effective Date This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1974, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" by creating a National Shrines Commission in the Department of Military Affairs and prescribing its powers and duties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That so much of section two hundred two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of the State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as applies to the Department of Military Affairs is hereby amended to read as follows

Section 202 Departmental Administrative Boards Commissions and Offices The following boards commissions and offices are hereby placed and made departmental administrative boards commissions or offices as the case may be in the respective dministrative departments mentioned in the preceding section as follows

In the Department of Military Affairs
Armory Board of the State of Pennsylvania
Board of Trustees of Pennsylvania Soldiers' and Sailors' Home
State Atheletic Commission
National Shrines Commission

All of the foregoing departmental administrative boards and commissions shall be organized or reorganized as provided in this act

Section 2 Article four of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 450 National Shrines Commission The National Shrines Commission shall consist of the Adjutant General and the chairman of the Pennsylvania Historical Commission ex officio and one member appointed from each county of the Commonwealth and in addition thereto not more than ten members appointed from among the officers of patriotic or historical societies or organizations within the Commonwealth

The commission shall select from their number a chairman and shall elect a secretary who need not be a member of the commission

The secretary shall receive such compensation as the commission shall with the approval of the Adjutant General determine

Section 3 Article fourteen of said act is hereby amended by adding at the end thereof a new section to read as follows

Section 1412 National Shrines Commission The National Shrines Commission shall have the power and its duty shall be

(a) To provide for perpetual care of the graves and markers of all heroes of all wars of the United States within this Commonwealth

(b) Upon its own initiative or in cooperation with reputable societies or organizations to conduct investigations for the purpose of discovering and establishing the authenticity of the graves of such heroes

(c) To accept for the Commonwealth gifts and bequests of or securities for the endowment of its work in accordance with the instructions of the donors and in conjunction with the Governor Auditor General and State Treasurer who shall together with the members of the commission constitute a body of trustees for the care of such funds invest the same in the bonds of this Commonwealth or of any political subdivision thereof and to employ the interest and income from such investments for the purposes of the commission or to apply the same to such uses as may have been specified by the respective donors of such funds

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1301, entitled:

An Act authorizing vaudeville exhibitions in conjunction with moving picture exhibitions in certain cities boroughs towns or townships where the voters have approved the exhibition of moving pictures on Sundays

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if the voters of any city borough town or township shall have voted in favor of motion picture exhibitions on Sundays under the provisions of any act of this Commonwealth then in such city borough town or township any person copartnership association or corporation engaged in conducting staging managing or operating a motion picture exhibition may in conjunction therewith conduct and stage a vaudeville exhibit providing such exhibit does not exceed the length of time given to the exhibition of motion pictures and that such vaudeville exhibition shall be given alternately with motion pictures during each and every performance

On the question,

Will the House agree to the section?

Mr. LEWIS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 1, line 15, by inserting after the part word "formance" the following:

Provided, That a majority of the voters of the city, borough, town or township shall have first voted in favor of vaudeville exhibitions on Sundays as hereinafter provided.

Section 2. At the primary election in the year one thousand nine hundred and thirty-seven, there shall be submitted, in the manner provided by the election laws of the Commonwealth, upon petition to the county commissioners by the city or borough council or by the township commissioners or supervisors, or upon petition to county commisioners by electors equal to at least five per centum of the highest vote cast for any candidate in the municipality at the last preceding general election, a question to determine the will of the electors, of each municipality in this Commonwealth, so petitioning, with respect to vaudeville exhibitions. Such question shall be in the following form:

Do you favor the conducting, staging, operating and exhibiting of vaudeville regardless of whether an admission charge is made or incidental thereto or whether labor or business is necessary to conduct, stage, operate or exhibit the same after two o'clock post meridian, on Sunday?	Yes	
	No	

The said question shall be printed on separate official ballots, in bound form, by the county commissioners of each county, and sufficient number of ballots shall be furnished to the election officers in each election district of each municipality so that one ballot may be supplied to each voter at such election. In districts where voting machines are used, such question shall appear on the face of the machine where the machine is properly equipped for such purposes.

Section 3. The votes cast on such question shall be counted by the election officers and returns thereof made by them, and by election officers where voting machines are used, to the prothonotary of the county, who shall lay the same before the return board for computation at the same time and in the same manner as other returns. Such election shall be governed by the election laws of the Commonwealth, and all penalties provided by said laws shall apply to such elections. The return board shall compute the said returns by municipalities, and certify the results of the vote cast on the question to the acting chief executive officer of each municipality affected.

If at the election in the year one thousand nine hundred and thirty-seven, where any such election was held as herein provided, a majority of the electors in any municipality voting at said election vote in favor of vaudeville exhibitions on Sunday after the hour of two o'clock post meridian, then upon the certification of such election return to the acting chief executive officer of such municipality, as is provided in this section, it shall thereafter be lawful to conduct, stage, manage, operate or engage in vaudeville exhibitions from and after the hour of two o'clock post meridian, on Sunday.

The right to conduct, stage, manage, operate or engage in such vaudeville exhibitions shall be subject only to those rules and regulations which govern vaudeville exhibitions on days of the week other than Sunday.

If the vote of the electors in the municipality was not in favor of vaudeville exhibitions or if no such election was held, then it shall be unlawful to conduct, stage, manage, operate or engage in such vaudeville exhibitions to which an admission charge is made or is incidental after two o'clock post meridian, on Sunday.

Section 4. In any municipality the will of the electors with respect to the conducting, staging and exhibiting of vaudeville on Sunday may, after the year one thousand nine hundred and thirty-seven but not oftener than once in five years, be ascertained, and the question as provided in section two of this act, shall be submitted to the electors of any municipality upon demand in writing of petitioners equal to at least five per centum of the highest vote cast for any candidate in the municipality at the last preceding general or municipal election. Such petition shall be filed with the corporate authorities at least thirty (30) days before the day of any primary, general or municipal election at which the question is to be submitted, and, if the petition is signed by the requisite number of petitioners, it shall thereupon be certified to the county commissioners, who shall cause such question to be submitted in the same manner as is provided in this act for the primary election in the year one thousand nine hundred and thirty-seven.

If the majority of the voters, in any municipality are not in favor of such exhibitions, then upon the certification of such election return to the acting chief executive officer of such municipality, as is provided in section three of this act, it shall thereafter be unlawful to conduct, stage, manage, operate or engage in such exhibitions after two o'clock post meridian, on Sunday; but if a majority of the electors in any such municipality which has not heretofore permitted such vaudeville exhibitions after two o'clock post meridian, on Sunday; but if a majority of the electors in any such municipality which has not heretofore permitted such vaudeville exhibitions after two o'clock post meridian, on Sunday, or which has not theretofore voted on such question are in favor of such exhibitions then upon the certification of such fact to the acting chief executive officer of such municipality, as is provided in section three of this act, such exhibition shall thereafter be lawful.

Section 5. It is the intent of this act to provide a method whereby the will of the electors of each municipality with respect to vaudeville exhibitions, together with orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing or selection in connection with or incidental thereto after two o'clock post meridian on Sunday may be ascertained.

Section 6. The provisions of this act are severable, and if any of the provisions are held to be unconstitutional, the decision shall not be construed to impair any other provision of this act. It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein.

Section 7. Section one of the act, approved the twenty-second day of April, one thousand seven hundred and ninety-four (3 Smith Laws 177), entitled "An act for the prevention of vice and immorality and of unlawful gaming, and to restrain disorderly sports and dissipation," be, and the same is hereby, repealed in so far as it prohibits vaudeville exhibitions and any orchestral or other instrumental musical or mechanical musical accompaniment, prelude, playing or selection in connection with or incidental thereto. All acts and parts of acts inconsistent herewith be, and the same are hereby, repealed.

On the question,

Will the House agree to the amendment?

Mr. TUMELTY. Mr. Speaker, may I interrogate the gentleman from Philadelphia, Mr. Lewis.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. LEWIS. I will, Mr. Speaker.

Mr. TUMELTY. Mr. Speaker, is it the intention of the sponsor of this bill to have it pass second reading at this time?

Mr. LEWIS. It is, Mr. Speaker.

Mr. TUMELTY. Mr. Speaker, I do not like to object to another Philadephian's bill, but I don't think that a bill with so many amendments should pass second reading at this time. It will be up for third reading on Monday, and we will not be given an opportunity to see what it is all about.

Mr. LEWIS. Mr. Speaker, I will be most happy to give my good friend from Philadelphia, Mr. Tumelty sufficient time to study this bill before it passes third reading.

On the question recurring,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended.

It was agreed to.

The second section was read as follows:

Section 2 Any person copartnership association or corporation violating the provisions of this act shall upon a summary conviction thereof be prohibited from conducting and staging any vaudeville exhibit on any Sunday for a period of six months from the date of such conviction

On the question,

Will the House agree to the section?

Mr. LEWIS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 2, page 2, lines 1 to 5 inclusive, by striking out all of said lines.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the section?

Mr. LEWIS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 3, page 2, line 6, by striking out the figure "3" and inserting in lieu thereof: "8"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act authorizing vaudeville in conjunction with moving picture exhibitions in certain cities boroughs towns or townships where the voters have approved the exhibition of moving pictures on Sundays.

On the question,

Will the House agree to the title?

Mr. LEWIS. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend title, page 1, line 4 of title, by inserting after the word "Sundays" the following: "providing for a referendum to ascertain the will of the electors and providing penalties

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2257, (Senate Bill No. 1045, entitled:

An Act to amend the title and sections one two three four and five of the act approved the nineteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1349) entitled "An act providing for the purchase and for the distribution of vitamin products as defined in this act to certain pupils in the public schools conferring powers and imposing duties on the Department of Health the Department of Public Instruction the Department of Property and Supplies school districts teachers and medical inspectors of schools and making an appropriation" extending the provisions of said act to children under ten years of age.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

MOTION TO POSTPONE BILL

Mr. TURNER. Mr. Speaker, I move that this bill be placed on the postponed calendar.

On the question,

Will the House agree to the motion?

Mr. TURNER. Mr. Speaker, I ask leave to make a brief statement as to the purpose of my motion.

The SPEAKER. For the information of the gentleman from Delaware, the bill has already passed second reading.

STATEMENT BY MR. TURNER

Mr. TURNER asked and obtained unanimous consent to make the following statement:

Mr. Speaker, I do not have the actual bill before me, but the bill seems to be very loosely drawn, and there are some provisions in this bill that would throw the buying of material wide open. I think the bill should be amended. I discussed the bill with some of the men on the other side of the House the other day, but in the rush overlooked it.

This bill is loosely drawn and would throw wide open the supplying of material to others. I think the words "to others" are used, while the intent is, for the public schools, it would open the doors, it seems to me, so wide to abuse that the bill should be amended.

Mr. Speaker, I withdraw my motion to place this bill on the postponed calendar.

BILL RECOMMITTED

Mr. TURNER. Mr. Speaker, I move that this bill be recommitted to the Committee on Public Health and Sani-

tation for the purpose of further study and amendment.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 408, as follows:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of seventy thousand dollars ($70,000) or so much thereof as may be necessary is hereby specifically appropriated to the Downingtown Industrial and Agricultural School of Downingtown Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-seven for the purpose of maintenance to be paid according to law.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1959, as follows:

An Act to provide for the conservation protection improvement and profitable use of agricultural land resources in the State of Pennsylvania and for cooperation with the governments and agencies of other states and of the United States pursuant to the provisions of section seven of an act of the Congress of the United States known as the Soil Conservation and Domestic Allotment Act to assent to and accept the provisions of said act to constitute and establish the Pennsylvania Agricultural Conservation and Adjustment Committee and in conformity with the provisions of said act to designate and authorize said committee as the State agency of this State in conformity with such provisions to formulate submit to the Secretary of Agriculture of the United States and administer State plans to carry out the provisions of this act to define the powers and duties of said committee as such State agency to provide for the selection of its members and otherwise to provide for the administration of this act and making an appropriation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Short Title This act may be known and cited as Pennsylvania Agricultural Conservation and Adjustment Act

Section 2 Declaration of Purposes (a) It is hereby recognized and declared

(1) That the soil resources and fertility of the land of this Commonwealth and the economic use thereof the prosperity of the farming population of this Commonwealth and the navigability of the rivers and harbors of this Commonwealth and the prevention of floods in this Commonwealth are matters affected with a public interest

(2) That the welfare of this Commonwealth has been impaired and is in danger of being further impaired by destruction of its soil fertility by uneconomic use and waste of its land by exploitation and wasteful and unscientific use of its soil resources by floods and impairment of its rivers and harbors and of the navigability of its waters and water courses as a result of soil erosion and by the decrease in the purchasing power of the net income per person on farms in the Commonwealth as compared with the net income per person in the Commonwealth not on farms.

(3) That said evils have been augmented and are likely to be augmented by similar conditions in other states and are so interrelated with such conditions in other states that the remedying of such conditions in this Commonwealth requires action by this Commonwealth in cooperation with the governments and agencies of other states and of the United States and requires assistance therein by the government and agencies of the United States and

(4) That the formulation and effectuation of this Commonwealth plans in conformity with the provisions of section seven of the Soil Conservation and Domestic Allotment Act is calculated to remedy said conditions and will tend to advance the public welfare of this Commonwealth

(b) Therefore in order to promote the welfare of the people of this Commonwealth by aiding in the preservation and improvement of soil fertility in the promotion of the economic use and conservation of land in the diminution of exploitation and wasteful and unscientific use of soil resources in the protection of rivers and harbors against the results of soil erosion and in the re-establishment at as rapid a rate as is practicable and in the general public interest of the ratio between the purchasing power of the net income per person on farms and that of the net income per person not on farms that prevailed during the five-year period August one thousand nine hundred and nine to July one thousand nine hundred and fourteen inclusive as determined from statistics available in the United States Department of Agriculture and the maintenance of such ratio the Commonwealth of Pennsylvania hereby assents to and accepts the provisions of the Soil Conservation and Domestic Allotment Act and adopts the policy and purpose of cooperating with the governments and agencies of other states and of the United States in the accomplishment of the policy and purposes specified in section seven of said act subject however to the following limitations

(1) The powers conferred in this act shall be used to assist voluntary action calculated to effectuate such purposes

(2) Such powers shall not be used to discourage the production of supplies of foods and fibers in this Commonwealth sufficient when taken together with the production thereof in other states of the United States to maintain normal domestic human consumption as determined by the Secretary of Agriculture of the United States from the record of consumption in the year one thousand nine hundred and twenty to one thousand nine hundred and twenty-nine inclusive taking into consideration increased population quantities of any commodities that were forced into domestic consumption by a decline in exports of particular commodities and the quantities of substitutes available for domestic consumption within any general class of food commodities

(3) In carrying out the purposes specified in this section due regard shall be given to the maintenance of a continuous and stable national supply of agricultural commodities adequate to meet consumer demand at prices fair to both producers and consumers

Section 3 Definitions

(a) The term "person" as used in this act unless the context otherwise requires includes an individual corporation partnership firm business trust joint-stock company association syndicate group pool joint venture and any other unincorporated association or group

(b) The expression "other States of the United States" as used in this act shall include Alaska Hawaii and Puerto Rico

Section 4 Establishment of Pennsylvania Agricultural Conservation and Adjustment Committee

(a) There is hereby established a committee of seven members which shall be known as the Pennsylvania Agricultural Conservation and Adjustment Committee and

which shall be referred to hereinafter at the "State Committee"

(b) Three members of the State Committee shall be persons experienced in the production of agricultural commodities selected as provided in section eight hereof and shall be referred to hereinafter as "farmer membrs"

No person shall be eligible for appointment as a farmer member of the State Committee unless he is of legal age a citizen of and resident in this Commonwealth Three persons shall be appointed as such farmer members who except in the case of temporary farmer members provided for in section eight hereof shall have been duly recommended to the Governor for such membership by the chairman of county committees of agricultural producers in the Commonwealth as provided in section eight hereof No person shall be appointed as a farmer member if he is a resident in the same agricultural district established pursuant to section six hereof as any farmer member whose term includes any part of the term of such person

(c) The Secretary of Agriculture shall be a member of the State Committee ex officio

(d) One member of the State Committee shall be appointed by the Governor from not less than two representatives of Pennsylvania State College recommended to him by the Board of Trustees of such institution

(e) Two members of the State Committee shall be farmers who shall be appointed by the Governor from among those farmers who are participating in the soil conservation program provided for by this act

Section 5 Designation of State Committee as State Agency The State Committee is hereby designated and authorized as the State agency of this Commonwealth to carry out the policy and purposes of this act and to formulate and administer state plans (hereinafter called "Agricultural plans") pursuant to the terms of this act

Section 6 Agricultural Districts and Communities

(a) Within a reasonable time after its organization the State Committee shall designate within the Commonwealth five agricultural districts each of which shall be composed of one county or of two or more neighboring counties As far as practicable such districts shall be so constituted as to contain approximately equal numbers of agricultural producers Such districts shall include in the aggregate all of the land within the Commonwealth

(b) The State Committee shall also designate within each county of this Commonwealth such geographic units which shall be called "Communities" as it determines to be the most convenient for the administration of this act and of State plans adopted pursuant to this act and shall establish the boundaries of such communities

(c) The State Committee may revise the boundaries of such agricultural districts and of such communities in conformity with the respective standards prescribed herein at such time or times as it finds that such revision is necessary either to cause such district or communities or both to conform to said standards or to provide for the more substantial or more efficient accomplishment of the purposes of this act

Section 7 Community and County Committees As soon as practicable after its organization the State Committee shall by regulation provide

(1) For the organization within each community of a voluntary association in which all agricultural producers who are citizens of this Commonwealth and residents in such community shall be entitled to equal participation for the selection by each such association of a community committee composed of three members of such association and for the selection of a chairman of each such community committee

(2) For the selection by the members of such community committees within each county of a county committee for such county composed of three members of such community committees and for the selection of a chairman of each such county committee

Section 8 Appointment of Farmer Members of the State Committee

(a) Within sixty days after the effective date of this act the Governor shall appoint five persons as temporary farmer members of the State Committee Each farmer member so appointed shall serve until the end of the calendar year and until his successor is appointed and qualifies

(b) Prior to December first one thousand nine hundred and thirty-seven the chairmen of the county committes of the county association of agricultural producers established pursuant to section seven who are referred to hereinafter as the "chairmen of the county committees" shall recommend to the Governor in writing not less than ten nor more than twenty persons eligible for appointment under the provisions of this act as former members of the State Committee Prior to December thirty-first one thousand nine hundred and thirty-seven the Governor shall appoint five farmer members of the State Board including three from among the persons so recommended for terms commencing January first one thousand nine hundred and thirty-eight of one two three four and five years respectively and until their respective successors are appointed and qualify

(c) Prior to December first one thousand nine hundred and thirty-eight and each suceeding calendar year the chairmen of the county committees shall recommend to the Governor in writing not less than two persons nor more than four eligible for appointment under the provisions of this act as a farmer member of the State Committee to succeed a member recommended by the chairmen of such county committees and whose term expires at the end of the year then current Prior to December thirty-first of each such year the Governor shall appoint from among the persons so recommended one farmer member of the State Committee for a term of five years commencing January first of the next succeeding year and until his successor is appointed and qualified

(d) If a vacancy occurs in the office of any farmer member of State Committee recommended by the chairmen of the county committees such chairmen shall within thirty days after the occurrence of such vacancy recommend to the Governor in writing not less than two nor more than four persons eligible under the provisions of this act for appointment to fill such vacancy for the remainder of the unexpired term Within thirty days of notice of such recommendation the Governor shall appoint one of the persons so recommended as a member of the State Committee for the remainder of such term

(e) The provisions of this section with respect to the time within which recommendations or appointments are to be made shall be construed as directory and not mandatory and no appointment made hereunder and shall be held invalid by reason of being made after the time prescribed herein or because any recommendation was made in connection therewith after the time provided herein

Section 9 Formulation and Administration of State Agricultural Plans

(a) The State Committee after consultation with Pennsylvania State College is authorized and directed to formulate for each calendar year commencing with the year one thousand nine hundred and thirty-eight and to submit to the Secretary of Agriculture of the United States for and in the name of this Commonwealth a State plan (hereinafter called "agricultural plan") for carrying out the purposes of this act during such calendar year In formulating the provisions of such State agricultural plans the State Committee shall consult with such agencies of this Commonwealth as may be qualified to assist therein

(b) The State Committee is authorized to modify or revise any such agricultural plan in whatever manner consistent with the terms of this act it finds necessary in order to provide for more substantial furtherance of the accomplishment of the purposes of this act

(c) Each such agricultural plan shall provide for such participation in its administration by such voluntary county and community committees or associations of agricultural producers organized for such purposes as the State Committee determines to be necessary or proper for the effective administration of the agricultural plan

(d) Each such agricultral plan shall provide through agreements with agricultural producers or through other voluntary methods for such adjustments in the utilization

of land in farming practices and in the acreage or in the production for market or both of agricultural commodities as the State Committee determines to be calculated to effectuate as substantial accomplishment of the purposes of this act as may reasonably be achieved through action of this Commonwealth and for payments to agricultural producers in connection with such agreements or methods in such amounts as the State Committee determines to be fair and reasonable and calculated to promote such accomplishment of the purposes of this act without depriving such producers of a voluntary and uncoerced choice of action

(e) Any such agricultural plan shall provide for such educational programs with the assistance of Pennsylvania State College and others as the State Committee determines to be necessary or proper to promote the more substantial accomplishment of the purposes of this act

(f) Each such agricultural plan shall contain an estimate of expenditures necessary to carry out such agricultural plan together with a statement of such amount as the State Committee determines to be necessary to be paid by the Secretary of Agriculture of the United States as a grant in aid of such agricultural plan under section seven of the Soil Conservation and Domestic Allotment Act in order to provide for the effective carrying out of such agricultural plan and shall designate the amount and due date of each installment of such grant the period to which each such installment relates and the amount determined by the State Committee to be necessary for carrying out such agricultural plan during such period

(g) The State Committee shall provide for such investigations as it finds to be necessary for the formulation and administration of such agricultural plans

Section 10 Receipt and Disbursement of Funds

(a) The State Committee is hereby authorized and empowered to receive on behalf of this Commonwealth all grants of money or other aid made available from any source to assist the Commonwealth in carrying out the policy and purposes of this act All such money or other aid together with any moneys appropriated or other provisions made by this Commonwealth for such purpose shall be forthwith available to the State Committee as the agency of the Commonwealth subject in the case of any funds or other aid received upon conditions to the conditions upon which such funds or other aid shall have been received for the purpose of administering this act and may be expended by the State Committee in carrying out the provisions of this act

(b) Subject to any conditions upon which any such money or other aid is made available to the Commonwealth and to the terms of any applicable agricultural plan made effective pursuant to this act such expenditures may include but need not be limited to expenditures for administrative expenses equipment cost of research and investigation cost of educational activities reimbursement to other State agencies or to voluntary committees or associations of agricultural producers for costs of such agencies committees or associations of assistance in the administration of this act requested in writing by the State Committee and rendered to the State Committee payments to agricultural producers provided for in any agricultural plan made effective pursuant to this act salaries of employes and all other expenditures requisite to carrying out the policy and purposes of this act including compensation of fifteen dollars per diem for the members of said State Committee when engaged upon their official business in performance of their duties under this act and including traveling expenses of the members of said State Committee and the employes of said State Committee in connection with their said duties Provided That no member of the State Committee shall be entitled to receive compensation for more than sixty (60) days' service in any one calendar year

(c) The State Committee shall provide for the keeping of full and accurate accounts showing all receipts and expenditures of moneys securities or other property received held or expended under the provisions of this act and shall provide for the auditing of all such accounts and for execution of surety bonds for all employes entrusted with moneys or securities under the provisions of this act

Section 11 Additional Powers and Duties of the State Committee

(a) The State Committee shall utilize such available services and assistance of other State agencies and of voluntary and community committees and associations of agricultural producers as it determines to be necessary or calculated to assist substantially in the effective administration of this act

(b) The State Committee shall have authority to make such rules and regulations consistent with the provisions of this act and to do any and all other acts consistent with the provisions of this act which it finds to be necessary or proper for the effective administration of this act

(c) The State Committee shall have power and authority to obtain by lease or purchase such equipment office accommodations facilities services and supplies and to employ such technical or legal experts or assistants and such other employes including clerical and stenographic help as it determines to be necessary or proper to carry out the provisions of this act and to determine the qualifications duties and compensation of such experts assistants and other employes

(d) All other agencies of this Commonwealth are hereby authorized to assist the State Committee in carrying out the provisions of this act upon written request of the State Committee in any manner determined by the State Committee to be necessary or appropriate for the effective administration of this act

Section 12 Reports The State Committee shall compile or require to be made such reports as it determines to be necessary or proper in order to ascertain whether any agricultural plans provided for in this act are being carried out according to their terms The State Committee shall provide for compliance on the part of all persons and agencies participating in the administration of any such agricultural plan with such requirements and may make or cause to be made such investigations as it determines to be necessary or proper to assure the correctness of and to make possible the verification of such reports

Section 13 Current Appropriation The sum of ten thousand dollars ($10,000) is hereby appropriated to be available to said Agriculture Conservation and Adjustment Committee as such State agency in carrying out the purposes of this act during the two fiscal years beginning the first day of June one thousand nine hundred and thirty-seven

Section 14 Provisions for Separability The provisions of this act are severable and if any provision clause paragraph section or part of this act is held unconstitutional the decision shall not be construed to affect or invalidate any other provision of this act or the act as a whole It is hereby declared to be the legislative intent that the remainder of this act would have been adopted had such unconstitutional provision not been included herein

Section 15 Repeal of Inconsistent Legislation All acts and parts of acts inconsistent with this act are hereby repealed.

Section 16 Time of Taking Effect This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1817, entitled:

An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That until the next decennial United States census and the apportionment be made thereon by law the House of Representatives shall consist of two hundred and nine members and shall be apportioned as follows namely

The City of Philadelphia shall elect forty members and the said city shall be divided into twenty-one districts as follows

The first second and thirty-ninth wards shall constitute the first district and elect three members

The twenty-sixth thirty-sixth and forty-eighth wards shall constitute the second district and elect three members

The third fourth fifth sixth eleventh and twelfth wards shall constitute the third district and elect one member

The seventh and thirtieth wards shall constitute the fourth district and elect one member

The eighth ninth tenth thirteenth and fourteenth wards shall constitute the fifth district and elect one member

The fifteenth twenty-ninth thirty-second and forty-seventh wards shall constitute the sixth district and elect three members

The sixteenth and twentieth wards shall constitute the seventh district and elect one member

The seventeenth eighteenth nineteenth and thirty-first wards shall constitute the eighth district and elect two members

The twenty-eighth ward shall constitute the ninth district and elect one member

The thirty-seventh and thirty-eighth wards shall constitute the tenth district and elect two members

The forty-third ward shall constitute the eleventh district and elect one member

The twenty-third and thirty-third wards shall constitute the twelfth district and elect two members

The twenty-first ward shall constitute the thirteenth district and elect one member

The twenty-fifth and forty-fifth wards shall constitute the fourteenth district and elect two members

The twenty-second ward shall constitute the fifteenth district and elect two members

The forty-second forty-ninth and fiftieth wards shall constitute the sixteenth district and elect three members

The thirty-fifth ward shall constitute the seventeenth district and elect one member

The forty-first ward shall constitute the eighteenth district and elect one member

The twenty-fourth thirty-fourth and forty-fourth wards shall constitute the nineteenth district and elect four members

The forty-sixth ward shall constitute the twentieth district and elect two members

The twenty-seventh fortieth and fifty-first wards shall constitute the twenty-first district and elect three members

The county of Adams shall elect one member

The county of Allegheny shall elect twenty-eight members and shall be divided into eleven districts as follows

The first second third fourth and fifth wards in the city of Pittsburgh shall constitute the first district and elect two members

The sixth ninth tenth and eleventh wards in the city of Pittsburgh shall constitute the second district and elect two members

The seventh eighth twelfth thirteenth fourteenth fifteenth and thirty-first wards in the city of Pittsburgh shall constitute the third district and elect four members

The sixteenth seventeenth eighteenth nineteenth twentieth twenty-eighth twenty-ninth thirtieth and thirty-second wards in the city of Pittsburgh shall constitute the fourth district and elect three members

The twenty-first twenty-second twenty-sixth and twenty-seventh wards in the city of Pittsburgh shall constitute the fifth district and elect two members

The twenty-third twenty-fourth and twenty-fifth wards in the city of Pittsburgh shall constitute the sixth district and elect one member

The boroughs and townships north of the Ohio and Allegheny Rivers shall constitute the seventh district and elect three members

The boroughs and townships lying between the Allegheny and Youghiogheny Rivers and the boroughs and townships lying between the Youghiogheny and Monongahela Rivers shall constitute the eighth district and elect four members

The city of McKeesport shall constitute the ninth district and elect one member

The following cities boroughs and townships south of the Ohio and Monongahela Rivers the city of Clairton (Clairton North Clairton and Wilson Boroughs) the city of Duquesne the boroughs of Dravosburg Hays Homestead Munhall West Elizabeth West Homestead and Whitaker and the townships of Jefferson and Mifflin shall constitute the tenth district and elect two members

All the boroughs and townships south of the Ohio and Monongahela Rivers not included in the tenth district including the township of Neville shall constitute the eleventh district and elect four members

The county of Armstrong shall elect two members

The county of Beaver shall elect three members and shall be divided into two districts as follows

The boroughs of Ambridge Baden Conway East Rochester Eastville Freedom New Brighton Rochester that portion of the borough of Ellwood City lying within the county of Beaver and the townships of Daugherty Economy Franklin Harmony Marion New Sewickley North Sewickley Pulaski and Rochester shall constitute the first district and elect one member

The residue of the county of Beaver not included in the first district shall constitute the second district and elect two members

The county of Bedford shall elect one member

The county of Berks shall elect five members and shall be divided into two districts as follows

The city of Reading shall constitute the first district and elect two members

The residue of the county of Berks not included in the first district shall constitute the second district and elect three members

The county of Blair shall elect three members and shall be divided into two districts as follows

The city of Altoona shall constitute the first district and elect two members

The residue of the county of Blair not included in the first district shall constitute the second district and elect one member

The county of Bradford shall elect one member

The county of Bucks shall elect two members and shall be divided into two districts as follows

The boroughs of Bristol Hulmeville Ivyland Langhorne Langhorne Manor Morrisville Newton South Langhorne and Yardley and the townships of Bristol Bensalem Falls Makefield Middletown Northampton Southampton Warminster Warrington Warwick and Wrightstown shall constitute the first district and elect one member

The boroughs of Chalfont Doylestown Dublin New Britain New Hope Perkasie Quakertown Riegelsville Richlandtown Sellersville Silverdale Telford Trumbauersville and Tullytown and the townships of Bedminister Bridgeton Buckingham Doylestown Durham Haycock Hilltown Milford Nockamixon Plumstead Rockhill Richland Solebury Springfield and Tinicum shall constitute the second district and shall elect one member

The county of Butler shall elect two members and shall be divided into two districts as follows

The city of Butler the boroughs of East Butler Millerstown and Saxonburg and the townships of Butler Donegal Oakland Clearfield Sumit Winfield Jefferson Buffalo and Clinton shall constitute the first district and elect one member

The boroughs of Bruin Callery Cherry Valley Evansburg Eau Claire Fairview Harmony Harrisville Karns City Mars Petrolia Petersville Portersville Prospect Slip-

pery Rock Valencia West Liberty West Sunbury and Zelienople and the townships of Adams Allegheny Brady Center Cherry Clay Concord Conoquenessing Cranberry Fairview Forward Franklin Jackson Lancaster Marion Mercer Middlesex Muddycreek Parker Penn Slippery Rock Washington Worth and Venango shall constitute the second district and elect one member

The county of Cambria shall elect four members and shall be divided into two districts as follows

The city of Johnstown shall constitute the first district and elect one member

The remainder of the county of Cambria shall constitute the second district and elect three members

The county of Cameron shall elect one member

The county of Carbon shall elect one member

The county of Centre shall elect one member

The county of Chester shall elect three members and shall be divided into two districts as follows

The city of Coatesville the boroughs of Atglen Avondale Oxford Parkesburg and Westgrove and the townships of East Fallowfield East Nottingham Elk Franklin Highland London Britain London Grove Londonderry Lower Oxford New Garden New London Penn Upper Oxford West Fallowfield West Marlboro and West Nottingham shall constitute the first district and elect one member

The boroughs of Downingtown Elverson Honeybrook Kennett Square Malvern Phoenixville Spring City and West Chester and the townships of Birmingham Caln Charlestown East Bradford East Brandywine East Caln East Coventry East Goshen East Marlboro East Nantmeal East Pikeland East Vincent East Whiteland Easttown Honeybrook Kennett Newlin North Coventry Pennsbury Pocopson Sadsbury Schuylkill South Coventry Thornbury Tredyffryn Upper Uwchlan Uwchlan Valley Wallace Warwick West Bradford West Brandywine West Caln West Goshen West Nantmeal West Pikeland West Sadsbury West Whiteland Westtown and Willistown shall constitute the second district and elect two members

The county of Clarion shall elect one member

The county of Clearfield shall elect two members and shall be divided into two districts as follows

The boroughs of Brisbin Chester Hill Clearfield Houtzdale Osceola Ramey and Wallaceton and the townships of Bigler Boggs Bradford Cooper Covington Decatur Girard Goshen Graham Gulich Jordan Karthaus Lawrence Morris and Woodward shall constitute the first district and elect one member

The city of DuBois the boroughs of Burnside Coalport Curwensville Glen Hope Grampian Irvona Lumber City Mahaffey Newburg New Washington Troutville and Westover and the townships of Beccaria Bell Bloom Brady Burnside Chest Ferguson Greenwood Huston Knox Penn Pike Pine Sandy and Union shall constitute the second district and elect one member

The county of Clinton shall elect one member

The county of Columbia shall elect one member

The county of Crawford shall elect one member

The county of Cumberland shall elect one member

The county of Dauphin shall elect four members and shall be divided into two districts as follows

The city of Harrisburg shall constitute the first district and elect two members

The remainder of the county of Dauphin shall constitute the second district and elect two members

The county of Delaware shall elect five members and shall be divided into two districts as follows

The city of Chester shall constitute the first district and elect one member

The remainder of the county of Delaware shall constitute the second district and elect four members

The county of Elk shall elect one member

The county of Erie shall elect four members and shall be divided into four districts as follows:

The third fourth and sixth wards of the city of Erie as constituted April one one thousand nine hundred and twenty-one shall constitute the first district and elect one member

The first second and fifth wards of the city of Erie as constituted April one one thousand nine hundred and twenty-one shall constitute the second district and elect one member

The city of Corry the boroughs of Elgin North East Union City Wattsburg and Westleyville and the townships of Amity Concord Greene Greenfield Harbour Creek North East Union Venango and Wayne shall constitute the third district and elect one member

The residue of the county of Erie not included in the first second or third district shall constitute the fourth district and elect one member

The county of Fayette shall elect four members and shall be divided into two districts as follows

The townships of German Luzerne Redstone Nicholson Springhill Georges Menallen Henry Clay Wharton South Union and the boroughs of Smithfield Point Marion Masontown Fairchance Marklesburg and the city of Uniontown shall constitute the first district and shall elect two members

The townships of Brownville Dunbar Franklin Jefferson Lower Tyrone Perry Upper Tyrone Washington North Union Bull Skin Connellsville Saltlick Springfield and Stewart and the boroughs of Belle Vernon Brownsville Dawson Dunbar Everson Fayette City Vanderbilt Ohiopyle South Connellsville and the city of Connellsville shall constitute the second district and shall elect two members

The county of Forest shall elect one member

The county of Franklin shall elect one member

The county of Fulton shall elect one member

The county of Greene shall elect one member

The county of Huntingdon shall elect one member

The county of Indiana shall elect two members

The county of Jefferson shall elect one member

The county of Juniata shall elect one member

The county of Lackawanna shall elect six members and shall be divided into six districts as follows

The fourth fifth sixth fourteenth fifteenth eighteenth twentieth and twenty-second wards of the city of Scranton shall constitute the first district and elect one member

The first second third seventh thirteenth sixteenth and twenty-first wards of the city of Scranton shall constitute the second district and elect one member

The eighth ninth tenth eleventh twelfth seventeenth and nineteenth wards of the city of Scranton shall constitute the third district and elect one member

The boroughs of Dickson City Dunmore Elmhurst Olyphant Throop and Winton and the townships of Jefferson and Roaring Brook shall constitute the fourth district and elect one member

The city of Carbondale the boroughs of Archbald Blakely Jermyn Mayfield and Vandling and the townships of Carbondale and Fell shall constitute the fifth district and elect one member

The boroughs of Clarks Green Clarks Summit Dalton Glenburn Gouldsboro La Plume Moosic Moscow Old Forge and Taylor and the townships of Abington Greenfield and Scott Benton Clifton Covington Lackawanna Lehigh Madison Newton North Abington Ransom South Abington Spring Brook and West Abington shall constitute the sixth district and elect one member

The county of Lancaster shall elect four members and shall be divided into four districts as follows

The city of Lancaster shall constitute the first district and elect one member

The boroughs of Adamstown Akron Denver Ephrata Lititz New Holland and Terre Hill and the townships of Brecknock Caernarvon Clay East Cocalico West Cocalico Earl East Earl West Earl Elizabeth Ephrata Upper Leacock Manheim and Warwick shall constitute the second district and elect one member

The boroughs of Columbia Elizabethtown Manheim Marietta Mount Joy and Mountville and the townships of Conoy East Donegal West Donegal East Hempfield West Hempfield Mount Joy Penn and Rapho shall constitute the third district and elect one member

The boroughs of Christiana Millersville Quarryville Strasburg and Washington Borough and the Townships of Bart Colerain Conestoga Drumore East Drumore Eden Fulton East Lampeter West Lampeter Lancaster Leacock Little Britain Manor Martic Paradise Pequea Providence

Sadsbury Salisbury and Strasburg shall constitute the fourth district and elect one member

The county of Lawrence shall elect two members and shall be divided into two districts as follows

The city of New Castle shall constitute the first district and elect one member

The residue of the county of Lawrence not included in the first district shall constitute the second district and elect one member

The county of Lebanon shall elect one member

The county of Lehigh shall elect four members and shall be divided into two districts as follows

The city of Allentown shall constitute the first district and elect two members

The residue of the County of Lehigh not included in the first district shall constitute the second district and elect two members

The county of Luzerne shall be entitled to nine members and shall be divided into eight districts as follows

The city of Hazleton the boroughs of Freeland Jeddo and West Hazleton and the townships of Foster and Hazle shall constitute the first district and elect one member

The boroughs of Ashley Laurel Run Sugar Notch Warrior Run and White Haven and the townships of Bear Creek Buck Denison Hanover and Wilkes-Barre shall constitute the second district and elect one member.

The city of Pittston the boroughs of Avoca Dupont Hughestown Laflin and Yatesville and the townships of Jenkins Pittston and Plains shall constitute the third district and elect one member

The city of Nanticoke the borough of Nuangola and the townships of Conyngham Newport Slocum Dorrance Rice Wright and Fairview shall constitute the fourth district and elect one member

The boroughs of Edwardsville Larksville and Plymouth the first and second wards the second and third districts of the third ward and the first and second districts of the sixth ward of the borough of Kingston and the township of Plymouth shall constitute the fifth district and elect one member

The boroughs of Duryea Exeter Luzerne Swoyersville West Pittston West Wyoming and Wyoming shall constitute the sixth district and elect one member

The boroughs of Courtdale Dallas Forty Fort Pringle New Columbus Shickshinney Nescopeck and Conyngham the first district of the third ward the fourth and fifth wards the third district of the sixth ward and the seventh ward of the borough of Kingston and the townships of Dallas Exeter Franklin Jackson Kingston Lake Lehman Ross Fairmont Hunlock Union Huntingdon Salem Nescopeck Black Creek Sugarloaf Butler and Hollenback shall constitute the seventh district and elect one member

The city of Wilkes-Barre shall constitute the eighth district and elect two members

The county of Lycoming shall elect two members

The county of McKean shall elect one member

The county of Mercer shall elect two members

The county of Mifflin shall elect one member

The county of Monroe shall elect one member

The county of Montgomery shall elect five members and shall be divided into five districts as follows

The boroughs of Bridgeport Narberth and West Conshohocken and the townships of Lower Merion and Upper Merion shall constitute the first district and elect one member

The boroughs of Conshohocken and Norristown and the township of Plymouth shall constitute the second district and elect one member

The boroughs of Bryn Athyn Rockledge Jenkintown and Hatboro and the townships of Lower Moreland Upper Moreland Abington Cheltenham and Horsham shall constitute the third district and elect one member

The boroughs of Ambler North Wales Lansdale Hatfield Schwenkville and Souderton and the townships of Springfield Upper Dublin Whitemarsh Whitpain East Norriton West Norriton Worcester Lower Gwynedd Upper Gwynedd Montgomery Hatfield Towamencin Skippack Lower Salford Perkiomen and West Telford shall constitute the fourth district and elect one member

The boroughs of Collegeville Trappe Royersford Green Lane Red Hill Pennsburg East Greenville and Pottstown and the townships of Lower Providence Upper Providence Limerick Lower Frederick Upper Frederick Marlborough Upper Hanover New Hanover Douglass Upper Pottsgrove Lower Pottsgrove West Pottsgrove Francconia Salford and Upper Salford shall constitute the fifth district and elect one member

The county of Montour shall elect one member

The county of Northampton shall elect four members and shall be divided int two districts as follows

That portion of the city of Bethlehem in the county of Northampton shall constitute the first district and elect one member

The residue of the county of Northampton not included in the first district shall constitute the second district and elect three members

The county of Northumberland shall elect three members and shall be divided into two districts as follows

The city of Sunbury the boroughs of McEwensville Milton Northumberland Riverside Turbotville and Watsontown and the townships of Delaware East Chillisquaque Gearhart Lewis Point Rockefeller Rush Turbot Augusta and West Chillisquaque shall constitute the first district and elect one member

The residue of the county of Northumberland not included in the first district shall constitute the second district and elect two members

The county of Perry shall elect one member

The county of Pike shall elect one member

The county of Potter shall elect one member

The county of Schuylkill shall elect five members and shall be divided into four districts as follows

The boroughs of Frackville Gilberton Mahanoy City and Shenandoah and the townships of Delano Mahanoy and West Mahanoy shall constitute the first district and elect one member

The boroughs of Ashland Girardville and Gordon and the townships of Barry Butler Cass Eldred Foster Hegins Hubley and Upper Mahantongo shall constitute the second district and elect one member

The boroughs of Coaldale McAdoo Middleport New Philadelphia New Ringgold Port Clinton Ringtown and Tamaqua and the townships of Blythe East Brunswick East Union Kline North Union Rahn Rush Ryan Schuylkill Union Walker West Brunswick and West Penn shall constitute the third district and elect one member

The city of Pottsville boroughs of Auburn Cressona Landingville Mechanicsville Minersville Mount Carbon Orwigsburg Palo Alto Pine Grove Port Carbon Saint Clair Schuylkill Haven Tower City and Tremont and the townships of Branch East Norwegian Frailey New Castle North Manheim Norwegian Pinegrove Porter Riley South Manheim Tremont Washington and Wayne shall constitute the fourth district and elect two members

The county of Snyder shall elect one member

The county of Somerset shall elect two members

The county of Sullivan shall elect one member

The county of Susquehanna shall elect one member

The county of Tioga shall elect one member

The county of Union shall elect one member

The county of Venango shall elect one member

The county of Warren shall elect one member

The county of Washington shall elect four members and shall be divided into two districts as follows

The boroughs of Burgettstown Canonsburg Claysville East Washington Houston McDonald Midway Washington West Alexander and West Middletown and the townships of Blaine Buffalo Canton Cecil Chartiers Cross Creek Donegal East Finley Hanover Hopewell Independence Jefferson Morris Mount Pleasant North Franklin Robinson Smith South Franklin South Strabane and West Finley shall constitute the first district and elect two members

The residue of the county of Washington not included in the first district shall constitute the second district and elect two members

The county of Wayne shall elect one member

The county of Westmoreland shall elect six members and shall be divided into three districts as follows

The boroughs of Bolivar Cokeville Derry Donegal La-

trobe Ligonier Livermore Mount Pleasant New Alexandria New Florence Seward and Youngstown and the townships of Cook Derry Donegal Fairfield Ligonier Loyalhanna Mount Pleasant Saint Clair and Unity shall constitute the first district and elect two members

The boroughs of East Vandergrift Hyde Park Vandergrift Vandergrift Heights Arnold New Kensington Parnassus Avonmore Export New Salem Trafford Penn Jeannette North Irwin Manor and Irwin and the townships of Allegheny Lower Burrell Upper Burrell Bell Washington Franklin Salem Penn and North Huntingdon shall constitute the second district and shall elect two members

The residue of the county of Westmoreland not included in the first and second districts shall constitute the third district and elect two members

The county of Wyoming shall elect one member

The county of York shall elect three members and shall be divided into three districts as follows

The city of York shall constitute the first district and shall elect one member

The townships of Carroll Conewago Dover East Manchester Fairview Franklin Heidelburg Hellam Jackson Manchester Monaghan Newberry North Godorus Paradise Penn Springgarden Springettsbury Warrington Washington and West Manchester and the boroughs of Dillsburg Dover Franklintown Goldsboro Hallam Hanover Lewisberry Manchester Mount Wolf Newsalem North York Springgrove Wellsville West York Wrightsville and York Haven shall constitute the second district and shall elect one member

The townships of Chanceford Codorus East Hopewell Fawn Hopewell Lower Chanceford Lower Windsor Manheim North Hopewell Peachbottom Shrewsbury Springfield West Manheim Windsor and York and the boroughs of Crossroads Dallastown Delta East Prospect Fawn Grove Felton Glenrock Jacobus Jefferson Loganville New Freedom Railroad Red Lion Seven Valleys Shrewsbury Stewartstown Windsor Winterstown Yoe and Yorkana shall constitute the third district and shall elect one member

On the question,

Will the House agree to the section?

Mr. HERBERT B COHEN. Mr. Speaker, I offer amendments to section one.

Mr. WOODSIDE. Mr. Speaker, is that the wrong Printer's number?

The SPEAKER. The correct Printer's No. is 1075.

Mr. WOODSIDE. Mr. Speaker, the calendar showed the wrong Printer's number yesterday, and I called the Chair's attention to that. The bill did not come up until this morning, and I had no opportunity to look at it. We did not then know that the Printer's number was wrong, and I object to the consideration of this bill at this time.

The SPEAKER. How many members do not have this bill on file, Printer's No. 1075?

Mr. WOODSIDE. Mr. Speaker, it is not so much a matter of its not being on file, I have amendments which I probably want to prepare to this bill, and I had no opportunity to know what the Printer's number was until the present moment.

MOTION TO POSTPONE BILL

Mr. WOODSIDE. Mr. Speaker, I move that this bill be placed upon the second reading postponed calendar.

On the question,

Will the House agree to the motion?

Mr. HERBERT B. COHEN. Mr. Speaker, haven't amendments already been offered to the bill?

The SPEAKER. Amendments have been offered.

Mr. HERBERT B. COHEN. Mr. Speaker, may I ask the Chair what will become of the amendments if the motion of the gentleman from Dauphin to place the bill on the postponed calendar prevails?

The SPEAKER. In reply to the gentleman from York, the motion to postpone precludes amendment, and if the motion to postpone prevails the amendments will be returned to the sponsor of the amendments until the bill is called up from the postponed calendar, inasmuch as the amendments have not been read and placed before the House.

Mr. HERBERT B. COHEN. Mr. Speaker, under that ruling I will be forced to object at this time to place this bill on the postponed calendar.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the "nays" appear to have it.

Mr. LOPRESTI. Mr. Speaker, I ask for a roll call.

Mr. O'CONNOR. Mr. Speaker, I second the call.

QUESTION OF INFORMATION

Mr. ALLEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Bedford will state his question of information.

Mr. ALLEN. Mr. Speaker, did not the Chair rule yesterday that a roll call was not in order after an announcement of the vote.

The SPEAKER. The result of the vote has not been announced. The Chair did rule that way.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. LOPRESTI and Mr. O'CONNOR and were as follows:

YEAS—55

Balthaser,	Holmes,	Ostroff,	Stockham,
Boltz,	Kline,	Patterson, C. S.,	Strode,
Boose,	Kroll,	Perry,	Thompson,
Boyer,	Leisey,	Powers,	Turner,
Brancato,	Levy,	Rothenberger,	VanAllsburg,
Cadwalader,	Lewis,	Royer,	Walsh,
Caesar,	Longaker,	Schrock,	Watkins,
Cohen, R. E.,	Lopresti,	Serrill,	Webster,
Costanzo,	Matthews, J. F.,	Shea,	Weidemann,
DeNote,	McKinney,	Spengler,	Wilson,
Fiss,	Melchiorre,	Sproul,	Wood,
Habbyshaw,	Merrell,	Stackpole,	Woodside,
Hall,	Muir,	Stewart,	Yeakel,
Harkins,	O'Connor,		

NAYS—96

Alexander,	Flannery,	McDermott,	Sarraf,
Allen,	Flinchbaugh,	McElroy,	Schor,
Arnold,	Ganser,	McFall,	Shepard,
Aukerman,	Gerard,	McShane,	Shoemaker,
Baine,	Haberlen,	Mellott,	Siegel,
Baker, J. J.,	Hagerty,	Moomaw,	Simon,
Bierly,	Hamilton, F. P.,	Mooney,	Smith, John A.,
Blank,	Hays,	Moran,	Stank,
Bohn,	Hering,	Moul,	Toole,
Bradley,	Hess,	Murrin,	Tronzo,
Broad,	Hindman,	Nagel,	Tumelty,
Brown,	Hirsch,	O'Brien,	Valibus,
Brownfield,	Holland,	O'Keefe,	VanSickle,
Caputo,	Holstrom,	Ominsky,	Vogt,
Cohen, H. B.,	Hontz,	O'Neill,	Wagner,
Coleman,	Horting,	Patterson, J. W.,	Weiss, D. H.,
Decker,	Jirolanio,	Pearson,	Weiss, S. A.,
Donohoe,	Keenan,	Pershing,	Welsh,
Dougherty,	Kelso,	Piole,	Whalen,
Downey,	Kilroy,	Readinger,	Wright,
Dubbs,	LaRue,	Reising,	Yanoshat,
Dyson,	Lovett,	Richter,	Yourishin,
Elpern,	Marino,	Robinson,	Zappala,
Falkenstein,	McCullough,	Rush,	Furman,
Fitch,			

So the question was determined in the negative and the motion was not agreed to.

REASONS FOR VOTE

Mr. REUBEN E. COHEN offered the following reason for his vote:

I desire to file the following reasons for voting in the affirmative on postponing House Bill No. 1817, Printer's No. 1075.

I know that many amendments are to be offered, and that probably will entail debate at length. The calendar is heavy and time is short and other important legislation might be adversely affected. I favor the amendments being thrashed out in committee.

On the question recurring,

Will the House agree to the section?

Mr. HARRY T. MATTHEWS. Mr. Speaker, I desire to offer amendments to section 1.

Mr. LOPRESTI. Mr. Speaker, I desire to offer amendments to this section.

Mr. THOMPSON. Mr. Speaker, I desire to offer amendments to this section.

Mr. WOODSIDE. Mr. Speaker have the amendments offered by the gentleman from York, Mr. Cohen, been read?

The SPEAKER. No amendments have been read.

Mr. ROTHENBERGER. Mr. Speaker, I desire to offer amendments to this section.

Mr. LEVY. Mr. Speaker, I desire to offer amendments to this section.

Mr. BLANK. Mr. Speaker, I desire to offer amendments to this section.

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. HERBERT B. COHEN. Mr. Speaker, I will.

Mr. TURNER. Mr. Speaker in view of the fact that there have been so many amendments offered from the floor, and in view of the fact that we on this side have amendments to offer, which I presume make quite a change in the bill, will the gentleman not consent to send this bill either back to the committee or put it on the postponed calendar, or pass it over in order so that all of these amendments can be carefully considered? It is going to take a considerable amount of time to go through them, and to do it hurriedly on the floor of the House does not seem to me to be quite fair. The gentleman from York, Mr. Cohen, has control of the machinery, and he can speed it on its way without much difficulty.

Mr. HERBERT B. COHEN. Mr. Speaker, in answer to the interrogation of the gentleman from Delaware, in which he indicates that I have control of the machinery, if that is the fact, I would ask the gentleman from Delaware to prevail upon his members to withdraw all their amendments and assume a fatalistic attitude, because his amendments are going out and ours are going in, and we might as well settle that question now. Under the circumstances I do not feel that the bill should be recommitted to the committee or in any manner delayed in its passage. The matter is before the House and has been discussed in and out of the committee since the beginning of this session, and the only way we can determine these issues is by a vote of the House, and if the House feels that they desire to insert these amendments they will be inserted and if the House feels that they should not be inserted they will not be inserted, but any delay to the bill will be detrimental to its final passage, and inasmuch as the session is passing along towards its close, I will ask the members of the House to assiduously apply themselves to their duties and thus expedite the work of the session.

Mr. TURNER. Mr. Speaker, can the gentleman from York assure us that this House will adjourn on the 28th of May?

Mr. HERBERT B. COHEN. Mr. Speaker, in answer to that interrogation I would say so far as the House is concerned, speaking for the House, we are in position as far as the work of the House is concerned to adjourn on the 28th of May.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from York, Mr. Cohen, further whether he has any knowledge as to whether there has been a decision among the leaders of the Democratic party that we will adjourn on the 28th of May.

Mr. HERBERT B. COHEN. Mr. Speaker, in answer to the gentleman from Delaware I will say that the concurrent resolution having passed the House and the Senate indicating that adjournment will be had on the 28th of May, I have not been informed of any other date of adjournment.

Mr. TURNER. Mr. Speaker, it sounds like a Chinaman's answer. Is it "yes" or "no."

Mr. HERBERT B. COHEN. Mr. Speaker, I think the question the gentleman from Delaware asked me was for information from the leaders—

Mr. TURNER. Mr. Speaker, I asked the gentleman if there had been a decision.

Mr. HERBERT B. COHEN. Mr. Speaker, I have heard of no decision among the leaders. As the gentleman from Delaware well knows the date of final adjournment is solely within the power of the House and the Senate and will not require consultation with the leaders.

Mr. TURNER. Mr. Speaker, if I could step down for a moment from a dignified position, I would like to say in the language of the day, the current slang of the day, "Oh yeah."

I would like to ask the gentleman from York, Mr. Speaker, whether he does not feel that we could approach this matter more intelligently if we could have the amendments taken up in committee rather than on the floor of the House?

Mr. HERBERT B. COHEN. Mr. Speaker, in answer to the gentleman from Delaware, I would say that there is also an old adage, that two heads are better than one, and I believe that two hundred eight heads are possibly better than the membership of the committee.

Mr. TURNER. Mr. Speaker, I think that is true, but there is also an old saying that two cabbage heads are better than one.

Mr. HERBERT B. COHEN. Mr. Speaker, he might have said that too many cooks spoil the broth.

Mr. TURNER. Mr. Speaker, might I ask the gentleman from York whether he does not understand that the Printer's number as given on the calendar today was the wrong printer's number, and that the bill as it is now before the House, Printer's No. 1075, has only been on the desks of the members for a very short time this morning.

Mr. HERBERT B. COHEN. Mr. Speaker, that is very true, but the mere fact that so many amendments have

been offered would clearly indicate that the members who desire to offer amendments have had ample opportunity in which so to do.

QUESTION OF INFORMATION

Mr. TURNER. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Delaware will state his question of information.

Mr. TURNER. Mr. Speaker, have all the amendments now been offered?

The SPEAKER. Amendments have been submitted by several members of the House.

Mr. TURNER. Mr. Speaker, has the gentleman from York submitted amendments?

The SPEAKER. The gentleman from York has submitted amendments.

MOTION TO LAY ON THE TABLE

Mr. TURNER. Mr. Speaker, I move that the bill together with the amendments be laid upon the table.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. TURNER and Mr. SPROUL and were as follows:

YEAS—57

Atkins,	Holmes,	O'Connor,	Stockham,
Balthaser,	Kane,	Perry,	Strode,
Boltz,	Kline,	Powers,	Thompson,
Boose,	Kroll,	Robinson,	Turner,
Boyer,	Leisey,	Rothenberger,	VanAllsburg,
Brown,	Levy,	Royer,	Wall,
Cadwalader,	Lewis,	Schrock,	Walsh,
Cohen, R. E.,	Longaker,	Schumacher,	Watkins,
Costanzo,	Lopresti,	Serrill,	Webster,
DeNote,	Lovett,	Shea,	Weidemann,
Dickinson,	Matthews, J. F.,	Spengler,	Wilson,
Habbyshaw,	McKinney,	Sproul,	Wood,
Hall,	Merrell,	Stackpole,	Woodside,
Harkins,	Muir,	Stewart,	Yeakel,

NAYS—98

Achterman,	Fitch,	McFall,	Schrope,
Alexander,	Flannery,	McGee,	Shaw,
Allen,	Flinchbaugh,	McShane,	Shepard,
Arnold,	Ganser,	Moomaw,	Shoemaker,
Aukerman,	Gerard,	Mooney,	Shugarts,
Baine,	Haberlen,	Moran,	Siegel,
Baker, J. J.,	Hagerty,	Moul,	Simon,
Bierly,	Hamilton, F. P.,	Murrin,	Smith, John A.,
Bohn,	Hays,	Nagel,	Toole,
Brancato,	Hering,	O'Brien,	Tronzo,
Broad,	Hess,	Ominsky,	Tumelty,
Brownfield,	Hindman,	O'Neill,	Valibus,
Caputo,	Hirsch,	Patterson, C. S.,	VanSickle,
Coakley,	Holland,	Patterson, J. W.,	Vogt,
Cohen, H. B.,	Holstrom,	Pearson,	Wagner,
Coleman,	Hontz,	Piole,	Weiss, D. H.,
Coolahan,	Horting,	Preston,	Weiss, S. A.,
Decker,	Keenan,	Readinger,	Welliver,
Donohoe,	Kelso,	Reese,	Whalen,
Dougherty,	LaRue,	Reising,	Wright,
Downey,	Marino,	Richter,	Yanoshat,
Dubbs,	McArdle,	Rush,	Yourishin,
Dyson,	McCullough,	Sarraf,	Zappala,
Elpern,	McDermott,	Schor,	Furman,
Falkenstein,	McElroy,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the section?

QUESTION OF INFORMATION

Mr. LOPRESTI. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Cambria will state his question of information.

Mr. LOPRESTI. Mr. Speaker, I desire to know whether a motion to lay the amendments on the table will be in order at this time?

The SPEAKER. In reply to the gentleman from Cambria, Mr. Lopresti, the Chair will state that a motion such as the gentleman suggests would be in order. However, the Chair feels that it would be futile to submit such a motion, due to the fact that the previous motion included the bill and the amendments.

Mr. LOPRESTI. Mr. Speaker, inasmuch as the Constitution provides for a method of re-apportioning the State according to the population—

POINT OF ORDER

Mr. JAMES W. PATTERSON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. JAMES W. PATTERSON. Mr. Speaker, there is nothing in order but the action of the House on the amendments of the gentleman from York, Mr. Cohen.

The SPEAKER. The point of order of the gentleman from Allegheny, Mr. Patterson, is not well taken, for the reason that the question before the House is on section 1 of the bill. The gentleman has submitted a question of information relative to a privileged motion in connection with the consideration of this section of the bill. The gentleman from Cambria, Mr. Lopresti, will proceed.

MOTION TO TABLE

Mr. LOPRESTI. Mr. Speaker, inasmuch as the Constitution provides that the State shall be re-apportioned according to population and sets up rather an intricate manner in which those districts shall be set up, I now move you that these amendments be placed upon the table.

On the question,

Will the House agree to the motion?

DIVISION OF QUESTION

Mr. HERBERT B. COHEN. Mr. Speaker, I ask for a division of the question. More than one group of amendments having been offered, the question will be on each set of amendments as a separate group, I therefore ask that the question be divided.

The SPEAKER. The gentleman from York asks that the question be divided.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Delaware will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker is the gentleman, as a matter of right able to demand a division of the question, or does he have to ask the consent of the House?

The SPEAKER. In reply to the gentleman from Delaware, Mr. Turner, the Chair believes that the member does have the right to call for a division of the question. In support of this belief the Chair will read Rule No. 69, "Division of the Question. Any member may call for the division of a question, which shall be divided, if it comprehends questions so distinct, that one being taken away, the rest may stand entire for the decision of the House."

MOTION TO TABLE ALL AMENDMENTS

Mr. TURNER. Mr. Speaker, I move that the motion include all amendments.

The SPEAKER. The Chair rules the motion of the gentleman from Delaware out of order for the reason that it is taking away the right of a member to a division of the question under the rule just read.

QUESTION OF INFORMATION

Mr. TURNER. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Delaware will state his question of information.

Mr. TURNER. Mr. Speaker, what is the number of the rule just read?

The SPEAKER. Rule 69.

MOTION TO SUSPEND RULE

Mr. TURNER. I move that Rule No. 69 be suspended for the specific purpose of preventing the question on the motion made by the gentleman from Cambria, Mr. Lopresti, from being divided.

On the question.

Will the House agree to the motion?

Mr. HERBERT B. COHEN. Mr. Speaker, I had intended to rise to a point of order. The motion made by the gentleman from Delaware did not indicate for what purpose his motion had been made. However, the Speaker corrected the motion of the gentleman from Delaware so that it might comply with the parliamentary rules.

The SPEAKER. The Chair took it for granted that that was the purpose of the gentleman from Delaware.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TUMELTY. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. TUMELTY. Mr. Speaker, what is the status of the motion made by the gentleman from Cambria, Mr. Lopresti?

The SPEAKER. In reply to the gentleman from Philadelphia, Mr. Tumelty, final action on the motion of the gentleman from Cambria depends upon the action taken by the House on the request of the gentleman from York, Mr. Cohen, to divide the question and on the motion of the gentleman from Delaware, Mr. Turner.

Mr. TUMELTY. Mr. Speaker, a motion to lay on the table is not debatable by any member, is it?

The SPEAKER. A motion to lay on the table is not debatable.

Mr. TUMELTY. Mr. Speaker, in the opinion of the Chair, a motion to change the motion to lay on the table, is that debating the question?

The SPEAKER. The Chair feels that it is not.

Mr. TUMELTY. Mr. Speaker, I will abide by the decision of the Chair.

STATEMENT BY MR. TURNER

Mr. TURNER asked and obtained unanimous consent to make the following statement:

Mr. Speaker, on the motion which I have just made, to suspend the rule for the purpose of considering these amendments together, I think it is only fair to point out to the House that the members may not have exactly caught the purpose of the request of the gentleman from York. If we consider separately the individual amendments they may all be left on the table and the gentleman from York will then be in position to have only his amendments considered. It seems to me in fairness to the men who have submitted amendments that they ought to have a chance to have action upon them in the House.

STATEMENT BY MR. HERBERT B. COHEN

Mr. HERBERT B. COHEN asked and obtained unanimous consent to make the following statement:

Mr. Speaker, I might say that if the gentleman from Delaware desires to be fair, and the member who made the motion to put all of the amendments on the table also desires to be fair, they can withdraw the motion to lay all of the amendments on the table, and we can fight these amendments out on the floor of the House. I wish to call the attention of the gentleman from Delaware to the fact that I did not make the motion to lay the amendments on the table.

STATEMENT BY MR. LOPRESTI

Mr. LOPRESTI asked and obtained unanimous consent to make the following statement:

Mr. Speaker, I made the motion and I still insist that this House cannot intelligently vote on the amendments for the reason that the census figures for each district must be taken into consideration, and we cannot vote on this intelligently in this House. It requires more study than we can give to them during this session.

On the question recurring,

Will the House agree to the motion to suspend Rule 69?

The yeas and nays were required by Mr. CAESAR and Mr. WOOD and were as follows:

YEAS—49

Atkins,	Harkins,	O'Connor,	Strode,
Balthaser	Holmes,	Perry,	Turner,
Boose,	Kline,	Powers,	VanAllsburg,
Boyer,	Kroll,	Rothenberger,	Wall,
Bradley,	Leisey,	Royer,	Wampole,
Cadwalader,	Longaker,	Schrock,	Watkins,
Caesar,	Lopresti,	Schumacher,	Webster,
Davies,	Matthews, J. F.,	Serrill,	Weidemann,
DeNote,	McArdle,	Sproul,	Wilson,
Dickinson,	McKinney,	Stackpole,	Wood,
Fiss,	Merrell,	Stewart,	Woodside,
Habbyshaw,	Muir,	Stockham,	Yeakel,
Hall,			

NAYS—98

Achterman,	Fitch,	McShane,	Schrope,
Alexander,	Flannery,	Melchiorre,	Shoemaker,
Allen,	Ganser,	Mellott,	Shugarts,
Arnold,	Gerard,	Moomaw,	Siegel,
Aukerman,	Haberlen,	Mooney,	Simon,
Baine,	Hagerty,	Moran,	Smith, James A.
Baker, J. J.,	Hamilton, F. P.,	Moul,	Smith, John A.
Bierly,	Hays,	Murrin,	Toole,
Bohn,	Hering,	Nagel,	Tumelty,
Boltz,	Hess,	O'Brien,	Valibus,
Broad,	Hindman,	O'Keefe,	VanSickle,
Brownfield,	Hirsch,	Ominsky,	Vogt,
Caputo,	Holland,	O'Neill,	Wagner,
Coakley,	Holstrom,	Ostroff,	Walsh,
Cohen, H. B.,	Horting,	Patterson, J. W.,	Weiss, S. A.,
Cohen, R. E.,	Keenan,	Pearson,	Welliver,
Coleman,	Kelso,	Piole,	Welsh,
Coolahan,	LaRue,	Readinger,	Whalen,
Costanzo,	Lewis,	Reese,	Whitenight,
Decker,	Lovett,	Reising,	Wright,
Donohoe,	Marino,	Richter,	Yanoshat,
Downey,	McDermott,	Rush,	Yourishin,
Dubbs,	McElroy,	Sarraf,	Zappala,
Elpern,	McFall,	Schor,	Furman,
Falkenstein,	McGee,		

So the question was determined in the negative and the motion was not agreed to.

The SPEAKER. At the request of the gentleman from York, Mr. Cohen, that the motion of the gentleman from Cambria, Mr. Lopresti, be divided, the question will be divided.

On the question.

Will the House agree to the motion to lay the amendments, submitted by the gentleman from York, on the table.

The SPEAKER declared the "nays" appear to have it.

Mr. HERBERT B. COHEN. Mr. Speaker, I don't think the members of the House clearly comprehend the statement of the question. Will the Chair please restate the question.

Mr. LOPRESTI. Mr. Speaker, has a decision been announced by the Chair?

The SPEAKER. A decision has not been announced by the Chair.

POINT OF ORDER

Mr. LOPRESTI. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Cambria will state his point of order.

Mr. LOPRESTI. Mr. Speaker, when the Chair has announced a decision, has any member the right to ask for a re-statement of the question?

The SPEAKER. If the Chair had made a decision the decision would have stood, but the Chair has not made a decision.

Mr. LOPRESTI. Mr. Speaker, may I ask what the Speaker did announce?

The SPEAKER. "The 'nays' appear to have it."

On the question recurring,

Will the House agree to the motion to lay the amendments submitted by the gentleman from York on the table?

The motion was not agreed to.

The amendments submitted by the gentleman from York, Mr. Cohen, were read by the Clerk as follows:

Amend sec. 1, page 9, line 16, by striking out the word "four" and inserting in lieu thereof "three"

Amend sec. 1, page 9, line 23, by striking out the words "two members" and inserting in lieu thereof "one member"

Amend sec. 1, page 9, line 25, by striking out the word "two" and inserting in lieu thereof "five"

Amend sec. 1, page 9, line 28, by striking out the bracket before the word "The"

Amend sec. 1, page 9, line 29, by striking out the bracket after the word "Provi-"

Amend sec. 1, page 10, line 1, by striking out the bracket before the word "dence"

Amend sec. 1, page 10, line 16, by striking out the bracket after the word "member"

Amend sec. 1, page 10, lines 16, 17 and 18, by striking out the words "The remainder of the county of Delaware shall constitute the second district and elect four members"

On the question,

Will the House agree to the amendments?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WOODSIDE. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Dauphin will state his question of parliamentary inquiry.

Mr. WOODSIDE. Mr. Speaker, is there not now undisposed of on the table a motion to lay several amendments on the table?

The SPEAKER. The motion to lay these amendments on the table was divided. We are acting upon the amendments submitted by the gentleman from York, Mr. Cohen, and when they are disposed of we will take up the amendments submitted by other members.

Mr. WOODSIDE. Mr. Speaker, would it be proper to dispose of the motion to lay on the table before taking up any of the amendments and voting upon them, with so many amendments undisposed of.

The SPEAKER. The question has been divided and we will take up in order the various amendments submitted by other members of the House.

Mr. WOODSIDE. Mr. Speaker, I do not desire to argue with the Chair, but there was a motion to lay a certain group of amendments on the table.

The SPEAKER. That is correct.

Mr. WOODSIDE. Mr. Speaker, the question was then divided.

The SPEAKER. That is correct.

Mr. WOODSIDE. Mr. Speaker, that meant that a vote should be taken to lay on the table each one of these amendments separately.

The SPEAKER. That is what the Chair intends to do.

Mr. WOODSIDE. But no business should intervene, because you cannot proceed normally with any subsidiary motion that might be made on any one amendment because you always have a motion before the House to lay upon the table.

REQUEST TO WITHDRAW MOTION

Mr. LOPRESTI. Mr. Speaker, I withdraw my motion to lay the amendments on the table.

The SPEAKER. The request of the gentleman from Cambria, Mr. Lopresti, comes too late. Part of the question has already been decided.

POINT OF ORDER

Mr. LOPRESTI. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Cambria will state his point of order.

Mr. LOPRESTI. Mr. Speaker, the question having been divided, can I withdraw the remainder of the motion?

Mr. WOODSIDE. Mr. Speaker, I withdraw my opposition.

The SPEAKER. The gentleman from Dauphin Mr. Woodside withdraws his opposition to proceeding with the question as we are proceeding. The question before the House is on the amendments offered by the gentleman from York, Mr. Cohen.

DIVISION OF QUESTION

Mr. TURNER. Mr. Speaker, I ask for a division of the question to consider first the amendments on page 9, line 16, lines 16 and 23, those pertaining to Dauphin County and those pertaining to Delaware County.

The SPEAKER. The gentleman from Delaware, Mr. Turner, asks a division of the amendments submitted by the gentleman from York, Mr. Cohen. The Chair will divide the question.

Mr. WOODSIDE. Mr. Speaker, I ask for a further divi-

sion of the question by separating the amendments as to line 16 from the amendments made to line 23.

The SPEAKER. Will the gentleman from York, Mr. Cohen, and the gentleman from Dauphin, Mr. Woodside come, to the desk.

Mr. WOODSIDE. Mr. Speaker, in consideration of an understanding that I shall be permitted to offer an amendment in case the amendments of the gentleman from York are adopted, relating to Dauphin County, I withdraw my request for a further division of the question on the amendments of the gentleman from York.

The SPEAKER. The gentleman from Dauphin, Mr. Woodside, withdraws his request for a division of the amendments referring to Dauphin County. The gentleman from Delaware, Mr. Turner has asked for a division of the amendments offered by the gentleman from York, Mr. Cohen. The amendments to be considered as to the counties which they affect. The question will be divided and we will consider first the amendments affecting Dauphin County, which the Clerk will read.

The Clerk read the amendments as follows:

Amend sec. 1, page 9, line 16, by striking out the word "four" and inserting in lieu thereof "three"

Amend sec. 1, page 9, line 23, by striking out the words "two members" and inserting in lieu thereof "one member"

On the question,

Will the House agree to the amendments?

Mr. WOODSIDE. Mr. Speaker and members of the House, this amendment proposes to reduce the number of representatives in the General Assembly from Dauphin County—

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TUMELTY. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Philadelphia will state his question of parliamentary inquiry.

Mr. TUMELTY. Mr. Speaker, the motion before the House, which is divided, is a question to lay on the table and is not debatable.

The SPEAKER. The question before the House at the present time is the amendment submitted by the gentleman from York, Mr. Cohen. The motion to lay on the table was divided. The first part of the question has been decided. The amendments are now before the House. After these are disposed of we will proceed with the other parts of the question.

Mr. TUMELTY. Mr. Speaker, I must plead ignorance.

Mr. WOODSIDE. Mr. Speaker and members of the House, the question, as I understand it which is now before the House of Representatives is whether or not Dauphin County will have four representatives in the General Assembly as they have at the present time. The amendment which was proposed by the gentleman from York would reduce the number of representatives from four to three. Dauphin County has had four members in the General Assembly for a number of years. This is 1937, which is seven years after the last census was made. The last census of Dauphin county showed a population of 165,231. Of that number 80,339 were from the cities and 84,892 were from the rural districts or the second district of Dauphin County.

I might state that the county is divided into two districts composed of first, the City of Harrisburg as one district, and secondly all of the rest of the county as the second district. During the present time and for some years past, the first district, or the City of Harrisburg, has been entitled to two members and the second district or the district outside of the City of Harrisburg, frequently referred to as the county district or the country district is also entitled to two members. The ration which I understand has been used to make the distribution was 48,156. Any county is entitled to one member for that number of population or half thereof. Dauphin County comes within 3,306 of having half thereof which would give them the fourth member under the ratio. The very unfair part to Dauphin County can very easily be shown. Here we have a population in the city of 80,000, and in the country nearly 85,000. Now, if the city is to have two members and the rural districts only one members, I need say nothing but point out how unfair that is and how the representation will not be as it should be. On the other hand, if the country districts were to have the two members and the City district one member the country district would still have a somewhat disproportionate representation in proportion to that which the city has.

The County of Dauphin, I feel, under the circumstances, as they exist, is really entitled to four members, and we are very much interested in having four members. As a matter of fact, as the bill now stands, we were very definitely given to understand by both the Republicans and the Democrats that Dauphin County was to continue to have four members, and now an amendment has been introduced to reduce it to three. Action would have been taken in the committee, probably, other than the action that was taken on this bill by the members from Dauphin had there not been that very definite understanding, that the county was to continue to have four members. I think it is very unfair that the amendments as written by the gentleman from York should give the rural district one member and the city district two members. If it is necessary to cut the county to three members, then it should be the city who loses its one member, but I think under all the circumstances it is no more than fair that Dauphin County should continue to have the four representatives that it has had in this House. I ask the members to vote down this part of the amendment.

Mr. SPENGLER. Mr. Speaker, this is the time when a Republican from one county and a Democrat from the same county are going to agree. We are absolutely opposed to losing one member of the four that we have in Dauphin County. Therefore I rise to oppose this amendment and I hope that my Democratic friends will help to vote down this amendment affecting Dauphin County. I would like to say further, however, that during the last Presidential election, Dauphin County, poled more than 4,000 Democratic votes over the Republican votes, so I think my Democratic friends are going to appreciate that and go along with the Republican members for Dauphin County.

Mr. HERBERT B. COHEN. Mr. Speaker and members of the House, we are here attempting to perform a function that the Legislature has been derelict in performing for the past six or seven years. Naturally a bill such as this is going to call forth all the personal interests of the mem-

bers of the House. However, we have imposed upon us a constitutional responsibility relative to the apportionment of this Commonwealth.

The gentleman from Dauphin finds fault due to the fact that with a population of 165,000, which is some 3,000 short of the number required to have four members, that they should not be placed in a position whereby they have but three members. To allow that inequity to exist is not only unfair to all of the other counties of the State in general, but it is undesirable and unjustifiable to any other number of counties, and I need go no further than the adjoining County of York which I represent, wherein the population of the County of York is not 165,000, but 167,000, and we by this act have been restricted to three members. Because Dauphin County for the past number of years has been able to have a larger representation than their population justified is no reason why that inequitable representation should continue. Because Dauphin County possibly has been able to prevent a Legislative apportionment of this Commonwealth in order to continue that unjustifiable representation is no reason why we as members of this House should continue that. If it is fair for Dauphin County to have four members representing them in the House of Representatives, it is equally fair to have the adjoining County of York have four members representing them, but York is limited in its representation to three members, and that limitation is imposed upon the County of York, not by the will of its members, I assure you, but by the Constitution of Pennsylvania, and that same constitutional limitation must and should apply to each and every county of this Commonwealth irrespective of how close they are to receiving another additional member.

The gentleman who represents the County of Cambria might come into this House and complain that their representation is being cut, and it is for the simple reason that their population does not come up to the required proportionate amount. The men who represent the County of Luzerne have a justifiable complaint, for unless you take away from the counties that have the smaller population and give it to the counties that have the larger population you will be unable to equitably eradicate this disproportionate representation that is now existing in the Commonwealth of Pennsylvania. I ask the members of the House, not only as a duty, fair to all the membership of Pennsylvania, but I ask the membership of this House as an obligation under our Constitution to insert the amendments that are now before the House.

Mr. LOPRESTI. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. HERBERT B. COHEN. I will, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, I would like to ask the gentleman from York, Mr. Cohen, whether he is familiar with the decision of the Supreme Court in cases where a Legislature failed to do that which the Constitution requires it to do.

Mr. HERBERT B. COHEN. I am, Mr. Speaker.

Mr. LOPRESTI. Mr. Speaker, will the gentleman from York, Mr. Cohen, inform us what it is.

Mr. HERBERT B. COHEN. Mr. Speaker, the same rule will apply to that, the same question has been raised relative to the time-lock provision of the Constitution. Prior acts have indicated that legislative apportionment should be made immediately after the convening of the Legislature following the decennial census. However, for three sessions of the Legislature the Assembly has been derelict in its duties, and I say to the gentleman from Cambria and to the membership of this House that the problem can be renewed and decided anew by the Supreme Court of Pennsylvania under the rule of law pertaining to stare decisis, not being applicable to Constitutional questions.

Mr. LOPRESTI. Mr. Speaker, I am reading from the Pennsylvania State Reports No. 259, page 165, and I shall ask the gentleman from York whether he has any law to the contrary: "It is always to be presumed that the Legislature performs the duties enjoined upon it by the Constitution, and when a session immediately succeeding a decennial census is allowed to pass without the enactment of a judicial proportionment act, a fair presumption is that the Legislature intended to re-adopt the existing judicial apportionment for the succeeding ten years, but by this first meeting, the Legislature not having passed a judicial apportionment act at the session of 1911, the judicial districts of the State as now constituted must continue until the session of 1921."

Mr. HERBERT B. COHEN. Mr. Speaker, I will answer that the only law to the contrary that I have is the law of equity and fair play. The only law I have is for the last six or seven years possibly the previous general assemblies have been derelict in their duties.

Mr. LOPRESTI. Mr. Speaker, if the gentleman from York will permit me to read—

Mr. HERBERT B. COHEN. Mr. Speaker, do I understand that I am being further interrogated by the gentleman from Cambria.

The SPEAKER. The Chair is of that opinion.

Mr. LOPRESTI. That is the end of the question that the gentleman from York interrupted.

Mr. HERBERT B. COHEN. Mr. Speaker, the question is, do I have any other law to the contrary?

Mr. LOPRESTI. That is correct, Mr. Speaker.

Mr. HERBERT B. COHEN. Mr. Speaker, I have only this law, as I have previously indicated, the law of equity and fair play. All that there is in that decision is that the court will presume that the Legislature in the 1931 session felt that the legislative apportionment as the result of the 1930 census was equitable and fair, and the tenor of the case cited by the gentleman from Cambria is to the effect that the Legislature felt that there was no necessity to re-apportion.

Now, the law that I have to the contrary is the fact that all presumptions are rebuttable presumptions, and the rebuttable presumption that I would apply to this case is the fact that we now see the inequities that are existing under our present population as a result of the 1930 census. We all see a disproportionate representation; we see cities that have grown in size still restricted to their former representation. We see counties that are discriminated against because they lack a voice in this assumbly. We see communities having an over-abundance of representation, and I say to the membership of this House that the presumption, the legal presumption that the Supreme Court decided was applicable in this instance is admittedly rebuttable by any instances of unfair representation.

Mr. LOPRESTI. Mr. Speaker, I shall ask the gentleman from York, Mr. Cohen, whether he places his idea of fairness and justice above the interpretation of the Supreme Court of our Constitution.

Mr. HERBERT B. COHEN. Mr. Speaker, in any problem in which we are dealing with figures there is always a question on which side the chips shall fall. As far as Dauphin County is concerned and as far as Cambria County is concerned, my heart bleeds from the fact that the chips fall there, but on the other hand, Mr. Speaker, I will say that my heart quivers just as emotionally for the other counties that have less adequate representation due to an inequitable legislative apportionment, and while I do not hold myself above the Supreme Court, I nevertheless feel that if you are figuring it out on figures you can adequately determine from the cold facts who should have three, who should have four, who should have more and who should have less.

Mr. LOPRESTI. Mr. Speaker, I appreciate the sentiments which the gentleman from York, Mr. Cohen, as expressed in my regard, but I also assure him as far as I am particularly concerned, I need not his sympathy. I would ask the gentleman from York, Mr. Cohen, to answer my question and not make a speech, and that question is, does he place his own interpretation of fair play above the construction that the Supreme Court places upon our Constitution?

Mr. HERBERT B. COHEN. Mr. Speaker, that is a very unfair question. We have heretofore decided that the functions of this Commonwealth should be divided into three—

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. TURNER. Mr. Speaker, I do not like to interrupt the bleeding Demosthenes, but I feel that the gentleman from Cambria, lacking in the ultimate experience and the training of the gentleman from York, is put at an unfair advantage in this situation, and not to be outdone by the bleeding heart of the gentleman from York, my own heart bleeds for the gentleman from Cambria, and I rise to the point of order that the gentleman is not answering the question but making a speech.

The SPEAKER. The gentleman from York will confine himself to the question submitted to him by the gentleman from Cambria.

Mr. HERBERT B. COHEN. Mr. Speaker, I understand that the question submitted by the gentleman from Cambria was whether I would put my sense of fair play and justice above the Supreme Court, is that correct, Mr. Speaker?

The SPEAKER. The gentleman from York must submit his question to the gentleman from Cambria. The Chair is unable to answer.

Mr. HERBERT B. COHEN. I will say, Mr. Speaker, in answer to that interrogation, that only my extreme modesty forces me to answer "no".

Mr. WOODSIDE. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. HERBERT B. COHEN. I will, Mr. Speaker.

Mr. WOODSIDE. Mr. Speaker, in order that the gentleman from York may do a little more bleeding and tell us a little more about the law of equity and fair play, I would like to know how he can justify the fact that his amendment provides that the first district shall have two representatives, with a population of 80,339, and the country district shall have one representative with a population of 84,892?

Mr. HERBERT B. COHEN. I can answer that very eloquently. I have found in representing my own first district that the legislative interests of the community that are immediately contiguous to the City of York, are with the City of York's interests, that the communities that are immediately contiguous to the City of York, are manufacturing, industrial and commercial, and I find that in a number of instances my interests are identical with the constituents possibly who live in the district represented by my colleague, Mr. Moul, and the same rules will apply, undoubtedly, to the City of Harrisburg. The immediate boroughs, the industrial sections are decidedly different from the rural sections that the gentleman from Dauphin, Mr. Woodside, and the gentleman from Dauphin, Mr. Habbyshaw represent, and we feel that a better and more equitable representation is secured by giving two members to the City of Harrisburg, representing the first district, and one to the county and that more equitable and adequate representation is assured than would be secured by giving one represenative to the City of Harrisburg and two to the outlying districts.

Mr. WOODSIDE. Mr. Speaker and members of the House, I think that we will all agree that the gentleman from York, Mr. Cohen, as usual, has answered the question very eloquently but not at all logically. The fact is that the interests of the districts outside of the city are much more diversified than the interests of the city itself. We have in the districts outside the city, and a considerable distance from the city, coal mines, we have steel mills, we have agricultural centers, we have shoe factories, we have all kinds of diversified classes of interests, while in the city the people, as we all know, are more centralized, their interests are not as much diversified and there is not as much necessity for their having two representatives as there is in the districts outside of the city. I call attention to the fact that the territory of the city is very small, while the territory of the districts outside of the city composes all of the county, the distance from one end to the other being nearly sixty miles. I call your attention to the fact that there is virtually five thousand more population in the district outside of the city. I call your attention to the fact that the district outside of the city is growing in population faster than the district inside of the city. I call your attention to the fact that all these things put together certainly would show that if there is any equity or any fair play that it is the city districts which should lose the member rather than the country district. But we, however, feel that the County of Dauphin is entitled to four members and that this amendment should be voted down.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER declared the nays appeared to have it,

Whereupon, a division was called for, ninety members having voted in the affirmative and fifty-five in the negative, the question was determined in the affirmative and

the amendments were agreed to.

On the question,

Will the House agree to the section as amended?

The Clerk read the second part of the amendments offered by the gnetleman from York, Mr. Cohen, as follows:

Amend sec. 1, page 9, line 25, by striking out the word "two" and inserting in lieu thereof "five"

Amend sec. 1, page 9, line 28, by striking out the bracket before the word "The"

Amend sec. 1, page 9, line 29, by striking out the bracket after the word "Provi-"

Amend sec. 1, page 10, line 1, by striking out the bracket before the word "dence"

Amend sec. 1, page 10, line 16, by striking out the bracket after the word "member"

Amend sec. 1, page 10, line 16, 17 and 18, by striking out the words "The remainder of the County of Delaware shall constitute the second district and elect four members"

On the question,

Will the House agree to the amendments?

Mr. TURNER. Mr. Speaker, perhaps we should not be complaining about this bill, and I rather hesitate to mention the argument against the amendment as amendments that pertain to Delaware County, because I am afraid it is going to be a very popular one with the other side of the House.

As the bill came from the committee it provided for an increase in Delaware county from four to five members. Of course we are in favor of that proposition, but as the bill is written now, or as the amendments propose, it would place one member in the City of Chester and it would place the other four members in the county outside of Chester, but would divide the county into four districts.

We have always had two districts in Delaware County, one being from the city and the other from the county outside the city. That district outside the city is partly industrial, is partly rural and is partly suburban. None of the divisions into which this bill proposes to divide the second district of Delaware County into four districts make any one definitely industrial or definitely rural or definitely suburban. The division of the districts in addition to that, are stretched around in very peculiar form. They do not have any geographical location except, I think, in one instance. The lines run around and across the county, starting on the eastern end in one of the districts and going all the way across the top of the county into some of the rural townships. The Chester Pike, for instance, has a very consolidated interest because there are a number of boroughs along the Chester Pike, and they cooperate together in police and fire and other matters of that kind, and it has been divided and a part of it thrown into one of the districts, and the majority of it into another district. The Township of Tinicum, which is mainly rural and industrial, is thrown into mainly a suburban area, while the Borough of Eddystone, where the great Baldwin Locomotive plant is located, is thrown into another district. If there had been an attempt to divide the county placing the districts according to the industrial plants along the river front there might have been some sound logic behind the division of the districts, but to divide the county into four districts, one of which starts down along the river, runs back into the county some eight or nine miles to and above the Borough of Media, and then stretches some nine, ten or eleven miles to the lower end of the county, to Birmingham Township, and then stretches around Chester Borough and Marcus Hook, which is highly industrial, and other territory back of it; and other districts start down the river and run all the way up into the populace section next to Upper Darby Township, taking in the suburban Townships of Lansdowne, Yeadon and East Lansdowne and I think I have mentioned starting on the eastern end, taking into the district from which my colleague, Mr. Weidemann, comes, starting from the eastern end of the county and swings almost the width of the county to the westward. There apparently is no logic in the development of these districts other than there is some general population relation. One of the things that has developed, and this is one I hesitated to speak about because if the gentleman from York needed a transfusion of blood before he will need it worse now. This amendment places the gentleman from Delaware, Mr. Sproul, as coming from the same district, and I suppose the purpose was to eliminate one of us from the Legislature. We have had, as I say, for a long time two districts in the County of Delaware, the first being the City of Chester and the second being all of the county outside of the City of Chester. And I can say with all the modesty of the gentleman from York, I think we have been successfully able, our members outside of the City of Chester, to represent the second district, because the interests of that district are so uniform and because we men have been able to take care of those interests, knowing them from one end of the county to the other. Our people in Delaware County have made no clamor for a division of the county individually. There have been requests for an increase in the number of the members in Delaware County. Of course there were bills introduced for apportionment in almost every session, I believe since 1930, but in every one of those sessions, as you know, apportionment failed. Therefore I would ask that the House vote down these amendments of the gentleman from York and leave the bill stand as it came from the committee. The committee has given it consideration and reported this bill granting Delaware County an additional member, but it did not divide the second district into four districts, and the sole purpose of this amendment offered by the gentleman from York, Mr. Cohen, is to divide the district in a hodge podge fashion that will leave one district with a part of a representative and other districts with another, and scattered it all over the county until it will be hard for a member to tell just what he is representing in Harrisburg.

Mr. RUSH. Mr. Speaker, in answer to the gentleman from Delaware, Mr. Turner, I would like to say that we have endeavored to divide the County of Delaware in such a manner that people with the same interests and same environments are placed in the same legislative district. It is true, and I am sorry that I do not have a map large enough that I could point out to the members of this House that they could all see that some of these lines are irregular. The gentleman from Delaware, Mr. Turner, mentioned the fact that we went around the City of Chester only to get a district large enough, to get enough population to make a legislative district. That is true, because the City of Chester is located in the lower end of the county and in an industrial area. Under the Constitution a city of the third class is entitled to a representative.

The City of Chester has a population of about fifty-nine thousand and some three hundred people that does compose one district, the district which I represent. It is also true that the people in the lower end of the county come from an industrial area and from a rural area. It was necessary in order to get the required population to include these people, these two classes of people into one district, and that we did.

The gentleman from Delaware, Mr. Turner, made mention of the island of Tinicum not being included in the district which we term, under the terms of his bill, as district No. 2. He failed to state to you that the Township of Tinicum is located along the Delaware River adjacent to the city of Philadelphia, and is in the extreme southwestern corner from the township of Birmingham, which is included in this area and is in the extreme northeast corner, so if we were to attempt to include the township of Tinicum in district No. 2, we would stretch that district from one extreme corner of the county all away across the county to the other extreme corner. We did not do that, but we did include the township of Ridley, which is an industrial area in district No. 2, included it in with the other industrial areas.

The gentleman spoke about the district which we term district No. 3 under the provisions of this bill, and I might say that the residents of that district, which is located along the Chester Pike, which is the main artery of traffic from the city of Philadelphia southward, — the folks that live along that pike are people with the same interests and the same environment. Most of those folks are employed as clerks or in small businesses or something of that sort. That area takes in the island of Tinicum and the southwest corner of the county of Delaware.

The gentleman spoke of the area from which Mr. Weidemann comes. That area is as compact as it is possible to make it. It takes in Upper Darby township, which is a metropolitan area. The township of Upper Darby is only a few thousand short of being large enough to comprise a legislative district, and it was necessary to include a couple of other boroughs there so that included the adjacent boroughs of Lansdowne, East Lansdowne and Millbourne, which gives the required population.

The rest of the county is composed of the northeastern part of the county in which are located large homes and large estates. It is true that there has been quite an agitation in the county of Delaware for some years to have a fifth representative to which we are entitled. The population at the last census was some 280,000 people. With a few more thousand we would be entitled to six instead of five representatives, and up until the present time we have almost 8,000 people who have no representation in this House, because the Republican Party has failed to reapportion the State into legislative districts in 1931. Mr. Speaker, we have given this very careful consideration, and we have tried to have the citizens of Delaware County placed in the districts in which they belong and we have tried to place them in such a manner that each and every district in Delaware County could elect a representative that would represent their own district, their own interests.

I ask the members of this House to support this amendment.

Mr. TURNER. Mr. Speaker, may I interrogate the gentleman from Delaware, Mr. Rush.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. RUSH. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I notice that the gentleman from Delaware in his remarks kept referring to "we have decided to divide the county—" and so forth. I would like to know who "we" are.

Mr. RUSH. Mr. Speaker, I might say that there was a legislative reapportionment committee in Delaware County that sat down and divided this county and made recommendations to myself to present this bill.

Mr. TURNER. Mr. Speaker, may I ask who made up that committee?

Mr. RUSH. Mr. Speaker, I might say in answer to the gentleman from Delaware that there were several citizens of Delaware County who made up that committee, and I might say that on that committee there were a number of Republicans too.

Mr. TURNER. Mr. Speaker, were the members of that committee both from the city of Chester and from the county outside of the city, or were they all from the city of Chester?

Mr. RUSH. Mr. Speaker, the members who comprised that committee came from practically every area in the county of Delaware.

Mr. TURNER. Mr. Speaker, who appointed that committee?

Mr. RUSH. That committee was a voluntary committee, Mr. Speaker.

Mr. TURNER. Mr. Speaker, how did that committee get together?

Mr. RUSH. Mr. Speaker, by request of several citizens of Delaware County who were interested in reapportionment.

Mr. TURNER. Mr. Speaker, was there ever any invitation extended to the members who represented the districts outside of the city to attend any conference of that committee?

Mr. RUSH. Mr. Speaker, I am not in a position to answer that question. I was asked myself. I do not know whether the other representatives were or not.

Mr. TURNER. Mr. Speaker, I think the statement of the gentleman from Delaware is the most amazing thing I have ever heard. Here is a member who represents the City of Chester who comes into the Legislature with an amendment to the bill reported out of committee, which seeks to change not his legislative district but the legislative districts of the three members outside and he says "We changed it", and that the districts were made up by a committee, that the committee was a voluntary one, that no notice or request or invitation was given to the other three members. He says that he does not know whether any request was given, and I say that no request was given to come to the committee meeting for the purpose of considering the question of any apportionment of the outside districts. I will say that to you plus the fact that all the time I have been in the House I have never known of any request to divide the County of Delaware into districts except on the part of a few men who have mainly belonged to the Democratic Party, who have thought perhaps there might be some advantage, as they evidently specifically came here, by creating a district that would put Mr. Sproul and myself into the same district.

I am not here arguing that because Mr. Sproul and myself are from the same district. It does not make any difference to me. Perhaps it would be better for me if I were to stay at home and practice law instead of coming up here to Harrisburg, but I say that if there is to be a reapportionment of the district, which is an overwhelming Republican district, or a Democratic member representing the City of Chester to come here, after the Committee on Reapportionment has placed this bill on the calendar and reported it from the Committee without a division of the district, to come here and have amendments offered here on the floor of the House, and to seek the support of the members of the House for an amendment of this kind—I say, it is the most amazing thing that has ever happened in my experience, and I do not think the members will turn us down in that sort of a situation.

Mr. HERBERT B. COHEN. Mr. Speaker, I am again compelled to resort to my own county of York as an illustration. As the legislative apportionment of Delaware County is presented to this House, and as indicated by the gentleman from Delaware, Mr. Rush, I say that the county is divided into three districts that are contiguous and of equal population or as nearly equal as could possibly be obtained under the circumstances. I say, in Delaware County, looking at it and analyzing it, I hope in an unbiased manner, a very equal representation for the entire county of Delaware is had.

Now, it is regrettable that in redistricting a county, that the gentleman from Delaware, Mr. Turner, and the gentleman from Delaware, Mr. Sproul, are placed in the same district, but I do not believe that either of those two gentlemen represent any possible different interests. Both of them come from a section very close to the Borough of Media, and represent a very similar type of constituency. However, it would possibly be better in order to get a better cross section of desires and of votes and of the will of the people of the entire County of Delaware, that the representation should come from diverse sections of Delaware County. In fact, I am somewhat surprised to think that the Republican leadership in Delaware County would have slated two men for office who lived so close together. I always thought that the leadership in Delaware County was so astute that they would slate men from various sections of the county so that we would not have a situation arise whereby two men are representing almost a similar constituency, and living so close together.

However, as Delaware county is redistricted it will allow a representation from the entire county on a very equitable basis. Now, I am particularly fond of the gentleman from Delaware, and I entertain a certain amount of affection for the other gentleman from Delaware, upon whom he feels that this legislative apportionment may exert some hardship. However, the larger gentleman from Delaware has informed me that he will possibly never again be a candidate for the Legislature, which will leave the field entirely open for the second gentleman from Delaware in case any difficulty arises through this reapportionment act. I ask the membership of the House to support the motion.

Mr. AUKERMAMN. Mr. Speaker, feeling that enough has been said on these amendments and that we have other amendments before us, I move the previous question.

The motion was seconded by Messrs. Siegel, VanSickle, McFall, Coakley, Robinson, Haberlen, Pershing, Elpern, Samuel A. Weiss, Mellott, Ominsky, Nagel, Baine, Shaw, Mooney, Hess, Schor, Hirsch, Hontz, Richter, Fitch and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Will the House agree to the amendments?

They were agreed to.

On the question recurring.

Will the House agree to the section as amended?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. LOPRESTI. Mr. Speaker, I would like to ask a few questions on parliamentary procedure.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. LOPRESTI. Mr. Speaker, I desire to know if I withdraw my former motion, which was a motion to place the amendments on the table, whether or not those amendments will be voted upon as being included or not included in the bill?

The SPEAKER. In reply to the gentleman from Cambria the Chair wishes to state that if he withdraws the portion of his motion that has not been acted upon, there is nothing to prevent any other member from making a similar motion, but the procedure would naturally be to consider the amendments separately, that is, take up the amendments submitted by the various members one at a time.

MOTION TO TABLE AND DIVISION OF QUESTION WITHDRAWN

Mr. LOPRESTI asked and obtained unanimous consent to withdraw his motion as to the amendments not acted upon at this time.

Mr. HERBERT B. COHEN asked and obtained unanimous consent to withdraw his request for a division of the question.

The SPEAKER. The gentleman from Cambria, Mr. Lopresti, withdraws his motion pertaining to the remainder of the amendments, or those amendments that have not been acted upon under his motion. The gentleman from York, Mr. Cohen, also withdraws his request for a division of the question.

The SPEAKER. The amendments offered by the gentleman from Dauphin, Mr. Woodside, will be considered at this time, for the reason that they also deal with Dauphin County, one of the counties that we have been discussing.

The Clerk read the amendments as follows:

Amend section 1, page 9, line 20, by striking out "two members" and inserting in lieu thereof "one member"

Amend section 1, page 9, line 23, by striking out "one member" inserted by amendment, and inserting in lieu thereof "two members"

On the question,

Will the House agree to the amendments?

Mr. WOODSIDE. Mr. Speaker, the amendments which I now propose would change the bill so that one representative from Dauphin County would come from the city of Harrisburg and that two would come from the district outside of the city of Harrisburg. I regret the necessity of introducing this amendment; I feel that Dauphin

County should have four members and not three. I feel that the city of Harrisburg should be entitled to two members and not one, but if the county of Dauphin must have only three members, then I feel that it is my duty to my constituents to propose this amendment, that the district outside of the city shall be the district which should have the two members. As pointed out in previous debate, the city of Harrisburg is a third class city and cannot be included with the rest of the county; it must be kept a separate district. Therefore the question must be determined as to whether or not the city of Harrisburg shall have the two members or whether the district outside of the city shall have the two members. I am not going to repeat that which I said in my previous remarks concerning why I think the district outside the city should have the two members and the district composing the city one member. I just desire to point out one more thing, taking the question of government itself; we have in the city of Harrisburg a third class city, a second class school district while outside of the city we have townships of the first class, townships of the second class, we have boroughs, school districts of the fourth class, school districts of the third class, so that in that one phase alone you can see how much more varied the interests outside the city are than the interests inside the city. I might go on and point out a few more things but I do not want to take the time. I just want to remind you again that the district outside of the city has five thousand more population than the district inside the city, and that the interests are more diversified than in the city. I regret the necessity of introducing this amendment. I think we should have four members. However, if we are to have only three members, I think they should be divided as I have indicated.

Mr. SPENGLER. Mr. Speaker, I rise to oppose the amendments proposed by the gentleman from Dauphin, Mr. Woodside. He has proposed an amendment stating that there shall be two representatives outside of the city and one in the city. The bill as it now stands calls for two in the city and one in the county. My friend from Dauphin suggests that the industries outside of the city are more diversified than in the city, but I would like my colleague from Dauphin to remember that the folks in the city are electors and have just as much right to elect members as those outside of the city, and while on that subject I want to say that the last election returns showed that more than four thousand people voted in the city of Harrisburg than in the district outside of the city in Dauphin county, and that is one of the reasons why I insist that this amendment be killed. We are very anxious to be as fair as possible, but the city of Harrisburg in the last census had a population of 80,339, which is one and two-thirds times the ratio required for our representative. The Constitution seems to make it mandatory that the city of Harrisburg should constitute a separate district and elect its own representative. Therefore, I am going to ask my colleagues to vote this amendment down.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. WOODSIDE and Mr. HABBYSHAW and were as follows:

YEAS—31

Boose,	Leisey,	Royer,	Watkins,
Boyer,	Longaker,	Schrock,	Webster,
Cadwalader,	Lopresti,	Schumacher,	Weidemann,
Fiss,	Matthews, J. F.,	Serrill,	Weiss, S. A.,
Habbyshaw,	McKinney,	Stackpole,	Wilson,
Hall,	Muir,	Stockham,	Wood,
Harkins,	O'Connor,	Turner,	Woodside,
Kline,	Perry,	Wall,	

NAYS—81

Achterman,	Downey,	LaRue,	Rush,
Alexander,	Dubbs,	Long,	Sarraf,
Allen,	Elpern,	Marino,	Schor,
Arnold,	Falkenstein,	McCullough,	Schrope,
Aukerman,	Fitch,	McDermott,	Shoemaker,
Baine,	Flannery,	McGee,	Shugarts,
Baker, J. J.,	Flinchbaugh,	McShane,	Siegel,
Bierly,	Ganser,	Melchiorre,	Smith, James A.,
Blank,	Hagerty,	Mellott,	Spengler,
Bohn,	Hamilton, F. P.,	Moomaw,	Stank,
Boltz,	Hering,	Mooney,	Toole,
Bradley,	Hess,	Moran,	Tronzo,
Brancato,	Hindman,	Moul,	Valibus,
Broad,	Hirsch,	Murrin,	VanSickle,
Caesar,	Holland,	Patterson, J. W.,	Wagner,
Caputo,	Holmes,	Pearson,	Weiss, D. H.,
Coakley,	Hontz,	Preston,	Welsh,
Cohen, H. B.,	Horting,	Reese,	Wright,
Coleman,	Keenan,	Reising,	Zappala,
Dickinson,	Kilroy,	Robinson,	Furman,
Dougherty,			

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring.

Will the House agree to the section as amended?

Mr. LOPRESTI. Mr. Speaker, those amendments were concerning Dauphin County. Inasmuch as we have voted on both sets of amendments, one of which is the same as mine, I now withdraw my amendment.

The amendments offered by the gentleman from Philadelphia, Mr. Thompson, were read by the Clerk as follows:

Amend sec. 1, page 1, line 6, by striking out the word: "nine" and inserting in lieu thereof: "ten"

Amend sec. 1, page 1, line 8, by striking out the word: "forty" and inserting in lieu thereof: "forty-one"

Amend sec. 1, page 2, line 13, by striking out the words: "one member" and inserting in lieu thereof: "two members"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question recurring,

Will the House agree to the section as amended?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HERBERT B. COHEN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from York will state his question of parliamentary inquiry.

Mr. HERBERT B. COHEN. Mr. Speaker, were the amendments submitted by the gentleman from Philadelphia, Mr. Thompson, inserted in the bill?

The SPEAKER. That is correct.

MOTION TO RECONSIDER VOTE

Mr. HERBERT B. COHEN. Mr. Speaker, I move that the vote by which the amendments were agreed to be reconsidered.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. TURNER. Mr. Speaker, the motion was to reconsider a vote which has just been taken, without any business of the House intervening, therefor is a point of order in order?

The SPEAKER. Will the gentleman state his question again?

Mr. TURNER. Mr. Speaker, I raised a question of parliamentary inquiry, and asked the Chair to rule whether a point of order was in order.

The SPEAKER. For the information of the gentleman from Delaware, Mr. Turner, a point of order can be raised at any time. In answer to the gentleman's question of parliamentary inquiry, no business has been transacted between the time the amendments were agreed to and the motion to reconsider was submitted.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. TURNER. Mr. Speaker, I make the point of order that no business has been transacted between agreeing to the amendments and the motion to reconsider.

The SPEAKER. The point of order is well taken.

On the question recurring,

Will the House agree to the section as amended?

The amendments offered by the gentleman from Philadelphia, Mr. Levy were read by the Clerk as follows:

Amend sec. 1, page 1, line 10, by striking out the word: "twenty-one" and inserting in lieu thereof: "twenty-two"

Amend sec. 1, page 2, lines 14 and 15, by striking out the following: "nineteenth"

Amend sec. 1, page 2, line 16, by striking out the words: "two members" and inserting in lieu thereof: "one member"

Amend sec. 1, page 3, by inserting between lines 21 and 22 the following: "The nineteenth ward shall constitute the twenty-second district and elect one member."

On the question,

Will the House agree to the amendments?

Mr. LEVY. Mr. Speaker, providing my remarks should not make the gentleman from York bleed, I am going to raise a very valid question. The 19th Ward in the city of Philadelphia has been a separate and distinct Ward of the 12th Legislative district of the city of Philadelphia, and it has had two members. It has at the present time approximately 50,000 people in that one section, and I don't see any earthly reason why the Legislative Reapportionment Committee must take this one ward and add it to three others. Therefore, Mr. Speaker and members of the House, I desire to have the membership vote "aye" on this motion.

Mr. TUMELTY. Mr. Speaker, I would like to interrogate the gentleman from Philadelphia, Mr. Levy.

The SPEAKER. Will the gentleman from Philadelphia permit himself to be interrogated?

Mr. LEVY. I will, Mr. Speaker.

Mr. TUMELTY. Mr. Speaker, does the gentleman from Philadelphia have the figures of the 1930 census of the 19th ward of Philadelphia?

Mr. LEVY. No, I do not, Mr. Speaker.

Mr. TUMELTY. Mr. Speaker, I would like the gentleman to accept my word for it that it was slightly under 43,000 in 1930.

The next question is does the gentleman think that the 19th ward has had sufficient property torn down to reduce that about one-fifth?

Mr. LEVY. No. I do not, Mr. Speaker, and in answer to the gentleman from Philadelphia I might add that the census of 1930 was a little over 43,000, and in addition to that the few properties that were ripped down in that ward in the last years are not very material. In fact we know in the 19th ward we have a greater population today than we have had or enjoyed for several years.

Mr. TUMELTY. Mr. Speaker, would it make any difference if the 19th ward were connected with the 17th, 18th and 31st, and have two members instead of just one. What would be the advantage of having just one for the 19th instead of being a district having all the same type of people, which is an industrial district and which does not vary five percent in the type of people or the wealth of the people.

Mr. LEVY. Mr. Speaker, I might say that the gentleman from Philadelphia is not very well acquainted with the complex of the section from which I come if he makes such a statement. It remains true nevertheless that the 19th ward is immediately adjacent to the other three wards. Nevertheless the voting population, or the population of my particular district is in no way associated with the complex of the voting population or the population of the three other wards, and I defy the gentleman to say anything else.

Mr. TUMELTY. Mr. Speaker, for the information of the House I would like to make a statement. According to the census of 1930, the 19th ward of Philadelphia had 42,773 people. With this new hookup of the 17th, 18th, 19th and 31st wards you will have a practically balanced situation, so that two representatives from that district will be as close as you can come to having the right proportion. Therefore, I would ask the membership of the House to vote down the amendments.

Mr. LEVY. Mr. Speaker, I still insist, Mr. Speaker and members of this House, that I happen to come from that district; I know the people in my district, and I know their complex, and I want to assure you that I would not make any statement on this floor that I did not sincerely believe in. The people of my district are not as Mr. Tumelty has said, the same as the people from the district from which he comes. There is an entirely different complex; they have something very contrary, beliefs and other things and I believe that we from the 19th ward of the city of Philadelphia, having today as I have asserted, over the required population for one representative, I come before you with a very fair argument. We are enjoying at the present time a representation of two. I will admit that under the present circumstances the 19th ward is entirely too much represented, if that phrase may be expressed, but I say we want the 19th ward segregated and apart from others in the immediate district, and I say that that is fair enough. I call upon the membership of this House to vote "aye" on these amendments.

The SPEAKER. The Chair recognizes the gentleman from Allegheny, Mr. Baker.

Mr. JOHN J. BAKER. Mr. Speaker, I yield to the gentleman from Philadelphia Mr. Fitch.

Mr. FITCH. Mr. Speaker and members of the House, I rise to oppose the proposition in the city of Philadelphia that will make any changes for the following reasons: In the 19th ward in particular they have two members up to

the present time, in the Legislature. At the last election they had the magnificent number of 18,000 people voting, including Republicans and Democrats,—18,000 registered voters and the successful candidate received about 11,500 votes.

It seems to me that we have representatives from the city of Philadelphia who come to the Legislature with probably five thousand or less in their districts, and on the other hand we have other men in the city of Philadelphia who have to get 78,000 votes or 44,000 or 45,000 votes before they can become members of the Legislature. It seems to me so unfair and it seems to me that the people, after all, are the ones who should rule.

We as members of the Legislature foolishly for the last two hours have been trying our best to put a tenure bill through. Some of the members feel that the only duty of the Legislature is to see that they come back the next time. None of us are assured of that; and we are not sure that the Democratic party will be in power. The leaders, the Republican party have seen fit to allow the city of Philadelphia, the State of Pennsylvania to go by the boards for the simple reason that they felt that they had everything their own way. It seems to me that to the people back home, after all, we are not employes of the State,—we have no jobs only the jobs that the people give us. If the people of the city of Philadelphia or any other district of the State of Pennsylvania see fit to refuse to vote for you, you will not come back.

It seems to me in all the arguments we had this afternoon, that the sole purpose of the Legislature was to try to keep the members in their individual positions. Now, we have in the city of Philadelphia one district that for years has been continually filing petitions asking for redistricting, but the Republican party was in power in that particular district, and they wouldn't do it. It was a river ward, and that ward is now controlled by the Democratic Party, and they have had to assume the position that they would continue to control it. Now, it looks to me as far as the 19th ward is concerned that what we should do is not only vote these amendments down, but to vote down all amendments affecting the City of Philadelphia, for the following reasons: That this bill was talked about in the City of Philadelphia and they had a meeting, and they agreed to select one man to look after this thing. Every member of the Legislature, every member of the city committee and every member of any party had the privilege of going to this man and taking whatever stand he desired in reference to his district.

In 1935 I had a bill, and I was told at that time, on account of the Republican Senate it would be impossible to put it through, and I was advised to call it off for that session,—that is 1935, and that in 1937 we were sure of action, assured of its passage.

Now, it looks to me that everything went along nicely, the members have no kick coming up until the last hour, and then they decide what they are going to do. They are going to upset a promise that they made to the people of the State of Pennsylvania, that they would at least give equal representation.

I therefore ask the members of this House to vote this and any other amendment affecting Philadelphia down.

On the question recurring,

Will the House agree to the amendment?

The yeas and nays were required by Mr. LEWIS and Mr. LEVY and were as follows:

YEAS—13.

Blank,	Levy,	McKinney,	Rothenberger,
Caesar,	Lewis,	O'Connor,	Royer,
Kilroy,	Lopresti,	Perry,	Shea,
Kroll,			

NAYS—101.

Achterman	Fiss,	Melchiorre,	Spengler,
Allen,	Fitch,	Mellott,	Stackpole,
Arnold,	Flannery,	Moomaw,	Stank,
Aukerman,	Flinchbaugh,	Mooney,	Strode,
Baine	Ganser,	Moran,	Toole,
Baker, J. J.,	Haberlen,	Moul,	Tronzo,
Bierly,	Hagerty,	Muir,	Turner,
Bohn,	Hall,	Murrin,	Vallbus,
Boltz,	Hamilton, F. P.,	Nagel,	VanAllsburg,
Boose,	Hays,	O'Keefe,	VanSickle,
Boyer,	Hering,	Ominsky,	Vogt,
Bradley,	Hess,	O'Neill,	Wagner,
Brancato,	Hindman,	Patterson, J. W.,	Watkins,
Broad,	Hirsch,	Preston,	Webster,
Brownfield,	Holland,	Reese,	Weiss, D. H.,
Cadwalader,	Holstrom,	Reising,	Weiss, S. A.,
Coakley,	Hontz,	Robinson,	Welliver,
Cohen, H. B.,	Horting,	Sarraf,	Welsh,
Decker,	Keenan,	Schor,	Whalen,
Dickinson,	LaRue,	Schrope,	Wilson,
Dougherty,	Leisey,	Shaw,	Wood,
Downey,	Long,	Shoemaker,	Wright,
Dubbs,	Marino,	Shugarts,	Yanoshat,
Dyson,	McDermott,	Siegel,	Zappala,
Elpern,	McFall,	Simon,	Furman,
Falkenstein,	McShane,	Smith, John A.,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section as amended?

RECONSIDERATION OF VOTE

Mr. HERBERT B. COHEN. Mr. Speaker, I move that the vote by which the amendments of the gentleman from Philadelphia, Mr. Thompson, were placed in the bill be reconsidered.

The SPEAKER. How did the gentleman from York, Mr. Cohen, vote on the final passage of this bill?

Mr. HERBERT B. COHEN. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Ominsky, vote on the final passage of this bill?

Mr. OMINSKY. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

Mr. THOMPSON. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. HERBERT B. COHEN. Mr. Speaker, I will.

Mr. THOMPSON. Mr. Speaker, I wish to find out from the gentleman from York, Mr. Cohen, why he wishes to have the vote reconsidered.

Mr. HERBERT B. COHEN. Mr. Speaker, I desire to have the motion reconsidered so that we can then vote on the amendments and defeat them.

Mr. THOMPSON. Mr. Speaker, may I ask the gentleman what is the purpose in trying to defeat the vote by which the amendments were adopted.

Mr. HERBERT B. COHEN. Our idea, Mr. Speaker, in defeating the amendments that have already been inserted

by the gentleman from Philadelphia was ably explained to the membership of the House by the gentleman from Philadelphia, Mr. Fitch. I do not think that there is any more crying need of legislative apportionment than exists in the City of Philadelphia, and to allow the amendments inserted by the gentleman from Philadelphia to remain in the bill would continue the inequitable apportionment in Philadelphia, and for that reason I ask the members of the House to reconsider the vote, so that those amendments can be defeated by the House and so that the City of Philadelphia can have an opportunity to have an equitable apportionment.

In further answer to the gentleman from Philadelphia I just wish to call attention to the fact that immediately after this session was convened, the Philadelphia Inquirer, the Philadelphia Record, and I think the Philadelphia Bulletin ran articles indicating that this legislative apportionment that now exists in Philadelphia needed correction, and it is our purpose to correct the abuses that have been allowed to exist in the legislative apportionment of that city.

Mr. THOMPSON. Mr. Speaker, I wish to thank Mr. Cohen, the floor leader.

Mr. Speaker and members of this House, I do not believe that the gentleman from York, Mr. Cohen, or the gentleman from Philadelphia, Mr. Fitch are in position to speak on my district. I feel that at this time I might express myself and my belief that in certain districts in the City of Philadelphia there has been a constant shift of the population from one part of the city to the other, from one district to the other, and we are basing our argument today in this re-apportionment on the census of 1930. I say that the time is not now that we should re-apportion, and therefore that is one of the reasons why I offered my amendments.

We will lose one member in that district. I feel as a member of the House from that district that I should speak for the district and for my constituents in that district. We think that 1941 would be the proper time to do it, and if we do that in 1941 we would then know more about where the population is, and I feel on the basis of the injustice that will be done to the many representatives in this House that I should ask their cooperation on this amendment and vote for this amendment so that it may become a part of this bill.

I ask for a roll call, Mr. Speaker.

Mr. LEWIS. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated.

Mr. HERBERT B. COHEN. Mr. Speaker, I will.

Mr. LEWIS. Mr. Speaker, does the gentleman from York know the district in Philadelphia from which Mr. Thompson comes?

Mr. HERBERT B. COHEN. I do, Mr. Speaker.

Mr. LEWIS. Mr. Speaker, where does the district lie, in what part of Philadelphia?

Mr. HERBERT B. COHEN. Mr. Speaker, the 13th district, which composes the 16th ward and the 20th ward.

Mr. LEWIS. Mr. Speaker, is that in the south, north, east or the west of Philadelphia?

Mr. HERBERT B. COHEN. Mr. Speaker, I do know that the 13th district of the City of Philadelphia in the election of 1933 elected two notorious Republican representatives, Clinton Sowers and Louis Schwartz with a vote of eleven thousand each. I further see by referring to the Pennsylvania Manual that other districts elected membership with less representation than two, with a much larger vote. I can say in my own district in the City of York I have been elected with a vote approximating thirteen or fourteen thousand, with but one representative, and I notice that the 13th district in the city of Philadelphia elects two representatives with a vote of but eleven thousand.

Mr. THOMPSON. Mr. Speaker, I would like to ask my colleague from Philadelphia to yield to me so that I might interrogate the gentleman from York Mr. Cohen.

The SPEAKER. The gentleman from Philadelphia Mr. Lewis yields to the gentleman from Philadelphia Mr. Thompson.

Mr. THOMPSON. Mr. Speaker, I would like to ask the gentleman from York as to whether the number of candidates for office is based on the number of votes that are cast, or whether the re-apportionment is on the basis of the number of votes cast for an elected officer, or whether it is based on the census.

Mr. HERBERT B. COHEN. Mr. Speaker, there is no question about the census, and in further answer to the gentleman, I see that the 16th and 20th wards, which make up the 13th legislative district, have a total population of 51,000. We heard the gentleman from Dauphin indicate that the City of Harrisburg has some 80,000 people, while the City of York which I represent has a census population according to the 1930 census of 65,000, and we elect but one representative from that section.

Mr. CLIFF S. PATTERSON. Mr. Speaker, I do not want to cut off anybody in debate, but I think I could raise the point of order, that the gentlemen are discussing the bill and we are under a motion to reconsider.

The SPEAKER. The point of order would be well taken. The gentlemen have been discussing the merits of the bill. The question before the House is on the motion to reconsider.

QUESTION OF INFORMATION

Mr. LEWIS. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. LEWIS. Mr. Speaker, the gentleman from York, Mr. Cohen, was being interrogated by the gentleman from Philadelphia, Mr. Thompson, and was giving his reasons why he was asking for a reconsideration of the vote by which these amendments have been placed in the bill, based on what he felt Philadelphia needed. I would like to know whether a discussion of that would be proper at this time. Mr. Speaker, I withdraw the question at this time.

On the question recurring,

Will the House agree to the motion?

The yeas and nays were required by Mr. THOMPSON and Mr. BROWN and were as follows:

YEAS—84.

Alexander,	Fitch,	Melchiorre,	Simon,
Allen,	Flannery,	Mellott,	Smith, John A.,
Arnold,	Ganser,	Moul,	Spengler,
Aukerman,	Gerard,	Murrin,	Stank,
Baine,	Haberlen,	Nagel,	Toole,
Baker, J. J.,	Hagerty,	O'Keefe,	Tronas,

Bierly,	Hamilton, F. P.,	Ominsky,	Tumelty,
Bohn,	Hering,	O'Neill,	Vanbus,
Brancato,	Hess,	Patterson, J. W.,	VanSickle,
Broad,	Hindman,	Piole,	Vogt,
Brownfield,	Hirsch,	Powers,	Weiss, D. H.,
Coakley,	Holland,	Readinger,	Weiss, S. A.,
Cohen, H. B.,	Holstrom,	Reese,	Welliver,
Coleman,	Hontz,	Reising,	Welsh,
Decker,	Horting,	Robinson,	Whalen,
Dickinson,	Kelso,	Sarraf,	Whitenight,
Dougherty,	LaRue,	Schor,	Wright,
Downey,	Marino,	Shaw,	Yanoshat,
Dubbs,	McCullough,	Shoemaker,	Yourishin,
Dyson,	McDermott,	Shugarts,	Zappala,
Elpern,	McShane,	Siegel,	Furman,

NAYS—35.

Blank,	Kroll,	Rothenberger,	Turner,
Boose,	Leisey,	Royer,	Wagner,
Boyer,	Lewis,	Schrock,	Walsh,
Cadwalader,	Longaker,	Schumacher,	Watkins,
Caesar,	Loprestl,	Serrill,	Webster,
Cohen, R. E.,	McKinney,	Sproul,	Weidemann,
Habbyshaw,	Muir,	Stackpole,	Wilson,
Hall,	O'Connor,	Stewart,	Wood,
Holmes,	Perry,	Thompson,	Woodside,
Kline,			

So the question was determined in the affirmative and the motion was agreed to.

On the question recurring,

Will the House agree to the amendments offered by the gentleman from Philadelphia, Mr. Thompson?

Mr. REUBEN E. COHEN. Mr. Speaker and members of the House, inasmuch as the House is about to vote on what I deem to believe my political epitaph, as a member of the House I am also Mr. Thompson's running mate in that district, and I would like to have the privilege of addressing the members of the House for two or three minutes.

Mr. Speaker, my argument against re-apportionment at this time may be a rather nebulous argument. It so happens that a Philadelphia newspaper this morning quoted quite extensively a plan that I have had in mind for quite some time of what I think should be done in the City of Philadelphia, as a result of which we would get, I think, proper apportionment in Philadelphia. If it is true that we are only going to have forty representatives and that we are going to have a rather constant population, I think that the re-apportionment of Philadelphia should be postponed at this time, that we should wait until we have the new charter commission, that instead of having fifty-one wards we should have forty wards of equal size in each district, so that each will be his own legislative district. Each ward would have its own representative and no body would be stepping on somebody else's toes, I think with that set-up we would have equal representation in Philadelphia.

My second argument is this as my colleague, Mr. Thompson has stated, there is a constant shift in population. While it is true that in 1930 the census figures showed that we had 51,000 persons or more in that district, which is to call your attention to the fact that that time has long since passed, that the census takers have gone to their homes, have counted their shekels for having taken the census, and I think you ought to accept the statements of Mr. Thompson and myself who come from this district, that there has been a shift back to the district, and probably we have sufficient people at this time to warrant the election of both of us or any two at the next election. For that reason I ask that the district be left alone, as it is, and I ask you to vote for the amendments of Mr. Thompson.

Mr. HERBERT B. COHEN. Mr. Speaker, I just wish to call the attention of the House to the fact that we have not had a legislative apportionment since 1921. The suggestion has been made at various times that we suspend re-apportionment until 1941. There is no doubt that any legislative re-apportionment is going to affect certain individuals and going to affect adversely, but I feel if we re-apportion now on the basis of 1930, that when we re-apportion in 1941 on the basis of the 1940 census the inequities which are then existing as a result of this action will be wiped out, will be susceptible of easier remedy by acting now than by waiting until 1941 to recitify the disproportionate representation. Therefore I ask the members of this House to vote "no" on these amendments.

Mr. TURNER. Mr. Speaker, I ask the Republican members to vote "aye."

On the question recurring,

Will the House agree to the amendments offered by the gentleman from Philadelphia, Mr. Thompson.

The SPEAKER declared the nays appeared to have it.

Whereupon a division was called for, forty members having voted in the affirmative and eighty-seven in the negative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section as amended?

The amendments offered by Mr. ROTHENBERGER were read by the Clerk as follows:

Amend sec. 1, page 6, lines 1 to 3, both inclusive, by striking out all of said lines, and inserting in lieu thereof:

The Boroughs of Birdsboro, Kenhorst, Mohnton, Mount Penn, Saint Lawrence, Shillington, Sinking Spring, West Lawn, West Reading, Wyomissing, Wyomissing Hills, and the townships of Amity, Brecknock, Caernarvon, Cumru, Douglass, Exeter, Lower Alsace, Robeson, Spring and Union, shall constitute the second district, and elect one member.

The Boroughs of Bernville, Centreport, Hamburg, Lenhartsville, Robesonia, Showmakersville, Strausstown, Wernersville, West Leesport and Womelsdorf, and the townships of Albany, Bern, Bethel, Centre, Greenwich, Heidelberg, Jefferson, Lower Heidelberg, Marion, North Heidelberg, Penn, Perry, South Heidelberg, Tilden, Tulpehocken, Upper Bern, Upper Tulpenhocken and Windsor, shall constitute the third district, and elect one member.

The Boroughs of Bally, Bechtelsville, Boyertown, Fleetwood, Kutztown, Laureldale, Lyons, Temple and Topton, and the townships of Alsace, Colebrookdale, District, Earl, Hereford, Longswamp, Maidencreek, Maxatawny, Muhlenberg, Oley, Ontelaunee, Pike, Richmond, Rockland, Ruscombmanor and Washington, shall constitute the fourth district and elect one member.

Amend sec. 1, page 5, line 27, by striking out the following: "two" and inserting in lieu thereof: "four"

Mr. ROTHENBERGER. Mr. Speaker, I am very happy that the amendments at this time have not been lost. I will explain that later on. I intend to very briefly explain the purpose of the amendments and then the reason why I have submitted them. The amendments as read are rather lengthy, but what the amendments do is to re-apportion Berks County in the manner in which Berks County is now represented. In the re-apportionment of Berks County, the rural section of Berks County has been put into one district, the third and the rural members from Berks County will be elected from Berks at large. Berks is represented at present by three members, elected from the second, third and fourth legislative districts. Now the amendments which I have submitted simply amend this bill so that Berks County will be represented in the same

manner as it is now being represented. I have received a number of requests from constituents in my district as well as in the third district, requesting that the manner of the re-apportionment be not changed. In order to do that I went about it in the proper way. I spoke to the sponsor of the bill, but he saw fit not to apportion Berks in the manner in which it is now apportioned, so I thought the next thing to do would be to submit the amendments to the Chairman of the committee, and here is where I come in, explaining why I am submitting the amendments at the present time. I would have been satisfied if the amendments had been considered by the committee, but inasmuch as the amendments are lost, I am submitting these amendments at this time.

A most peculiar thing happened, I handed the amendments to the Chairman of the Committee on Re-apportionment. He claimed that he handed the amendments to the chairman of a sub-committee. The sub-committee claims that it did not get the amendments. Somewhere along the line the amendments disappeared.

Now, before I came to Harrisburg I head about things like that being done in this Legislature, but I did not think that I would personally experience anything like that, and because of this rather unique experience I felt it only fair to the people of the legislative district which I represent, who have asked that they be represented in the same manner as before, that this amendment be now considered by the House.

This is going to re-apportion Berks County in the same manner that this House voted just awhile ago to re-apportion Delaware County. It is going to re-apportion Berks County, the rural portion of it, in the manner in which our floor leader, Mr. Cohen, says that York County is re-apportioned. It is not the number of representatives, it is the manner in which they shall be apportioned or elected, and what the amendments do which I have submitted is to re-apportion, or rather leave Berks County as it is.

Mr. HERBERT B. COHEN. Mr. Speaker, I am not in favor of these amendments for two reasons. One reason is that they would destroy the equitable legislative apportionment, and second the amendments are so long that they would be too expensive to print. I might suggest to my colleague from Delaware that I ask the Democratic members to vote "no", and that he request the Republican members to vote "aye."

Mr. TURNER. Speak for yourself, John.

On the question recurring,

Will the House agree to the amendment?

The SPEAKER declared the nays appeared to have it.

Whereupon a division was called for, forty members having voted in the affirmative and seventy-eight in the negative, the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section as amended?

Mr. ROTHENBERGER. Mr. Speaker, in all fairness, as our resourceful floor leader usually says, that vote looked rather different to me, so I think it would be proper to have a roll call, and I ask for a roll call.

The SPEAKER. There is no question before the House, the question has been decided. The gentleman's request comes too late.

The amendments offered by Mr. HARRY T. MATTHEWS were read by the Clerk as follows:

Amend sec. 1, page 10, lines 25 and 26, by striking out the words: "South Union"

Amend sec. 1, page 10, line 27, by striking out the following: "and the City of Uniontown"

Amend sec. 1, page 10, lines 28 and 29, by striking out the words: "two members" and inserting in lieu thereof: "one member"

Amend sec. 1, page 11, line 2, by inserting after the word: "Perry" the following: "South Union"

Amend sec. 1, page 11, line 6, by striking out the following: "City of Connellsville" and inserting in lieu thereof: "Cities of Connellsville and Uniontown"

Amend sec. 1, page 11, line 7, by striking out the word: "two" and inserting in lieu thereof: "three"

On the question,

Will the House agree to the amendments?

Mr. WELSH. Mr. Speaker, at the request of my colleague Mr. Matthews, who has just been called from the floor of the House, I desire to have the amendments withdrawn.

The SPEAKER. The gentleman withdraws the amendments.

On the question recurring.

Will the House agree to the section as amended?

The Clerk read the amendments offered by Mr. BLANK.

Amend sec. 1, page 3, line 17, after the word "forty-sixth" strike out the word "ward" and insert in lieu thereof the words: "and fortieth wards"

Amend sec. 1, page 3, line 18, after the word "elect" strike out the word "two" and insert in lieu thereof the word: "three"

Amend sec. 1, page 3, line 19, after the word "twenty-seventh" strike out the word "fortieth"

Amend sec. 1, page 3, line 21, after the word "elect" strike out the word "three" and insert thereof the word: "two"

On the question,

Will the House agree to the amendments?

Mr. BLANK. Mr. Speaker and members of the House, I regret exceedingly at this time that I have to offer amendments to this bill. I realize that the House is in a turbulent condition and that we are all anxious to go, but if you will just give me your patience for a minute or two I can explain the amendments which I have offered.

It so happens that the district that is represented by Representative Smith and myself gains three additional members, so that we have no complaint so far as anybody being removed from the Legislature is concerned. The only thing that we do object to is the division of a ward. In that district there are four wards, the 27th, 40th, 46th and the 51st. We desire that the 46th and 40th shall be together and retain three members, and that the other two wards shall receive the other two members. We do not ask for additional members, neither do we ask for any fewer members, and purely on the question of the population we feel that the request is fair.

In addition, my friend Mr. Smith and I have sat here and have been friends here for a long time, and we ask that the members of this House see that we remain together or go down to defeat together rather than being singled out. I do not think there is any objection to our request.—I have heard none mentioned. The only thing I know is that if we had been more diligent in pressing our request before the committee in Philadelphia, it would probably have been granted, but unfortunately we were occupied with other matters and the subject was not presented. The request is a fair one, and I know of no objections other than those offered on the floor of the

House at this time, and I respectively request that the membership of the House grant our request and approve the amendments.

Mr. HERBERT B. COHEN. Mr. Speaker, some individuals in the course of life when they are attempting to administer justice, have difficult problems with which they are confronted. I have seen juries take babies from their fathers and give them to their mothers and I have seen husband and wife separated, and while I lament the fact that the loving friendship that exists between the two members from Philadelphia will be severed by this act, I am going to ask the membership of this House in an effort to do equity to all and malice to none, that they vote down the amendment.

MOTION TO ADJOURN

Mr. ROTHENBERGER. Mr. Speaker, I move that this House do now adjourn until Monday, May 24th at 9 p. m.

The motion was not agreed to.

On the question recurring,

Will the House agree to the amendments?

The yeas and nays were required by Mr. BLANK and Mr. JAMES A. SMITH and were as follows:

YEAS—31

Blank,	Falkenstein,	McKinney,	Smith, James A.,
Boose,	Hall,	O'Connor,	Stewart,
Boyer,	Kilroy,	Patterson, C. S.,	Strode,
Bradley,	Kline,	Perry,	Walsh,
Cadwalader,	Leisey,	Reising,	Watkins,
Caesar,	Lewis,	Rothenberger,	Webster,
Cohen, R. E.,	Longaker,	Royer,	Wilson,
Dubbs,	Lopresti,	Schumacher,	

NAYS—88

Alexander,	Flannery,	McDermott	Siegel,
Allen,	Flinchbaugh,	McShane,	Smith, John A.,
Arnold,	Ganser,	Melchiorre	Sollenberger,
Aukerman,	Gerard,	Mellott,	Spengler,
Baine,	Haberlen,	Mooney,	Stank,
Baker, J. J.,	Hamilton, F. P.,	Moran,	Toole,
Bierly,	Hays,	Moul,	Tumelty,
Bohn,	Hering,	Murrin,	Turner,
Brancato,	Hess,	O'Keefe,	Vallbus,
Broad,	Hindman,	Ominsky,	VanAllsburg,
Brownfield,	Hirsch,	O'Neill,	Vogt,
Caputo,	Holland,	Patterson, J. W.,	Wagner,
Coakley,	Holmes,	Piole,	Weidemann,
Cohen, H. B.,	Holstrom,	Powers,	Weiss, D. H.,
Coleman,	Hontz,	Preston,	Weiss, S. A.,
Coolahan,	Horting,	Robinson,	Welliver,
Decker,	Imbrie,	Sarraf,	Welsh,
Dickinson,	Keenan,	Scanlon,	Whalen,
Dougherty,	Kelso,	Schor,	Yourishin,
Downey,	LaRue,	Schrope,	Zappala,
Fiss,	Marino,	Shoemaker,	Furman,
Fitch,	McCullough,	Shugarts,	

So the question was determined in the negative and the amendments were not agreed to.

On the question recurring,

Will the House agree to the section as amended?

QUESTION OF INFORMATION

Mr. LOPRESTI. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. LOPRESTI. Mr. Speaker, I desire to know whether or not there are any other amendments to be acted on to this bill.

The SPEAKER. The Chair has no further amendments on the desk.

Mr. LOPRESTI. Mr. Speaker, I move that this bill be placed on the second reading postponed calendar.

On the question,

Will the House agree to the motion?

QUESTION OF INFORMATION

Mr. TURNER. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Delaware will state his question of information.

Mr. TURNER. Mr. Speaker, as I understand it, amendments have been offered which have been agreed to, or rather have been refused, but we have not as yet voted upon the section as amended?

The SPEAKER. That is correct.

Mr. HERBERT B. COHEN. Mr. Speaker, we have been in session for possibly four or five hours on this bill. Every dilatory tactic that the opposition to the enactment of a fair legislative apportionment bill could summon has been utilized, and at the present time we are still confronted with delay. I wish to personally thank the membership of the House for staying as long as they have stayed, and I assure the membership of the House that the vote—

POINT OF ORDER

Mr. LOPRESTI. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Cambria will state his point of order.

Mr. LOPRESTI. Mr. Speaker, the gentleman is not discussing the motion.

The SPEAKER. The point of order is well taken. The gentleman is thanking the members of the House for staying in session. He is not even discussing the bill at this time. The gentleman will confine his remarks to the motion.

Mr. HERBERT B. COHEN. Mr. Speaker, I wish to withdraw my thanks to the membership of the House, and further impress upon the House that this is nothing more than another dilatory motion. It seems that the individuals who have been trying to prevent an equitable re-apportionment act are members who come from counties that must by necessity lose—

POINT OF ORDER

Mr. LOPRESTI. Mr. Speaker, I again rise to a point of order.

The SPEAKER. The gentleman will state his point of order.

Mr. LOPRESTI. Mr. Speaker, the gentleman is not discussing the motion.

The SPEAKER. The Chair has already ruled upon the point of order, and the gentleman will confine himself to the motion.

Mr. HERBERT B. COHEN. Mr. Speaker, my remarks are very pertinent, and I am calling to the attention of the House that this is a dilatory motion. The House has had at least ten or fifteen votes, some of them recorded and some not, and some in which a verification was requested.

POINT OF ORDER

Mr. LOPRESTI. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Cambria will state his point of order.

Mr. LOPRESTI. Mr. Speaker, I dislike to interrupt, but I have a motion before the House, and if Mr. Cohen wants to discuss the motion, I think it is perfectly proper, but I think to discuss another question at this time is out of order.

The SPEAKER. The gentleman is entitled to discuss the propriety of a motion, and may proceed.

Mr. HERBERT B. COHEN. Mr. Speaker, I just again wish to call attention of the House to the fact that this is still another dilatory motion, and the interruptions are dilatory, and all I want to do is to assure the membership of the House that if they continue to vote down the dilatory motions, this motion and any other motions that might be presented in the future, we will have done our work by giving to the people of the Commonwealth an equitable, fair re-apportionment.

I ask the members of the House, Republicans too, to vote down this motion.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

MOTION TO ADJOURN

Mr. LOPRESTI. Mr. Speaker, I now move that this House adjourn. I do not think that that would be a dilatory motion at all—until Monday, May 24th at 9 o'clock p. m.

The motion was not agreed to.

On the question recurring,

Will the House agree to the sections as amended?

The yeas and nays were required by Mr. TURNER and Mr. SCHROCK and were as follows:

YEAS 103.

Achterman,	Falkenstein,	Mellott,	Shaw,
Alexander,	Fitch,	Moomaw,	Shoemaker,
Allen,	Flannery,	Mooney,	Shugarts,
Arnold,	Flinchbaugh,	Moran,	Siegel,
Aukerman,	Ganser,	Moul,	Smith, James A.,
Baine,	Gerard,	Munley,	Smith, John A.,
Baker, J. J.,	Haberlen,	Murrin,	Spengler,
Bierly,	Hamilton, F. P.,	Nagel,	Stank,
Blank,	Harkins,	O'Connor,	Toole,
Bohn,	Hays,	O'Keefe,	Tronzo,
Bradley,	Hering,	Ominsky,	Tumelty,
Brancato,	Hindman,	O'Neill,	Valibus,
Broad,	Holland,	Patterson, C. S.,	Vogt,
Brownfield,	Holmes,	Patterson, J. W.,	Wagner,
Burrows,	Holstrom,	Pershing,	Walsh,
Caputo,	Hontz,	Piole,	Weiss, D. H.,
Cohen, H. B.,	Keenan,	Powers,	Weiss, S. A.,
Cohen, R. E.,	Kelso,	Preston,	Welliver,
Coolahan,	Kilroy,	Reese,	Welsh,
Decker,	LaRue,	Reising,	Whalen,
DeNote,	Lovett,	Richter,	Wright,
Dickinson,	McCullough,	Robinson,	Yanoshak,
Dougherty,	McDermott,	Sarraf,	Yourishin,
Downey,	McKinney,	Scanlon,	Zappala,
Dubbs,	McShane,	Schor,	Furman,
Elpern,	Melchiorre,	Schrope,	

NAYS 23.

Balthaser	Leisey,	Stackpole,	Webster,
Bocce,	Longaker,	Stewart,	Wilson,
Boyer,	Perry,	Strode,	Wood,
Cadwalader,	Rothenberger,	Turner,	Woodside,
Hall,	Royer,	VanAllsburg,	Yeakel,
Kline,	Schrock,	Watkins,	

So the question was determined in the affirmative and the section as amended was agreed to.

The second, third and fourth sections and title were severally read and agreed to as follows:

Section 2 The foregoing apportionment is based on the United States decennial census of one thousand nine hundred and thirty Any township borough or ward created since such census and not specifically provided for by this act shall form a part of the district to which the territory comprised within such township borough or ward is alloted by the provisions of this act according to the political division existing at the time of such census

Section 3 The first election under this act shall be held at the general election in the year one thousand nine hundred and thirty-eight

The Members of the House of Representatives now in office shall continue in such office until the expiration of their respective terms

Section 4 The act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 455) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" and its amendments is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

SENATE MESSAGES

RESOLUTION FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows

In the Senate, May 21, 1937.

Resolved, (if the House of Representatives concur), That Senate Bill No. 104, Printer's No. 264, entitled: "An Act authorizing boroughs that have relying on invalid bond issues authorized by the electors entered into contracts whereby indebtedness exceeding the constitutional limitation has been incurred and where such contracts have been wholly or partially performed to provide for the payment of the reasonable value of such performance to contract for completion and to increase their indebtedness therefor and validating ordinances agreements increases of indebtedness and bonds heretofore adopted entered into issued or to be issued to accomplish such purposes" be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 21, 1937.

Resolved (if the Senate concur), that House Bill No. 2055, Printer's No. 816, entitled "An Act authorizing any county of the second class and any city in any such county in which the county seat is within the limits of such city to agree upon the joint management and control of any or all city hospitals and institutions and any or all county hospitals and institutions within the city and providing for the appointment of a board of managers and for professional staffs and employes and for the apportionment of costs and expenses", be recalled from the Governor for the purpose of amendment.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1390 as follows:

An Act making an appropriation to the General State Authority to defray the costs and expenses of the said Authority in connection with the organization administration and operation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million two hundred fifty thousand dollars ($1,250,000) or as much thereof as may be necessary is hereby specifically appropriated to the General State Authority for the payment of all salaries and organization and general expenses of every description as provided by the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fifty-two)

Section 2 Payments from the foregoing appropriation shall be made to the Treasurer of the General State Authority upon requisition by the Governor

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1618, entitled:

An Act providing for the establishment of a State Youth Commission and local Youth Commissions prescribing their powers and duties

The first section was read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this Act shall be known as the State Youth Act

On the question,

Will the House agree to the section?

Mr. ALLEN. Mr. Speaker, I would like to interrogate the gentleman from Allegheny Mr. Tronzo.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. TRONZO. I will, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, as this appears to be an educational matter and it was not referred to the Educational Committee so that we could consider the bill as a committee, I would like to have the gentleman explain the bill for the benefit of the members of the House.

Mr. TRONZO. Mr. Speaker, I would think that the time to explain the merits of the bill would be on third reading. All that the bill attempts to do is to create a State Youths' Commission with certain definite powers. There was an appropriation attached to the bill, but at the present time there is none.

Mr. ALLEN. Mr. Speaker, my purpose in interrogating the sponsor of the bill at this time is due to the fact that several of the opponents of the bill would like to consider offering amendments, and I would like to ask the gentleman from Allegheny if he would consider amendments to the bill. I do not propose to try to defeat the bill if we can amend it on page 2, line 16, to state that this project shall have or the commission shall have the cooperation of various organizations, and on that line it states, "together with other organizations, public and private and social agencies", and I would like to ask the gentleman from Allegheny if he would not consider the elimination of those five words on line 16.

Mr. TRONZO. I would not, Mr. Speaker.

Mr. ALLEN. Mr. Speaker, will the gentleman from Allegheny County inform the members of the House whether or not this measure would include, then, communistic, fascist organizations or organizations of similar character?

Mr. TRONZO. Mr. Speaker, this would include social organizations. I do not think we desire to go into political parties at the present time.

Mr. ALLEN. Mr. Speaker, I would like the gentleman to be more specific and tell me just what he means by public and private social agencies. Just what agencies that would take into consideration.

Mr. TRONZO. Mr. Speaker, will the gentleman kindly repeat the question.

Mr. ALLEN. Mr. Speaker, I request the gentleman to tell me just what he means, to be more specific in telling me just what agencies he intends to include in those five words, "public and private social agencies."

Mr. TRONZO. Mr. Speaker, I might say that that might include a Y. M. C. A. or even the American Legion.

Mr. ALLEN. Mr. Speaker, would the gentleman from Allegheny inform me whether or not this measure has the endorsement of the state pacifist organizations.

Mr. TRONZO. Mr. Speaker, I really do not know, but it might have.

BILL RECOMMITTED

Mr. TUMELTY. Mr. Speaker, in view of the fact that this bill distinctly states that this commission is to conduct surveys throughout the State or to discover—note that word "discover", the needs of young people up to the age of twenty-five with respect to education, vocation and recreation, I do not believe that this bill belonged in the Committee on State Boards, but belonged to the Committee on Education. I could make a motion to send it to the Committee on Military Affairs, where it would never come out, but I do make a motion that this bill—I want to be fair and I make a motion that the bill be referred to the Committee on Education, the proper committee for further study and probable amendment.

On the question,

Will the House agree to the motion?

Mr. TRONZO. Mr. Speaker, a similar measure was introduced in the Senate by Senator Rodgers of Allegheny County. That measure passed the Senate and is now, I believe, in the Committee on State Boards. I see no reason, therefore, why this bill should be taken from the Committee on State Boards and recommitted to the Committee on Education or any other committee. I feel that the Committee on State Boards gave this bill due consideration, and that the Committee on Education could not add to the consideration given by the Committee on State Boards. I think that if the members of this House want to kill the bill, that the proper time to do that would be on third reading. I therefore ask the membership of this House to let this bill get on the third reading calendar, and then they can do as they please as far as voting on the measure is concerned.

Mr. TUMELTY. Mr. Speaker, I rise just to correct the gentleman from Allegheny. The bill that came over from the Senate is in the Committee on State Government and not the Committee on State Boards.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the ayes appeared to have it,

Whereupon a division was called for, seventy-two members having voted in the affirmative and thirty-six in the negative, the question was determined in the affirmative and the motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1482, as follows:

A Supplement to the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Act No. 203) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" establishing an additional route in the Counties of Lackawanna and Wayne

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the township roads adopted as State highways in the Counties of Lackawanna and Wayne by the act to which this is a supplement the following section of township road in said counties is hereby adopted to be taken over and to be maintained and constructed at the expense of the Commonwealth upon the terms and conditions and subject to the limitations and conditions provided in the act to which this is a supplement

Route 35066 ,Beginning at a point on Route 35006 about 1 mile west of Cortez thence in a northeasterly direction through Jefferson Township Lackawanna County for about .6 of a mile to a point on Route 35048 beginning again on Route 35048 about .5 of a mile northwest of Cortez and extending in a general northeasterly and northerly direction through Jefferson Township Lackawanna County and South Canaan Township Wayne County to a point on Route 63018 about .2 of a mile east of the Lackawanna-Wayne County line a distance of about 4.8 miles

And said bill having been read at length the second time and agree to.

Ordered, To be transcribed for a third reading.

SENATE MESSAGES

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 6.

An Act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the term and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 66.

An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 1780) "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the courts of common pleas the judges of the orphans' court the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by extending the provisions of the said section to the judges of the Orphans' Court of Dauphin County

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 811.

An Act permitting boroughs and townships of the first class engaged in the construction of sewers and sewer systems to change under certain conditions the locations of the sewers and sewer system by amending ordinances and providing that abutting property owners shall be liable in such cases

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 1044.

An Act authorizing Courts of Common Pleas to stay writs of execution against, and tax sales of, certain real property in certain cases; providing for the continuance of return days of writs of execution; and authorizing sales thereon without issuance of further writs, and exempting mortgages issued under the National Housing Act.

RESOLUTIONS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 21, 1937.

Resolved, (if the House of Representatives concur), That Senate Bill No. 755, Printer's No. 307, entitled: "An Act to amend the act approved the seventeenth day

of May one thousand nine hundred and twenty-one (P. L. 789) entitled "An act relating to insurance establishing and insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring the Insurance Commissioner to determine the qualifications of the incorporators of any proposed insurance company" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 21, 1937.

Resolved, (if the House of Representatives concur), That Senate Bill No. 746, Printer's No. 304, entitled: "An Act to amend section two hundred and two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by extending the purposes for which companies may be incorporated to include insuring glass against all risk insuring any goods or premises against any and all loss caused by water and insuring moneys and securities against all risk" be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1159.

An Act to further amend section one thousand six of the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organization of corporations with fiduciary powers and of banking corporations with or without powers including the conversion of National banks into banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees shareholders attorneys and other employes of all such corporations or private bankers or of affiliated corporations association or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upn the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" as amended by providing further with regard to limitations upon loans to one corporation or person

Said bill having been recalled from the Governor for the purpose amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

AMENDED HOUSE BILL RECALLED FROM THE GOVERNOR CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1642.

An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties.

Said bill having been recalled from the Governor for the purpose amendment, the vote had on final passage and third reading reconsidered in the House and the bill amended, in amendments the Senate has concurred.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 718.

An Act to describe and officially adopt a system of coordinates for designating the positions of points on the surface of the earth within the Commonwealth of Pennsylvania

HOUSE BILL No. 729.

An Act to permit the entry of engineers and surveyors and their representatives onto private property for the purpose of using survey stations established by or under the direction of the United States Coast and Geodetic Survey or as a part of the Pennsylvania Coordinate System and providing a penalty for the injuring defacing and destruction of marks and monuments.

HOUSE BILL No. 812.

An Act relating to cities of the first class authorizing

the issuance of non-debt revenue bonds to finance sewer improvements

HOUSE BILL No. 1355.

An Act to amend paragraphs one, three and five of section one of the act, approved the twelfth day of June, one thousand eight hundred and ninety-three, (P. L. 457), entitled "An act to provide for the erection, maintenance and regulation of public morgues in the several counties of this Commonwealth, for the care and disposal of bodies removed thereto, and providing for the payment of certain expenses of the same by the proper county or district, or by the estate of the deceased person, and providing for the disposal of the personal effects of unclaimed dead," as amended, by transferring certain powers from the county commissioners to the coroner in counties of the first class.

HOUSE BILL No. 1499.

An Act prohibiting certain persons from selling taking orders for delivering or being interested in the manufacture or sale of machinery equipment materials feed supplies or other things used by milk producers and prescribing penalties

HOUSE BILL No. 1820.

An Act to amend section three of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (P. L. 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State-aid for certain agricultural associations and regulating the payment thereof" reducing the number of days during which exhibitions need be held

HOUSE BILL No. 2070.

An Act to repeal the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (P. L. 851) entitled "An act fixing the time of holding elections on questions submitted to electors of boroughs"

With the information that the Senate has passed the same without amendment.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 647

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 20, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 647, Printer's No. 422, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

RECONSIDERATION OF VOTE

Mr. JAMES W. PATTERSON. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. AUKERMAN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny, Mr. Patterson, vote on the final passage of this bill?

Mr. JAMES W. PATTERSON. Mr. Speaker, voted in the majority.

The SPEAKER. How did the gentleman from Blair, Mr. Aukerman, vote on the final passage of this bill?

Mr. AUKERMAN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. JAMES W. PATTERSON. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. JAMES W. PATTERSON. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend page 1, line 12 of the title by inserting at the end of the line the following: "acquire property by eminent domain for limited dividend housing companies."

Amend section 2, page 3, line 25 by striking out at the end of the line the following: ["corpora-]"

Amend section 2, page 3, line 26 by striking out at the beginning of the line the following: "[tions]" and inserting in lieu thereof the following: "companies"

Amend section 3, page 4, line 4 by striking out after the word "Cost" and before the word "of" the following: ["Cost"] and inserting in lieu thereof the following: "shall mean cost"

Amend section 13, page 11, line 12 by striking out at the end of the line the following: ["twenty-five per"]

Amend section 13, page 11, line 13 by striking out at the beginning of the line the following: "[centum]" and inserting in lieu thereof the following: "one-third"

Amend section 13, page 11, line 16 by striking out at the end of the line the following: "[seventy-]"

Amend section 13, page 11, line 17 by striking out at the beginning of the line the following: "[five per centum]" and inserting in lieu thereof the following: "two-third"

Amend section 15, page 15, line 15 by striking out the quotation mark before the word "Upon"

Amend section 15, page 15, line 28 by striking out at the end of the line the following: "[in the manner provided]"

Amend section 15, page 15 by striking out line 29.

Amend section 15, page 16, line 1 by striking out at the beginning of the line the following: "[wealth of Pennsylvania]" and inserting in lieu thereof the following: "The proceedings for the condemnation of property and for the assessment of damages for property taken injured or dstroyed shall be in accordance with the act approved the fifteenth day of July, one thousand nine hundred and nineteen (Pamphlet Laws nine hundred seventy-six) entitled "An act to authorize the Board of Commissioners of Public Grounds and Buildings to acquire property for the Commonwealth by proceedings in eminent domain, where the purchase of such property has either been authorized by law or determined by the Board of Commissioners of Public Grounds and Buildings under existing laws and an appropriation made therefor" its amendments and supplements."

Amend section 15, page 16, line 16 by striking out the quotation mark after the word "company".

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hear none and the amendments will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives number and entitled as follows:

HOUSE BILL No. 301.

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" by adding a new section providing for the payment over by county officers to the County Treasurer of certain unclaimed moneys including payment over by persons whose terms of office have expired

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amnd the title, page 1, line 1, by inserting after the word "amend" the following: "sections one hundred eighty-two and one hundred eighty-three and to add sections one hundred fifty and one-tenth one hundred fifty and two-tenth one hundred fifty and three-tenth and one hundred fifty and four-tenth to"; also by striking out in lines 6 to 10 inclusive of the title the following: "by adding a new section providing for the payment over by county officers to the county treasurer of certain unclaimed moneys including payment over by persons whose terms of office have expired" and inserting in lieu thereof the following "requiring all county officers hereafter appointed or elected upon the expiration of their terms to pay over to the county treasurer all moneys in their possession for which they are liable to account under their respective bonds together with a statement thereof and providing for the payment out of such moneys providing for the excheat of certain moneys held in the county treasury and releasing such county officers."

Amend section 1, page 2, line 6, by striking out the words "a new section" and inserting in lieu thereof the words "four new sections"; also same page by striking out all of lines 8 to 28 inclusive and on page 3 by striking out all of lines 1 to inclusive as follows:

"Section 150.1 Payment Over of Unclaimed Moneys Whenever any moneys shall be paid over to any county officer as witness fees costs commissions bail or for other purposes and such moneys do not legally belong to the county or to such officer and no claim for the payment over of the same shall be made by the party entitled thereto within the period of two years after the same has been paid to such county officer or before the expiration of the term of office of any county officer regardless of the time such money has been in the hands of the county officer then it shall be the duty of such county officer to pay such moneys over to the county treasurer at the end of such two year period or upon the expiration of his term of office as the case may be for the use of the county and the receipt of the county treasurer showing the payment over of such moneys shall fully discharge the officer making such payment from all liability for the payment of the same If after any such moneys have been paid over to the county treasurer the person entitled thereto shall appear and claim the same the moneys shall be repaid from the county treasurer on warrant of the county commissioners after proof of claim to the satisfaction of the county commissioners The provisions of this section shall apply to all moneys in the hands of any county officer for a period of two years and more prior to the effective date of this act and to any moneys in the hands of any person whose term of office has expired" and inserting in lieu thereof the following new sections:

"Section 150.1 Payment Over of Moneys at Expiration of Terms of County Officers Hereafter Appointed or Elected Every county officer hereafter appointed or elected shall upon the expiration of his term of office turn over to the county treasurer of the proper county all moneys in his possession as a county officer for which he is liable to account under his bond whether fees or fines belonging to the county or moneys received for payment of claims to litigants and other creditors excepting any money impounded by any order or decree of court together with a statement of such sums received for the benefit of the county or persons other than such county officer showing the sources thereof and the public body or other persons entitled thereto as nearly as the same may be ascertained A copy of such statement shall also be furnished to the successor in office of such county officer Any county officer making any payment in compliance with this act and his surety or sureties and their legal representatives shall be releasd from all liability with respect to the moneys so paid by or for him to the county treasurer for safekeeping for the benefit of those entitled thereto The county treasurer shall hold such moneys so paid over not belonging to the county in a special fund and the moneys in such special fund may be invested by the county commissioners in securities in which the sinking funds of the county may be legally invested In case any claim shall be made for any moneys so paid over by a county officer by any person entitled thereto the same shall upon due proof of such claim be paid out by the county treasurer on warrant of the county commissioners after requisition by the successor of the county officer who paid such moneys over to the county treasurer or an order of any competent court of the proper county

Section 150.2 Escheat of Moneys Notice Thereof All moneys paid into the county treasury in accordance with the preceding section of this act or in any other manner whatever and held for the benefit of any claimant or claimants shall if no claim therefor is made within seven years from the time the same was paid into the county treasury be escheated to the Commonwealth for the use of said county Provided however That at least six months before any such escheat shall take place the county treasurer shall notify by mail the person entitled to any of such moneys of such contemplated escheat so far as possible and shall publish once a week for three successive weeks in two newspapers of general circulation published in the county a true and accurate statement of such proposed escheat containing the names addresses and the amount of money belonging to such person

Section 150.3 Notice to Persons Entitled to Moneys in Hands of County Officers Every county officer now in office or hereafter appointed or elected shall at least one month before the expiration of each year of his term of office notify each person appearing to be entitld to any money for which he is accountable under his bond received by him on account of any claim of such person and remaining unpaid at the time of such notice of the amount of money so received and held as nearly as the same may be ascertained by mail addressed to his last known address showing the source from which such money was derived and publish a list of the names and addresses of all persons having more than twenty-five dollars to their credit on the thirtieth day of September in each year showing the amounts held for their benefit by an advertisement to be made once a week for three successive weeks in one newspaper of general circulation and the legal journal if any published in the proper county during the month of November in each year at the expense of such county

Section 150.4 Informers not Entitled to Reward So much of any provision of any act of assembly relating to escheats as provides for a reward to informers of an escheat shall not apply to any proceedings to escheat any moneys referred to in section one hundred fifty and two-tenths of this act but in other respects the proceedings to escheat such money shall be governed by the laws relating to escheats now or hereafter in force in like manner as if the county treasurer were an officer of the Court of Common Pleas of the proper county

Section 2 That sections one hundred eighty-two and

one hundred eighty-three of said act are hereby amended to read as follows

Section 182 Recognizances Every sheriff whether elected or appointed to fill a vacancy before he is commissioned or executes any of the duties of his office shall enter into a recognizance and become bound in a bond with at least two sufficient sureties in the sums and manner hereafter mentioned The form of such recognizances shall be as follows to wit You (A B C D and E F) do acknowledge that you owe unto the Commonwealth of Pennsylvania the sum of to be levied and made of your several goods and chattles lands and tenements upon condition that if you (A B) shall and do without delay and according to law well and truly serve and execute all writs and process of the Commonwealth of Pennsylvania to you directed and shall and do from time to time upon request to you for that purpose made well and truly pay or cause to be paid to the several suitors and parties interested in the execution of such writs and process their lawful attorneys factors agents or assigns all and every sum and sums of money to them respectively belonging which shall come to your hands or well and truly pay or cause to be paid to the county treasurer of the said county for safekeeping all moneys in your possession as a county officer whether received for the county or for other claimants excepting moneys impounded by any order or decree of court and remaining unpaid to such county or other person entitled thereto at the expiration of your term of office or as soon thereafter as the same may be ascertained and shall and do from time to time and at all times during your continuance in the office of sheriff of the county of well and faithfully execute and perform all and singular the trusts and duties to the said office lawfully appertaining then this recognizance to be void or else to be and remain in full force and virtue

Such recognizance shall be acknowledged before the recorder of deeds and shall continue to be a lien on the real estate owned by the sheriff at the date of said recognizance for the term of ten years from said date The expiration of the lien of any sheriff's recognizance upon the real estate owned by him shall not release such sheriff his administrator or executor from liability to answer any claim which may be established for damages occasioned by official delinquency or misconduct of said sheriff

Section 183 Form of Sheriff's Bond The form of the bond to be given by the sheriff and his sureties shall be as follows to wit "Know all men by these presents that we (A B C D and E F) are held firmly bound into Commonwealth of Pennsylvania in the sum of dollars to be paid to the said Commonwealth for the uses intents and purposes declared and appointed by law to which payment well and truly to be made we bind ourselves our heirs executors and administrators jointly and severally firmly by these presents sealed with our seals dated day of Anno Domini The conditions of the above obligation is such that if the said (A B) shall and do without delay according tolaw well and truly serve and execute all writs and process of the said Commonwealth to him directed and shall and do from time to time upon request to him for that purpose made well and truly pay or cause to be paid to the several suitors and parties interested in the execution of such writs or process their lawful attorney factors agents or assigns all and every sum and sums of money to them respectively belonging which shall come to his hands or well and truly pay or cause to be paid to the county treasurer of the county of for safe keeping all moneys in the possession of said (A B) as a county officer whether received for the county or for other claimants excepting any money impounded by any order or decree of the court and remaining unpaid to such county or other person entitled thereto at the expiration of his term of office or as soon thereafter as the same may be ascertained and shall and do from time to time and at all times during his continuance in the said office well and faithfully execute and perform all and every of the trusts and duties to the said office appertaining then this obligation to be void or else to be and remain in full force and virtue"

Section 3 All acts and parts of acts inconsistent with this act are hereby repealed"

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. HOLSTROM. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 965.

An Act to further amend the act approved the sixteenth day of April one thousand nine hundred and twenty-five (Pamphlet Laws 244) entitled "An act applying to third class counties only and regulating the selection drawing and summoning of all jurors and talesmen and defining their qualifications in such counties creating a jury board and defining its powers and procedure providing for the appointment of a clerk to the jury board and fixing his maximum salary providing for the custody of the jury wheel and the filing and custody of jury lists providing for the public drawing of jurors and the methods thereof giving the trial judge the right to excuse jurors prescribing the time of challenging jurors for the array and regulating the procedure if array is quashed repealing all acts or parts of acts inconsistent therewith" by abolishing the jury board and transferring its powers and duties to the jury commissioners

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out after the word "To" the word "further"; also in same line after the word "amend" insert the words "section one of;" Also in next to the last line, by striking out after the word "with" the words; "by abolishing the jury board and transferring its powers and duties to the jury commissioners" and inserting in lieu thereof the words "by reconstituting the jury board."

Amend section 1, page 2, line 20, by striking out beginning with said line as follows:

"Selection of Jurors for Jury List

Section 3 On or before the tenth day of October of each year each [member of the jury board] jury commissioner shall deliver to the clerk a list containing the names of said [member's] commissioner's proportionate share of the number of qualified jurors required for jury service for the ensuing year as established by the Court of Common Pleas in its last order filed on the subject and in addition thereto fifty names of other persons qualified for jury service The clerk shall eliminate from said lists any duplicate names and the persons from whose lists said duplicates have been elimated shall furnish substitutes therefor All of these lists shall be published in two newspapers of general circulation in the county if the court so orders The clerk shall combine into one complete list arranged alphabetically and shall deliver a copy of this complete list to each [mem ber of the jury board] commissioner on or before October

fifteenth Between the fifteenth and thirtieth days of November in each year at a date and hour to be [fixed by the president judge of which the other members of the board shall have due notice the jury board] agreed on by them the jury commissioners shall meet [in the office of the president judge] and shall select from the complete list the jurors for the official jury list hereinafter referred to [By a vote of a majority of the members of the jury board any names not exceeding three hundred in number may be stricken from the complete list or by vote of all members of the jury board less one any] Any number of names may be stricken from said list If so many names are stricken from the complete list that there will be a deficiency of jurors for the ensuing year the jury [board shall by a vote of at least all members of the board less one] commissioners shall select qualified substitutes Substitutes shall be proposed by the [members of the jury board in rotation] jury commissioners alternately The names of persons approved for jury service as herein provided with their address and occupations shall be typewritten by the clerk upon a list to be known as the official list alphabetically according to the jurors' surnames and shall be numbered consecutively beginning with number one This list shall be in duplicate and shall be signed by the jury commissioners [by at least two judges of the Court of Common Pleas] and by the clerk to the jury [board] commissioners One copy of this list shall be filed in the office of the prothonotary and shall be open to inspection by order of the court and the other copy shall be delivered to the president judge of the Court of Common Pleas and be open to inspection by any judge of said court At any time before the names on said list are placed in the jury wheel any name on said list may be stricken off by [a vote equaling that of all the members of the jury board less one and by the same vote] the jury commissioners and other names may be substituted therefor [if the board desires to do so]

Section 2 Section four of said act is hereby amended to read as follows

Placing Names in Jury Wheel

Section 4 The names occupations addreses and numbers on said official jury list shall be typewritten by the clerk upon separate and uniform slips of paper and shall be folded so as to conceal the names on these slips and be placed by the clerk in the jury wheel in the presence of the jury commissioners [and at least one judge of the Court of Common Pleas] This shall be done at a time fixed by order of the president judge soon after the last drawing from the wheel during the current calendar year The court may by order filed prescribe the form of the jury wheel and its lock and the care and custody of said wheel and the keys thereto The wheel shall be emptied and its contents destroyed after the last drawing of jurors in the calendar year Within ten days after the approval of this act the jury commissioners and the sheriff of each county of third class shall deliver to the president judge of the Court of Common Pleas the jury wheel and the keys thereto

Section 3 Section five of said act as amended by section one of the act approved the eleventh day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 495) is hereby further amended to read as follows

Drawing of and Notices to Jurors

Section 5 The issuing of writs commanding the impaneling and summoning of jurors to serve as jurors in the trial of any issue triable by a jury in the several courts of the counties affected by this act and to serve as grand jurors shall be as now provided by law except the appropriate writs shall be directed [not as heretofore] to the sheriff and commissioners [but to the jury board] commanding [it] them to impanel and summon such jurors as required under the law or by order or praecipe of any of the several courts of the respective third class counties affected by this act [After the jury boards as herein provided for are organized all] All drawings of jurors and the proceedings incident to said drawings shall be as follows At least thirty days before each term of court there shall be drawn from the jury wheel name-slips equaling the number of jurors which the jury [board has] commissioners have been directed to impanel and summon for each week of said term of court and at least thirty days before the commencement of the grand jury there shall be drawn from said wheel twenty-four name-slips of jurors to be summoned for said jury The names occupations addresses and numbers of the persons so drawn for jury service shall be typewritten upon a list and the list shall be posted in the office of the prothonotary and clerk of the court at least twenty-five days befor the first day of the week of court or the session of grand jury for which said jurors are chosen These lists shall be signed by [at least two of the judges of the Court of Common Pleas and by at least two] both of the jury commissioners and also by the clerk of the jury [board] commissioners The jurors so chosen shall at least twenty days before the first day of the week of court or session of the grand jury for which they have been drawn for service be notified to appear for service at the proper time by card duly mailed to the proper address and signed by the sheriff with a postage-prepaid return-card attached to said notice setting forth that notice to appear at the hour and date therein stated is accepted This return card shall be addressed to the sheriff The citizens to whom cards have been mailed and from whom return-cards have not been received five days after the cards were mailed to them shall be served personally by the sheriff of the county person summoned and shall be paid all necessary ex- or his deputies with notice to appear for jury service at the proper time These summonses for jury services whether by card duly mailed or by personal service shall be deemed summonses of the court and disobedience to them shall be considered the same as disobedience to any other summons of the court The sheriff shall be entitled to charge the county on his fee account one dollar and mileage for each person summoned and shall be paid all the necessary expenses incurred by him or his deputies or clerks for serving such notices by mail or personally

Section 4 Section six of said act is hereby amended to read as follows

Method of Drawing Jurors

Section 6 All drawings of all jurors [after the organization of the jury board] shall take place in one of the court rooms [selected by the chairman of the board] at a time fixed by [him of which time and place the other members of the jury board shall have at least three days' notice] the jury commissioners The clerk shall announce or advertise the time and place of said drawing of jurors in two newspapers of general circulation all of which shall be located in the county seat of the county not more than ten days nor less than three days before the time of said drawing The drawing shall be [in the presence of at least one jury commissioner and at least one judge of the Court of Common Pleas and shall be] open to the public The name-slips shall be drawn singly from the wheel by any person whom the [judge or judges present at the drawing] jury commissioners may there appoint for that purpose The name number address and occupation as the same appear on the name-slips shall be read by any person there appointed for that purpose [by the judge or judges present] and shall be compared by the clerk of the jury board with the corresponding name number address and occupation on the official jury list If the name number address and occupation correspond the clerk shall immediately copy the same in a book called the "jury book" After the name-slips have been copied in the jury book and the jury book entry compared and found to be corect the name-slip shall be immediately sealed in an envelope by the clerk and on said envelope and in said jury book the specific week or weeks of jury service for which said jurors whose names are on said slips are drawn shall be entered Theses name-slips shall be held for safekeeping as the court shall direct untill the end of the year when they shall be destroyed unless the court shall order otherwise

Section 5 Section ten of said act is hereby amended to read as follows

Proceedings if Array is Quashed

Section 10 When the array of jurors returned at any

court shall be quashed by reason of any fault or irregularity in the selection of said array of jurors the court shall forthwith order another public drawing of jurors in the manner provided in this act to take the place of the jurors on the quashed array and said jurors shall be legal jurors for the week for which the jurors in said quashed array were drawn The court shall prescribe what notice shall be given of the names occupations and addresses of the persons thus drawn so as to conform as nearly as may be practicable under the circumstances to the notice of and to jurors drawn as prescribed by section five and six of this act If there has been any fundamental irregularity in filling the jury wheel the Court of Common Pleas may upon satisfactory proof of said irregularity order the wheel emptied and then refilled with names of persons qualified for jury service Said names shall be selected by the jury [board] commisioners and as nearly as possible according to the procedure prescribed in this act except that the same shall be done within a time to be prescribed by the court

Section 6 Section one of said act is hereby repealed" and inserting in lieu thereof the following:

"Organization of Jury Board

Section 1 Be it enacted etc That this act shall apply only to counties of the third class and that within ten days after the passage and approval of this act and annually thereafter there shall be organized in each of said counties of the third class a jury board consisting of the [judges] president judge of the Court of Common Pleas and the two elected jury commissioners The president judge shall be the chairman of the board [One of the judges] The president judge of the Court of Common Pleas and [the two] one of the commissioners or [one of] the two said commissioners [and two of said judges] shall constitute a quorum of said board The Court of Common Pleas in each county of the third class shall appoint a clerk to the jury board to serve at the pleasure of the court His duties shall be such as are prescribed by this act and any other duties incidental thereto His salary shall be fixed by the Court of Common Pleas and shall not exceed nine hundred dollars per year and shall be paid by the county"

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. TOOLE. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 158.

An Act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend article III, section 309, page 19, line 10, by striking out after the word "thereof" the word "shall" and inserting in lieu thereof the word "may;" also in line 11, by striking out before the word "sixty" the word "of" and inserting in lieu thereof the words "not exceeding:" also in line 22, by striking out after the word "thereof" the word "shall" and inserting in lieu thereof the word "may;" also in line 23 by striking out the words "less than three months nor."

Amend article III, page 19, by striking out all of lines 25 to 29 inclusive and on page 20 by striking out all of lines 1 to 3 inclusive as follows:

"Section 310 Acid Mine Drainage The provisions of this article shall not apply to acid mine drainage from coal mines until such time as in the opinion of the Sanitary Water Board practical means for the removal or reduction of the polluting properties of such drainage shall become known" and inserting in lieu thereof the following:

"Section 310 Acid Mine Drainage and Silt The provisions of this article shall not apply to acid mine drainage and silt from coal mines until such time as in the opinion of the Sanitary Waters Board practical means for the removal of the polluting properties of such drainage shall become known"

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. LaRUE. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 557.

An Act making an appropriation to the Water and Power Resources Board for payment into the Flood Control Fund for flood control purposes

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 1, by striking out in lines 4 and 5 the words and figures "eight million dollars ($8,000,000)" and inserting in lieu thereof the words and figures "five million dollars ($5,000,000);" also by striking out at the end of line 10 the word "Provided;" also on page 2 by striking out all of lines 1 to 5 inclusive as follows: "however That not less than four million dollars ($4,000,000) of the sum appropriated by this act and paid into the Flood Control Fund shall be used and expended only for flood control work and improvements on and along the Susquehanna River and its tributaries."

On the question,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. HERBERT B. COHEN. Mr. Speaker, I move that the bill together with the message from the Senate be laid on the table.

The motion was agreed to.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1433.

An Act to amend section five hundred and fourteen of the act, approved the ninth day of April, one thousand nine hundred and twenty nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," as amended, permitting State institutions and sanatoria to supply water to individuals.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 4, by inserting at the end of line 8 after the word "prescribe" the following: "provided however that the Pennsylvania Game Commission may grant such rights-of-way or sell or exchange lands acquired for its use under the conditions especially set forth in the act known as the Game Law."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	Melchiorre,	Skale,
Alexander,	Habbyshaw,	Mellott,	Sloan,
Allen,	Haberlen,	Merrell,	Smith, James A.
Arnold,	Hagerty,	Moomaw,	Smith, John A.,
Atkins,	Hall,	Mooney,	Snyder,
Aukerman,	Hamilton, F. P.,	Moran,	Sollenberger,
Baine	Hamilton, R. S.,	Moul,	Spengler,
Baker, J. J.,	Harkins,	Muir,	Sproul,
Balthaser,	Harmuth,	Munley,	Stackpole,
Bierly,	Hays,	Murrin,	Stank,
Blank,	Hering,	Nagel,	Stewart,
Bohn,	Hess,	O'Brien,	Stockham,
Boies,	Hindman,	O'Connor,	Strode,
Boltz,	Hirsch,	O'Keefe,	Terry,
Boose,	Holland,	Ominsky,	Thomas,
Boyer,	Holstrom,	O'Neill,	Thompson,
Bradley,	Hontz,	Ostroff,	Toole,
Brancato,	Horting,	Patterson, C. S.,	Tronzo,
Broad,	Imbrie,	Patterson, J. W.,	Tumelty,
Brown,	Jirolanio,	Pearson,	Turner,
Brownfield,	Kane,	Perry,	Valibus,
Burrows,	Keenan,	Pershing,	VanAllsburg,
Cadwalader,	Kelso,	Piole,	VanSickle,
Caesar,	Kilroy,	Powers,	Vogt,
Caputo,	Kline,	Preston,	Wagner,
Coakley,	Kroll,	Readinger,	Wall,
Cohen, H. B.,	LaRue,	Reese,	Walsh,
Cohen, R. E.,	Leisey,	Reising,	Wampole,
Coleman,	Levy,	Richter,	Watkins,
Coolahan,	Lewis,	Robinson,	Webster,
Costanzo,	Long,	Rothenberger,	Weidemann,
Davies,	Longaker,	Royer,	Weiss, D. H.,
Decker,	Lopresti,	Rush,	Weiss, S. A.,
DeNote,	Lovett,	Sarraf,	Welliver,
Dickinson,	Lyons,	Scanlon,	Welsh,
Donohoe,	Mallen,	Schor,	Whalen,
Dougherty,	Marino,	Schrock,	Whitenight,
Downey,	Matthews, H. T.,	Schrope,	Wilson,
Dubbs,	Matthews, J. F.,	Schumacher,	Winner,
Dyson,	McArdle,	Serrill,	Wood,
Elpern,	McCullough,	Shaw,	Woodside,
Falkenstein,	McDermott,	Shea,	Wright,
Fiss,	McDevitt,	Shepard,	Yanoshat,
Fitch,	McElroy,	Shoemaker,	Yeakel,
Flanagan,	McFall,	Shugarts,	Yourishin,
Flannery,	McGee,	Siegel,	Zappala,
Flinchbaugh,	McKinney,	Simon,	Furman,
Ganser,	McShane,	Simpson,	

NAYS—0

The majority required by the Constitution voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 6.

An Act relating to employes and organizations thereof defining labor disputes prescribing the procedure by which and the conditions under which injunctions may be granted in such disputes and the scope thereof declaring certain undertakings and promises between employers and employes contrary to public policy and void prescribing the nature of proof necessary in actions arising out of labor disputes against persons or associations prescribing the terms and conditions for bonds to be furnished prior to the issuance of injunctions prescribing the procedure in case of appeal from granting injunctions limiting the duration of temporary and permanent injunctions in case of labor disputes and providing for the payment of costs and repealing all acts or parts of acts inconsistent herewith

SENATE BILL No. 66.

An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (P. L. 780) entitled "An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court of judges of the Courts of Common Pleas the judges of the Orphans' Courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County" by extending the provisions of the said section to the judges of the Orphans' Court of Dauphin County

SENATE BILL No. 811.

An Act permitting boroughs and townships of the first class engaged in the construction of sewers and sewer systems to change under certain conditions the locations

of the sewers and sewer system by amending ordinances and providing that abutting property owners shall be liable in such cases

SENATE BILL No. 1044.

An Act authorizing Courts of Common Pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs and exempting mortgages issued under the National Housing Act

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numebered and entitled as follows:

HOUSE BILL No. 1075.

An Act to amend the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1273), entitled "An act relating to counties of the second, third, fourth fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," by authorizing the district attorney in counties of the third class to purchase and maintain police radio equipment.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, age 2, by inserting after the word "may" in line 2, the words "with the consent and approval of the county commissioners."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Vallbus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1354.

An Act to further amend section two thousand two hundred and twenty-three of an act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by regulating the retirement of and providing additional retirement allowances for superintendents of schools and superintendents of buildings in districts of the first class under certain circumstances and authorizing such school districts to provide for the payment of such additional allowances.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, by inserting after the word "therewith" in line 14, the following: "as amended by the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws 677)"; also on page 3, by striking out in lines 6 to 8 inclusive the following: "[)] who was employed in the public schools of the Commonwealth at the time of the establishment of the retirement system [)]."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	Melchiorre,	Skale,

Alexander,	Habbyshaw,	Mellott,	Sloan,
Allen,	Haberlen,	Merrell,	Smith, James A.,
Arnold,	Hagerty,	Moomaw,	Smith, John A.,
Atkins,	Hall,	Mooney,	Snyder,
Aukerman,	Hamilton, F. P.,	Moran,	Sollenberger,
Baine	Hamilton, R. S.,	Moul,	Spengler,
Baker, J. J.,	Harkins,	Muir,	Sproul,
Balthaser,	Harmuth,	Munley,	Stackpole,
Bierly,	Hays,	Murrin,	Stank,
Blank,	Hering,	Nagel,	Stewart,
Bohn,	Hess,	O'Brien,	Stockham,
Boles,	Hindman,	O'Connor,	Strode,
Boltz,	Hirsch,	O'Keefe,	Terry,
Boose,	Holland,	Ominsky,	Thomas,
Boyer,	Holmes,	O'Neill,	Thompson,
Bradley,	Holstrom,	Ostroff,	Toole,
Brancato;	Hontz,	Patterson, C. S.,	Tronzo,
Broad,	Horting,	Patterson, J. W.,	Tumelty,
Brown,	Imbrie,	Pearson,	Turner,
Brownfield,	Jirolanio,	Perry,	Vallbus,
Burrows,	Kane,	Pershing,	VanAllsburg,
Cadwalader,	Keenan,	Piole,	VanSickle,
Caesar,	Kelso,	Powers,	Vogt,
Caputo,	Kilroy,	Preston,	Wagner,
Coakley,	Kline,	Readinger,	Wall,
Cohen, H. B.,	Kroll,	Reese,	Walsh,
Cohen, R. E.,	LaRue,	Reising,	Wampole,
Coleman,	Leisey,	Richter,	Watkins,
Coolahan,	Levy,	Robinson,	Webster,
Costanzo,	Lewis,	Rothenberger,	Weidemann,
Davies,	Long,	Royer,	Weiss, D. H.,
Decker,	Longaker,	Rush,	Weiss, S. A.,
DeNote,	Lopresti,	Sarraf,	Welliver,
Dickinson,	Lovett,	Scanlon,	Welsh,
Donohoe,	Lyons,	Schor,	Whalen,
Dougherty,	Marino,	Schrock,	Whitenight,
Downey,	Matthews, H. T.,	Schrope,	Wilson,
Dubbs,	Matthews, J. F.,	Schumacher,	Winner,
Dyson,	McArdle,	Serrill,	Wood,
Elpern,	McCullough,	Shaw,	Woodside,
Falkenstein,	McDermott,	Shea,	Wright,
Fiss,	McDevitt,	Shepard,	Yanoshat,
Fitch,	McElroy,	Shoemaker,	Yeakel,
Flanagan,	McFall,	Shugarts,	Yourishin,
Flannery,	McGee,	Siegel,	Zappala,
Flinchbaugh,	McKinney,	Simon,	Furman,
Ganser,	McShane,	Simpson,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, that the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Represntatives numbered and entitled as follows:

HOUSE BILL No. 1567.

An Act to amend section two and section nine as amended of the act approved the fifth day of January one thousand nine hundred and thirty-four (Pamphlet Laws 223 1933-34) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States during the World War the war between the United States and Spain the China Relief Expedition or in the Philippines or Guam providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties" further regulating the making of payments to representatives of persons who cannot personally receive compensation

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend bill, page 7, by inserting after line 25 the following new section: "Section 3 This act shall become effective immediately upon final enactment."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Vallbus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 362. (HOUSE BILL No. 2403).

An Act to amend section two of the act approved the twentieth day of June one thousand nine hundred and nineteen (Pamphlet Laws 521) entitled "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking as-

sociation located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" as amended allowing for certain deductions of taxes where the same property would be twice taxed within one year.

Referred to the Committee on Ways and Means.

SENATE BILL No. 376. (HOUSE BILL No. 2404).

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Kutztown State Teachers College to acquire certain tracts of land for the use of said college and making an appropriation.

Referred to the Committee on State Government.

SENATE BILL No. 545. (HOUSE BILL No. 2405).

An Act to amend subsection seven of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended changing the minimum salaries and providing for increments of teachers in school districes of the fourth class.

Referred to the Committee on Education.

SENATE BILL No. 572. (HOUSE BILL No. 2406).

An Act prescribing the powers and duties of the Department of Forests and Waters in respect to the Brandywine Battlefield and making an appropriation.

Referred to the Committee on Appropriations.

SENATE BILL No. 627. (HOUSE BILL No. 2407).

An Act making an appropriation to the Department of Forests and Waters for acquisition of land by purchase condemnation or otherwise for State Park purposes.

Referred to the Committee on Appropriations.

SENATE BILL No. 873. (HOUSE BILL No. 2408).

An Act making an appropriation to the Department of Forests and Waters for the purpose of improving and developing the Hemlock State Forest Park in the county of Perry.

Referred to the Committee on Appropriations.

SENATE BILL No. 880. (HOUSE BILL No. 2409).

An Act appropriating to the Department of Public Assistance for public assistance all restitutions and overpayments collected by or for such department.

Referred to the Committee on Appropriations.

SENATE BILL No. 881. (HOUSE BILL No. 2410).

An Act making an appropriation to the State Veterans' Commission for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war or their dependents.

Referred to the Committee on Appropriations.

SENATE BILL No. 940. (HOUSE BILL No. 2411).

An Act authorizing the acquisition in the name of the Commonwealth by the Deparement of Forests and Waters of Braddock's Park and Jumonville Park by purchase control and for the management and the supervision thereof and appropriating funds for such acquisition.

Referred to the Committee on State Government.

SENATE BILL No. 1024. (HOUSE BILL No. 2312).

An Act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighey-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds association reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" to further except from subdivision (b) of article six of that act policies of group health and accident insurance defining group health and accident insurance.

Referred to the Committee on Insurance.

SENATE BILL No. 1113. (HOUSE BILL No. 2413).

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Edinboro State Teachers College to acquire certain tracts of land for the use of said college and making an appropriation.

Referred to the Committee on State Government.

SENATE BILL No. 1117. (HOUSE BILL No. 2414).

An Act to amend the act of the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws 922) by restricting the sale and transportation of goods wares and merchandise prepared and manufactured within and without this Commonwealth by convicts and prisoners and providing penalties.

Referred to the Committee on Printing.

SENATE BILL No. 1139. (HOUSE BILL No. 2415).

An Act to authorize cities of the first class of this Commonwealth to provide for the payment of deficits arising from non-receipt of revenue during the year 1937 in three equal annual installments and to authorize the making of contracts the drawing of warrants and the approval thereof without appropriation for the payment of such deficits except as provided by this act and to levy and fix the tax rate and to make appropriations and prepare and formulate the financial programs of such cities upon the basis of the discharge of such deficits in the manner provided by this act and repealing any inconsistent legislation.

Referred to the Committee on Cities.

SENATE BILL No. 1143. (HOUSE BILL No. 2416).

An Act making an appropriation to the Department of Forests and Waters for acquisition of lands in connection with George W. Childs State Forest Park.

Referred to the Committee on Appropriations.

SENATE BILL No. 1168. (HOUSE BILL No. 2417).

An Act to amend section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 662) entitled "An act

relating to retirement from the Pennsylvania National Guard" as amended by the act approved the twelfth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 681) by providing that service in excess of thirty-nine years and five months may be counted as more than forty years of service.

Referred to the Committee on Military Affairs.

SENATE BILL No. 1215. (HOUSE BILL No. 2418).

An Act making an appropriation to the Department of Forests and Waters for the acquisition of certain lands as State forest lands.

Referred to the Committee on Appropriations.

SENATE BILL No. 1220. (HOUSE BILL No. 2419).

An Act to validate conveyances purporting to be the act and deed of a corporation heretofore erroneously executed and acknowledged or executed and acknowledged by persons purporting to be agents of or trustees for a corporation which has since been dissolved.

Referred to the Committee on Corporations.

SENATE BILL No. 1223. (HOUSE BILL No. 2420).

An Act to amend section one of the act approved the tenth day of May one thousand nine hundred twenty-seven (Pamphlet Laws 879) entitled "An act regulating the sale in bulk of fifty-one percentum or more of the stock of goods wares or merchandise of any kind fixtures machinery equipment or real estate by every corporation joint-stock association limited partnership or company providing certain requirements therefor and imposing certain duties upon the seller and buyer and fixing penalties" providing for the payment of unemployment compensation contributions.

Referred to the Committee on Corporations.

SENATE BILL No. 1225. (HOUSE BILL No. 2421).

An Act making an appropriation out of the State Stores Fund to the Department of Property and Supplies for the acquisition of land (with or without buildings thereon) and for the erection construction and equipment of an office building thereon for the use of the Pennsylvania Liquor Control Board.

Referred to the Committee on Appropriations.

SENATE BILL No. 1234. (HOUSE BILL No. 2422).

An Act prohibiting during a declared emergency foreclosure entry of judgment and issuance of execution on agreements bonds and mortgages affecting real property because of failure to fully discharge municipal liens against such property where such liens pursuant to ordinance or resolution are being paid in installments.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1244. (HOUSE BILL No. 2423).

An Act making an appropriation to the American Legislators Association and the Interstate Legislative Reference Bureau.

Referred to the Committee on Appropriations.

SENATE BILL No. 1252. (HOUSE BILL No. 2424).

An Act regulating the hearing before boards of view and jury trials and the awards and verdicts in cases arising from the taking injury or destruction of private property under the right of eminent domain where both the owner of the fee and any lessee or lessees under such owner shall claim damages.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1270. (HOUSE BILL No. 2425).

An Act to amend sections one and three of the act approved the eighteenth day of March one thousand eight hundred and seventy-five (Pamphlet Laws 32) entitled "An act requiring recorders of deeds to prepare and keep in their respective offices general direct and ad sectum indexes of deeds and mortgages recorded therein prescribing the duty of said recorders and declaring that the entries in said general indexes shall be notice to all persons" by further regulating the preparation and keeping of indexes of deeds and mortgages by recorders of deeds and prescribing the effect thereof.

Referred to the Commietee on Judiciary General.

SENATE BILL No. 1304. (HOUSE BILL No. 2426).

An Act for the conveyance to the United States of America of title in and to certain lands in the Township of Fairview County of York. and ceding to the United States jurisdiction over said lands.

Referred to the Committee on Federal Relations.

SENATE BILL No. 1308. (HOUSE BILL No. 2427).

An Act to amend section four hundred and one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by further regulating depositories of funds of counties of the second class.

Referred to the Committee on Counties.

SENATE BILL No. 1312. (HOUSE BILL No. 2428).

An Act defining sales of real property in partition and dower proceedings to be judicial sales discharging the real property so sold from the lien of certain encumbrances and providing for their payment out of the proceeds of the sale.

Referred to the Commtitee on Judiciary General.

SENATE BILL No. 178. (HOUSE BILL No. 2429).

An Act to further amend section two of the act approved the eighteenth day of June, one thousand nine hundred and nineteen (P. L. 498), entitled "An act defining consolidation of schools; providing for the establishment and regulation of consolidated schools; and providing for State aid for the transportation of pupils to and from consolidated schools," by requiring the recommendation of the county board of school directors before the approval of consolidated and joint consolidated schools in certain cases.

Referred to the Committee on Education.

SENATE BILL No. 776. (HOUSE BILL No. 2430).

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain

departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by modifying the procedure for the sale of unserviceable property and enlarging the scope of the appropriation of the Manufacturing Fund clarifying the provisions pertaining to the furnishing of State automobiles from the temporary fleet authorizing the purchase of liability insurance covering State officers or employes operating vehicles loaned by the Federal Government prohibiting contractors with the Commonwealth from requiring or receiving refunds of part of any premium wage or wages required by their contract to be paid to their employes providing for the demolition or destruction of certain military stores in certain cases authorizing the transfer of surplus products between State institutions further defining the working hours and duties of State employes amplifying the supervision of the Department of Welfare over inmates in and the transfer of inmates from State penal and correctional institutions empowering the Department of Welfare to enforce compliance with its orders to remedy unfavorable conditions in State and supervised institutions eliminating the office of business manager in State institutions under the Department of Welfare authorizing the Department of Welfare to fix and establish service charges at State-owned medical and surgical hospitals authorizing the Department of Property and Supplies to establish standards for the operation of certain State equipment and to make peridical surveys of the buildings equipment land and improvements of State institutions further projects making further provision for bid performance bonds of bidders for State contracts extending the scope of the work of the State Park Commission further regulating purchases made directly by departments boards and commissions and expenses of special attorneys in criminal cases authorizing the Governor to grant commissions to State police providing for the disposal of accumulated files of papers no longer needed or useful in the Commonwealth providing for the promulgation of rules and regulations by and enlarging the powers of the Department of Forests and Waters and the Water and Power Resources Board further regulating the maximum price that may be paid for land acquired for State forestry purposes prescribing the membership and powers and duties of the State Park Commission creating and prescribing the powers and duties of Regional State Park Boards eliminating the limitation on the amount per acre that may be paid for land acquired for State park purposes eliminating the Board of Game Commissioner and extending the provisions of the code to its successor the Pennsylvania Game Commission eliminating the Public Service Commission of the Commonwealth of Pennsylvania and extending the provisions of the code to its successor the Pennsylvania Public Utility Commission transferring the State Athletic Commission from the Department of Milieary Affairs to the Department of Revenue and the State Board of Undertakers from the Department of Public Instruction to the Department of Health eliminating the State Aeronautics Commission The Pennsylvania Alcohol Board and the Board of Trustees of Cumberland Valley Institution for mental defective and the Anatomical Board and generally further reorganizing and clarifying the conduct of the administrative work of the Commonwealth.

Referred to the Committee on State Government.

SENATE BILL No. 783. (HOUSE BILL No. 2431).

An Act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and providing for the payment of certain medical expenses creating a board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments of therefrom providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties.

Referred to the Committee on State Government.

SENATE BILL No. 915. (HOUSE BILL No. 2432).

An Act to amend the act approved the twenty-fifth day of July, one thousand nine hundred and seventeen (P. L. 1195), entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions; providing State-aid for certain agricultural associations and regulating the payment thereof;" as amended, providing for aid to counties holding agricultural exhibitions.

Referred to the Commiteee on Agriculture.

SENATE BILL No. 952. (HOUSE BILL No. 2433).

An Act to amend section twenty-four of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws 207) as amended entitled "An act providing when, how, upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor, the methods for preserving such liens and enforcing payment of such claims, the effect of judicial sales of the properties liened, the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as amended by and increasing the term for which sequestrators may lease sequestrated property.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 988. (HOUSE BILL No. 2434).

An Act to amend section twenty-one of the act, approved the seventh day of June, one thousand nine hundred and fifteen (P. L. 900), entitled "An act to provide for the immediate registration of all births and deaths throughout the Commonwealth of Pennsylvania, by means of certificates of births and deaths, and burial or removal permits; requiring prompt returns to the Central Bureau of Vital Statistics as required to be established by the State Department of Health; and, in order to secure prompt and faithful registration of births, marriages, deaths, and diseases, or practitioners of medicine and surgery of midwives, nurses, and undertakers, and of all persons whose occupation is deemed to be of importance in obtaining complete registration of births, deaths, marriages, and diseases throughout the State, as provided in section ten of an act, entitled 'An act creating the Department of Health and defining its powers and duties,' approved the twenty-seventh day of April, nineteen hundred and five, and providing penalties for violations of this act," as amended, providing that certified copies of birth certificates shall omit certain information.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 990. (HOUSE BILL No. 2437).

An Act to amend section four hundred twenty-seven of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof,

including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the oppointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by making further provisions for the appointment, salary, and powers and duties of a Secretary of a State Athletic Commission.

Referred to the Committee on State Boards.

SENATE BILL No. 1048. (HOUSE BILL No. 2438).

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children.

Referred to the Committee on Appropriations.

SENATE BILL No. 1216. (HOUSE BILL No. 2439).

An Act to further amend subsection (e) of section eight hundred and one of the act aproved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles and pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporation towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" requiring all motor vehicles trailers and semi-trailers to have red reflectors at the rear.

Referred to the Committee on Motor Vehicles.

SENATE BILL No. 1224. (HOUSE BILL No. 2440).

An Act to amend article nine of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 364), entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Court of Common Pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing that a domestic business corporations formed by merger of one or more domestic business corporations and one or more foreign business corporations shall be entitled to a credit on the bonus due the Commonwealth equal to the amount of the bonus paid under existing laws by the corporations so merging.

Referred to the Committee on Corporations.

SENATE BILL No. 1226. (HOUSE BILL No. 2441).

An Act authorizing the Joint Commission having jurisdiction over bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey to sell and dispose of certain real and personal property to lease real estate and to license Public Utility Companies to occupy with their facilities parts of such bridges as are within the jurisdiction of the Commission and providing for the disposal of the proceeds thereof

Referred to the Committee on State Boards.

SENATE BILL No. 1228. (HOUSE BILL No. 2442).

An Act authorizing county commissioners of any county to hold in trust for the inhabitants and citizens of the county any real estate and property appropriate for agriculture fairs or exhibits and to lease the same without expense or liability to the county to any incorporated agriculture association to operate and conduct an annual fair within the county.

Referred to the Committee on Counties.

SENATE BILL No. 1258. (HOUSE BILL No. 4423).

An act to further amend sections five and eight of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by providing for annual renewals of the registration of pharmacists and assistant pharmacists.

Referred to the Committee on Public Health and Sanitation.

SENATE BILL No. 1262. (HOUSE BILL No. 2444).

An Act providing for the sale of Fort Necessity Park in Wharton Township to the government of the United States for National Military Park purposes and giving consent to the purchase of said pair other lands of historical importance and with certain reservations ceding jurisdiction over such lands.

Referred to the Committee on State Government

SENATE BILL No. 1301. (HOUSE BILL No. 2445).

An Act providing for the erection construction and equipment of armories for the use of the Pennsylvania National Guard designating the manner of acquiring or setting aside of land for the erection and construction of armories thereon by The General State Authority authorizing the Commonwealth to lease such armories and their grounds from The General State Authority upon their completion and the Armory Board of the State of Pennsylvania to manage and operate the same and conferring powers and imposing duties upon certain State departments and boards.

Referred to the Committee on Military Affairs.

SENATE BILL No. 1311. (HOUSE BILL No. 2446).

An Act providing for the erection construction and equipment of buildings for a new State sanatorium or new buildings at existing sanatoria designating the manner of acquiring or setting aside of land for the erection and construction of such buildings by The General State Authority authorizing the Commonwealth to lease such new sanatorium or building or buildings and the grounds connected therewith from The General State Authority upon their completion and the Department of Health to manage and operate the same and conferring powers and imposing duties upon certain State departments.

Referred to the Committee on State Government.

SENATE BILL No. 1313. (HOUSE BILL No. 2447).

An Act to add section five hundred and fifty-three to the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insuranuce companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" providing additional penalties.

Referred to the Committee on Insurance.

SENATE BILL No. 1314. (HOUSE BILL No. 2448).

An Act to amend sections two hundred fifteen and two hundred seventeen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 789) entitled as amended "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by providing for supervision over fire rating bureaus and prescribing penalties.

Referred to the Committee on Insurance

SENATE BILL No. 1315. (HOUSE BILL No. 2449).

An Act requiring collectors of city county borough town township school and poor district taxes to file certain reports with the Quarter Session Court and the Department of Internal Affairs directing such Department to prepare and furnish forms for such reports making such reports available for public inspection requiring all payments to such collectors for compensation and expenses to be by warrant or order prohibiting such collectors from deducting their compensation and expenses from public funds in their possession and making violation of the act a misdemeanor.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 846. (HOUSE BILL No. 2450).

An Act making an appropriation to the Department of Military Affairs to pay the traveling expenses of the respective Commanders of the Pennsylvania Departments of the Veterans of Foreign Wars of the United States the American Legion and Disabled American Veterans of the World War or their representatives in accompanying the members of the United States Battle Monuments Commission to Europe to dedicate certain monuments.

Referred to the Committee on Appropriations.

SENATE BILL No. 1269. (HOUSE BILL No. 2451).

An Act to further amend article six of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incroporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by adding thereto a new sub-division (h) consisting of sections 685 (six hundred and eighty-five) to 696 (six hundred ninety-six) inclusive defining the specific powers and financial requirements of title insurance companies and providing for the regulation and supervision thereof and prohibiting the guaranteeing of mortgages by such companies.

Referred to the Committee on Insurance.

BILLS INTRODUCED AND REFERRED

By Mr. TRONZO. HOUSE BILL No. 2435.

An Act making an appropriation to the Civil Liberties Commission.

Referred to the Committee on Appropriations.

By Mr. HERBERT B. COHEN. HOUSE BILL No. 2436.

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; prescribing the powers and duties of the State Emergency Relief Board and certain State departments; prohibiting political activity by employes of the State Emergency Relief Board; and prescribing penalties.

Referred to the Committee on Appropriations.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 564.

An Act making an appropriation to the Department of Agriculture to advance the tobacco interest fo this Commonwealth.

HOUSE BILL No. 1078.

An Act to amend clause thirty-four of section two thousand four hundred three of the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws 932) entitled "An act relating to cities of the third class and amending revising and consolidating the law relating thereto" by extending the provisions for appropriations to posts of veterans.

HOUSE BILL No. 1133.

An Act making an appropriation for the purpose of maintaining the public roads and improving and replacing bridges thereon through the Cornplanter Indian Reservation in Elk Township Warren County Pennsylvania.

HOUSE BILL No. 1216.

An Act providing that investment in shares of Federal Savings and Loan Associations or shares of other institutions insured under the Federal Savings and Loan Insurance Corporation shall be legal investments for certain corporations and certain funds.

HOUSE BILL No. 1250.

An Act to prohibit the sale and offer for sale of the labeled artificial flowers of certain veterans' organizations except on the days appointed for such purpose.

HOUSE BILL No. 1277.

An Act to amend section one of the act approved the eighth day of April one thousand eight hundred and sixty-seven (Pamphlet Laws 50) entitled "An act to permit disabled soldiers to peddle by procuring a license therefor without charge" as amended prohibiting the peddling of labeled flowers of certain veterans' organizations and miniature American flags.

HOUSE BILL No. 1303.

An Act abating ceratin tax penalties and interest on city and school taxes in cities of the first class and school districts of the first class.

HOUSE BILL No. 141.

An Act making an appropriation to the Supreme Court for a portrait of the former Chief Justice of said court.

HOUSE BILL No. 142.

An Act making an appropriation to the Supreme Court for a portrait of the Chief Justice of said court.

HOUSE BILL No. 392.

An Act making an appropriation to the Cresson Volunteer Fire Company for the protection of State property.

HOUSE BILL No. 393.

An Act making an appropriation to the Department of Health for the purpose of draining flooded mines and quarries in this Commonwealth to recover human bodies lost therein.

HOUSE BILL No. 956.

An Act making an appropriation out of the Motor License Fund to the Auditor General State Treasurer and Secretary of Highways as the Commission of the Commonwealth of Pennsylvania for the acquisition of a bridge over the Delaware River between the Commonwealth of Pennsylvania and the State of New York at Lackawaxen.

HOUSE BILL No. 957.

An Act making an appropriation out of the Motor License Fund to the Delaware River Joint Toll Bridge Commission for the purpose of acquiring the toll bridge at Dingman's Ferry over the Delaware River between the Commonwealth of Pennsylvania and the State of New Jersey.

HOUSE BILL No. 1021.

An Act for the protection of employes by prohibiting those in authority over such employes to threaten or intimidate employes failing or refusing to sign petitions.

HOUSE BILL No. 1080.

An Act authorizing cities of the first and second class and second class A and incorporated towns to make appropriations to organizations of ex-service men to aid in defraying the expenses of Memorial Day and Armistice Day.

HOUSE BILL No. 1144.

An Act making an appropriation from the Motor License Fund to the Department of Property and Supplies for the payment of costs incurred by that department in acting as purchasing agent for the Department of Highways.

HOUSE BILL No. 1145.

An Act making an appropriation in moneys in the Motor License Fund to the Board of Finance and Revenue to meet interest and sinking fund requirements on the State debt.

HOUSE BILL No. 1151.

An Act providing for the return to the State Insurance Fund of moneys transferred therefrom to the General Fund.

HOUSE BILL No. 1265.

An Act to further amend the title and section one of the act approved the eighth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 1656) entitled "An act authorizing county commissioners to refund taxes erroneously and inadvertently paid by persons and corporations into the county treasury" extending said act to all political subdivisions.

HOUSE BILL No. 1343.

An Act to further amend the first paragraph of section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" by permitting the filing of claims in more than one county in certain cases.

HOUSE BILL No. 1475.

An Act to amend section eleven of the act approved the fourteenth day of May one thousand nine hundred and fifteen (Pamphlet Laws 483) entitled "An act relating to practice in the Courts of Common Pleas in actions of assumpsit and trespass except actions for libel and slander prescribing the pleadings and procedure to be observed therein and giving the courts power to enforce its provisions" providing that the defendant in a counterclaim may ask for an account in certain cases.

HOUSE BILL No. 1508.

An Act making an appropriation to the Department of Agriculture for a suitable exhibit at the Seventh World's Poultry Congress.

HOUSE BILL No. 1558.

An Act to repeal the act approved the second day of April one thousand eight hundred sixty-eight (Pamphlet Laws fifty-five) entitled "A supplement to an act entitled 'An Act to increase the revenues of this Commonwealth by taxation of the shares of stock of the National banks' approved April twelfth one thousand eight hundred sixty-seven."

HOUSE BILL No. 1565.

An Act to amend the act approved the thirteenth day of May one thousand nine hundred and nine (Pamphlet Laws 520) entitled "An act relating to food defining food providing for the protection of the public health and the prevention of fraud and deception by prohibiting the manufacture or sale the offering for sale or exposing for sale or the having of possesion with intent to sell of adulterated misbranded or deleterious foods prescribing certain duties of the Dairy and Food Commissioner in reference thereto and providing penalties for the violation thereof" as amended further regulating the adulteration and misbranding of food providing for injunctions against the sale of food in certain cases and changing penalties.

HOUSE BILL No. 1644.

An Act to amend sections one two four and fifteen of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as amended extending the provisions of said act to additional buildings providing additional safety regulations and for the closing of certain buildings.

HOUSE BILL No. 1745.

An Act making an appropriation to the several fire companies of the City of Harrisburg Pennsylvania.

HOUSE BILL No. 1977.

An Act to amend sections three seven eight fifteen twenty-four and twenty-eight sections fourteen thirty-four and thirty-eight as amended sections eighteen and sixty-one as amended sections fifty-four and fifty-seven as amended and to repeal section nineteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 869) entitled "An act providing for the organization government discipline maintenance and regulation of the armed land forces of this Commonwealth" by providing for the reorganization of the division changing the designation Staff Corps and Departments to State Staff and Detachment defining the powers of the division commander providing for the vacation of commissions upon transfer to the Inactive National Guard making the period of enlistment and qualifications conform to the National Guard Bureau requirements defining the duties of the Adjutant General providing for the elimination of officers or warrant officers by courts of inquiry changing the basic annual allowance for mounted troops and increasing the minimum allowance providing expenses of headquarters for more than one division and eliminating the allowance for headquarters of trains providing a term of office for staff and warrant officers and eliminating an obsolete reference to five year terms providing that any sheriff or constable may receive and confine military offenders providing that any division commander may appoint a general court-martial providing for the collection of court-martial fines and execution of sentence of court-martial and rescinding obsolete provisions referring to staff officers

HOUSE BILL No. 2102.

An Act to add section 491.1 to the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" authorizing counties of the sixth seventh and eighth classes to pay bounties for the destruction of rattlesnakes copperhead snakes and porcupines.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

SENATE MESSAGE

AMENDED SENATE BILL NON-CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has non-concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows:

SENATE BILL No. 213.

An Act to amend section eighteen of this act, approved the second day of July one thousand nine hundred and thirty-five (Pamphlet Laws 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" requiring local ordinances to conform to this act and the regulations made thereunder so far as relates to the production and handling of "milk for pasteurization" upon "dairy farms."

Mr. JOHN A. SMITH. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 2055

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 21, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the House of Representatives and Senate, recalling from the Governor House Bill No. 2055, Printer's No. 816, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

RECONSIDERATION OF VOTE

Mr. SAMUEL A. WEISS. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. AUKERMAN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Allegheny Mr. Weiss, vote on the final passage of this bill?

Mr. SAMUEL A. WEISS. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Blair, Mr. Aukerman, vote on the final passage of this bill?

Mr. AUKERMAN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. SAMUEL A. WEISS. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. SAMUEL A. WEISS. Mr. Speaker, I ask unanimous consent to offer an amendment at this time.

The SPEAKER. The amendment will be read by the Clerk for information.

The Clerk read the amendment as follows:

Amend page 1, line 6 of the title, by striking out after the word "the" and before the word "and" the word: "[city]" and inserting in lieu thereof the word: "county"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendment at this time? Is there any objection? The Chair hears none and the amendment will be inserted in accordance wth the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, that the bill as amended lie over for printing.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1712.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg,, May 21, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed House Bill No. 1712, Printer's No. 955, entitled "A Supplement to the act approved the fifth day of May one thousand nine hundred and eleven (Pamphlet Laws 198) entitled 'An act to establish a County Court for the County of Allegheny and prescribing its powers and duties regulating the procedure therein and providing for the expenses thereof' increasing the powers now exercised by the judges of said court and making the judges of the County Court in and for the County of Allegheny available for use in other courts in the same judicial district."

GEORGE H. EARLE.

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 1284, 1297, 1560, 1568, 1608, 1609, 1774 and 1802.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 21, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 1284, Printer's No. 799, entitled "An Act to facilitate vehicular traffic between the eastern and western sections of the Commonwealth by providing for the construction, operation and maintenance of a turnpike from a point at or near Middlesex in Cumberland County to a point at or near Irwin in Westmoreland County providing for the creation of the Pennsylvania Turnpike Commission and conferring powers and imposing duties on said Commission, authorizing the issuance of turnpike revenue bonds of the Commonwealth payable solely from tolls to pay the cost of such turnpike, providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act, providing for the collection of tolls for the payment of such bonds and for the cost of maintenance, operation and repair of the turnpike, making such bonds exempt from taxation, constituting such bonds, legal investments in certain instances, prescribing conditions upon which such turnpike shall become free, providing for condemnation, granting certain powers and authority to municipal subdivisions and agencies of the Commonwealth to cooperate with the Commission and authorizing the issuance of turnpike revenue refunding bonds.

House Bill No. 1297, Printer's No. 347, entitled "An Act authorizing the compromise or reduction of tax claims on real property purchased by any county city borough town school district or poor district at any sale for the nonpayment of taxes and the reconveyance or private sale of such property."

House Bill No. 1560, Printer's No. 871, entitled "An Act for the protection of the public health and the prevention of fraud and deception requiring clean sanitary establishments for the manufacture preparation or bottling of non-alcoholic drinks and liquid foods including clean sanitary ingredients and containers regulating the maintenance and operation of such establishments and the use of containers prescribing penalties and providing for injunctions in certain cases."

House Bill No. 1568, Printer's No. 700, entitled "An Act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled 'An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws' by adding thereto sections four hundred and twenty B (420B) four hundred and twenty C (420C) and four hundred and twenty D (420D) defining industrial insurance and providing uniform policy provisions and prohibited policy provisions for industrial insurance contracts."

House Bill No. 1608, Printer's No. 559, entitled "An Act to further amend clause fifty-three of section one thousand two hundred two of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws 519) entitled " An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating contracts by boroughs."

House Bill No. 1609, Printer's No. 553, entitled "An Act to further amend the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" by further regulating the affairs of boroughs and revising amending and changing the law relating thereto."

House Bill No. 1774, Printer's No. 676, entitled "An Act relating to statements made in negotiations for an-

nuity or pure endowment contracts and policies or certificates of life endowment accident or health insurance."

House Bill No. 1802. Printer's No. 813, entitled "An Act authorizing County Commissioners to refund taxes and license fees erroneously and inadvertently paid by persons and corporations into the county treasury and limiting the time within which claims for refunds must be made."

GEORGE H. EARLE.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 1159.

An Act to further amend section one thousand six of the act, approved the fifteenth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws, six hundred and twenty-four) entitled, "An act relating to the business of banking and to the exercise of fiduciary powers by corporations, providing for the organization of corporations with fiduciary powers and of banking corporations with or without fiduciary powers, including the conversion of National banks into State banks and for the licensing of private bankers, defining the rights, powers, duties, liabilities and immunities of such corporations of existent corporations, authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers, directors, trustees, shareholders, attorneys and other employes of all such corporations or private bankers or of affiliated corporations, association or persons, restricting the exercise of banking powers by any other corporation, association or person and of fiduciary powers by any other corporation, conferring powers and imposing duties upon the courts, prothonotaries recorders of deeds, and certain State departments, commissions and officers, imposing penalties and repealing certain acts and parts of acts" by providing further with regard to limitations upon loans to one corporation or person

HOUSE BILL No. 1642.

An Act to provide for the payment personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurer county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties

HOUSE BILL No. 1075.

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sxth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by authorizing the district attorney in counties of the third class to purchase and maintain police radio equipment

HOUSE BILL No. 1354.

An Act to further amend section two thousand two hundred and twenty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred and nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by regulating the retirement of and providing additional retirement allowances for superintendents of schools and superintendents of buildings in districts of the first class under certain circumstances and authorizing such school districts to provide for the payment of such additional allowances

HOUSE BILL No. 1433.

An Act to amend section five hundred and fourteen of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended permitting State institutions and sanatoria to supply water to individuals

HOUSE BILL No. 1567.

An Act to amend section two and section nine as amended of the act approved the fifth day of January one thousand nine hundred and thirty-four (Pamphlet Laws 223 1933-34) entitled "An act providing compensation to certain persons who served in the military or naval forces of the United States during the World War the war between the United States and Spain and the China Relief Expedition or in the Philippines or Guam providing the method of making payment to representatives of persons who because of death or incapacity cannot personally receive compensation imposing certain duties on the Adjutant General making an appropriation and repealing inconsistent legislation and providing penalties" further regulating the making of payments to representatives of persons who cannot personally receive compensation

HOUSE BILL No. 718.

An Act to describe define and officially adopt a system of coordinates for designating the positions of points on the surface of the earth within the Commonwealth of Pennsylvania

HOUSE BILL No. 812.

An Act relating to cities of the first class athorizing the issuance of non-debt revenue bonds to finance sewer improvements

HOUSE BILL No. 729.

An Act to permit the entry of engineers and surveyors and their representatives onto private property for the purpose of using survey stations established by or under the direction of the United States Coast and Geodetic Survey, or as a part of the Pennsylvania Coordinate System, and providing a penalty for the injuring, defacing and destruction of marks and monuments.

HOUSE BILL No. 1355.

An Act to amend paragraphs one three and five of section one of the act approved the twelfth day of June one thousand eight hundred and ninety-three (Pamphlet Laws 457) entitled "An act to provide for the erection maintenance and regulation of public morgues in the several counties of this Commonwealth for the care and disposal of bodies removal thereto and providing for the payment of certain expenses of the same by the proper county or district or by the estate of the deceased person and providing for the disposal fo the personal effects of unclaimed dead" as amended by transferring certain powers from the county commissioners to the coroner in counties of the first class

HOUSE BILL No. 1499.

An Act prohibiting certain persons from selling taking orders for delivering or being interested in the manufacture or sale of machinery equipment materials feed supplies or other things used by milk producers and prescribing penalties

HOUSE BILL No. 1820.

An Act to amend section three of the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (Pamphlet Laws 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State-aid for certain agricultural associations and regulating the payment thereof" reducing the number of days during which exhibitions need be held

HOUSE BILL No. 2070.

An Act to repeal the act approved the twenty-ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 851) entitled "An act fixing the time of holding elections on questions submitted to electors of boroughs"

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

RESOLUTION

Mr. HERBERT B. COHEN offered the following resolution which was twice read, considered and adopted:

RECALLING HOUSE BILL No. 558 FROM THE GOVERNOR

In the House of Representatives, May 21, 1937.

Resolved, (if the Senate concur), That House Bill No. 558, Printer's No. 992, entitled "An Act authorizing the Water and Power Resources Board to make a survey and investigation to determine to what extent the beds of rivers, lakes and streams, title to which is in the Commonwealth, have been and are occupied or encroached upon; and making an appropriation," be recalled from the Senate for the reason that said bill was messaged in error as having passed the House, when in fact said bill had not been finally acted upon by the House.

Ordered, That the Clerk present the same to the Senate for concurrence.

REPORTS FROM COMMITTEES

Mr. HERBERT B. COHEN from the Committee on Rules, reported as committed the following resolution which was read by the Clerk:

In the House of Representatives, May 17, 1937.

Whereas, The President of the United States has by proclamation designated May 22, 1937, the 128th anniversary of the sailing of the S. S. "Savannah" across the Atlantic Ocean, as National Martime Day; and

Whereas, This day will be celebrated in the various ports and cities throughout the United States with representatives of local, State and Federal governments participating, as well as the representatives of private industry, shipping, transportation and maritime enterprise; and

Whereas, The 150th anniversary of the United States Constitutional Convention in the City of Philadelphia is being celebrated throughout the nation, and particularly in the City of Philadelphia; and

Whereas, The City of Philadelphia, the only ocean port of this Commonwealth, has always been associated with the maritime development and history of the United States from the earliest Colonial times; and

Whereas, The Delaware River, on which the first steamboat was built, has always been an important commercial artery of the United States, supporting important and diversified industries; and

Whereas, The Port of Philadelphia is an important naval base and shipbuilding center; therefore be it

Resolved, That the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, take cognizance of the fact that the President of the United States has by proclamation designated May 22, 1937 as National Maritime Day; heartily endorse and encourage the purpose and observance of the day, in the various ports and cities of the nation and particularly in Philadelphia and throughout the Commonwealth; note the importance of its great port, Philadelphia, internationally known by reason of its colorful history and its splendid modern harbor and transportation facilities, in the economic life of the nation and the welfare and prosperity of this Commonwealth; and declare its interest in an improved and adequate American Merchant Marine; and be it further

Resolved, That a copy of this resolution be sent forthwith to the Governor of the Commonwealth with the request that he issue a proclamation calling for the proper observance of National Maritime day.

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk inform the Senate accordingly.

Mr. HOLSTROM, from the Committee on State Boards, reported as committed, House Bill No. 2167, (Senate Bill No. 681), entitled:

An Act to amend section five of the act approved the twenty-ninth day of November one thousand nine hundred thirty-three (one thousand nine hundred thirty-three one thousand nine hundred thirty-four Pamphlet Laws thirteen) entitled "An act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board" by making further provision with respect to the fidelity bonds of the members secretary and employes of the board.

Mr. LOPRESTI, from the Committee on Judiciary General, reported as committed, House Bill No. 588, entitled:

An Act relating to the licensing of detectives and operatives employed by detectives; defining detectives; and making it unlawful to act or solicit business as a private detective or as an operative or employe of a detective without having filed a bond and obtained a license.

BILL INTRODUCED AND REFERRED

Mr. HERBERT B. COHEN asked and obtained unanimous consent to introduce the following bill.

By Mr. HERBERT B. COHEN. HOUSE BILL No. 2452.

An Act to further amend section four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (Pamphlet Laws, one hundred forty-nine), entitled "An act imposing a State tax, payable by these herein defined as distributors, on liquid fuels used

or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by making a further provision for the payment of the tax.

Referred to the Committee on Ways and Means.

APPOINTMENT OF COMMITTEE

The SPEAKER. Pursuant to the provisions of House Resolution No. 17, Printer's No. 116, adopted by this House April 26, 1937, to investigate the feastibility and desirability of constructing flood walls to protect the Triangle of the City of Pittsburgh the Chair appoints as a committee on the part of the House Messrs. Sarraf, John J. Baker and Keenan.

RECESS

The SPEAKER. If there are no objection the Chair is about to declare a recess until 8:45 p. m. Are there objections? The Chair hears none and declares a recess until 8:45 p. m.

AFTER RECESS

The House reconvened at 8:45 p. m.

The SPEAKER (Roy E. Furman) in the Chair.

REPORT FROM COMMITTEE

Mr. ALLEN, from the Committee on Military Affairs, reported as committed, House Bill No. 2417, (Senate Bill No. 1168), entitled.

An act to amend section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 662) entitled "An act relating to retirement from the Pennsylvania National Guard" as amended by the act approved the twelfth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 681) by providing that service in excess of thirty-nine years and five months may be counted as more than forty years of service.

SENATE MESSAGES

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 21, 1937.

Resolved, (if the Senate concur). That House Bill No. 558, Printer's No. 992, entitled "An Act authorizing the Water and Power Resources Board to make a survey and investigation to determine to what extent the beds of rivers, lakes and streams, title to which is in the Commonwealth, have been and are occupied or encroached upon; and making an appropriation," be recalled from the Senate for the reason that said bill was messaged in error as having passed the House, when in fact said bill had not been finally acted upon by the House.

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 17, 1937.

Whereas, the President of the United States has by proclamation designated May 22, 1937, the 128th anniversary of the sailing of the S. S. "Savannah" across the Atlantic Ocean, as National Maritime Day; and

Whereas, this day will be celebrated in the various ports and cities throughtout the United States with representatives of local, State and Federal governments participating, as well as the representatives of private industry, shipping, transportation and maritime enterprise; and

Whereas, the 150th anniversary of the United States Constitutional Convention in the City of Philadelphia is being celebrated throughout the nation, and particularly in the City of Philadelphia; and

Whereas, the City of Philadelphia, the only ocean port of this Commonwealth, has always been associated with the maritime development and history of the United States from the earliest Colonial times; and

Whereas, the Delaware River, on which the first steamboat was built, has always been an important commercial artery of the United States, supporting important and diversified industries; and

Whereas, the Port of Philadelphia is an important naval base and shipbuilding center; therefore be it

Resolved, that the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, take cognizance of the fact that the President of the United States has by proclamation designated May 22, 1937 as National Maritime Day; heartily endorse and encourage the purpose and observance of the day, in the various ports and cities of the nation and particularly in Philadelphia and throughout the Commonwealth; note the importance of its great port, Philadelphia, internationally known by reason of its colorful history and its splendid modern harbor and transportation facilities, in the ecnomic life of the nation and the welfare and prosperity of this Commonwealth; and declare its interest in an improved and adequate American Merchant Marine; and be it further

Resolved, that a copy of this resolution be sent forthwith to the Governor of the Commonwealth with the request that he issue a proclamation calling for the proper observance of National Maritime Day.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1916 as follows:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for

the purposes of this act" as amended by adding certain new routes changing certain routes and providing for the relocation of city streets which are State highway routes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money on the Motor License Fund for the purposes of this act" is hereby amended by adding thereto the following new route to read as follows

Beginning at a point on Route 5 at the intersection of Ash Street and Wheeler Avenue thence in a southerly direction on Ash Street and continuing in a general southwesterly direction to a point on Route 35009 in the City of Scranton a distance of about 1.0 mile

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2333, (Senate Bill No. 148), entitled:

An Act to amend the act approved the fourteenth day of May one thousand nine hundred and twenty-five (Pamphlet Laws 730) entitled "An act for the protection of the public health in the manufacture and sale of carbonated beverages and still drinks providing for the registration thereof prohibiting the sale offering or exposing for sale exchange or giving away thereof in certain cases unless registered regulating the manufacture bottling preparation mixing and compounding of carbonated beverages or still drinks and the sale and dispensing thereof creating a special fund in the State Treasury and providing penalties" as amended by further regulating the manufacture and sale of carbonated beverages and still drinks changing the penalties prescribed and providing for injunctions in certain cases

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2295, (Senate Bill No. 1007), entitled:

An Act to add section four hundred seven and one-tenth to the act approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto," authorizing and regulating the designation of certain banking institutions as deputy county tax collectors by the board for the selection of depositories in counties of the second class; and defining their powers and duties.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2339, (Senate Bill No. 743), entitled:

An Act to amend sections five six and twelve of the act approved the twenty-fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 1050) entitled "An act creating and establishing a fund for the care maintenance and relief of aged retired and disabled employes of the bureau of fire in cities of the second class creating a board for the management thereof providing the mode and manner of payment to beneficiaries and for the care and disposition of its funds and providing for the transfer and payment of all moneys and securities in existing funds in similar boards superseded by the fund and board herein created" by providing for a secretary-treasurer in lieu of a secretary and a vice president of the board and establishing a method for determining classification of beneficiaries

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2188, (Senate Bill No. 679), entitled:

An Act authorizing the Secretary of Property and Supplies to sell and convey a certain lot of ground in the Township of North Annville Lebanon County

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 2290, Senate Bill No. 871, Printer's No. 499, was passed over at the request of Mr. HERBERT B. COHEN.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2356, (Senate Bill No. 1122), entitled:

An Act providing for the erection construction and equipment of a Maximum Security State Penitentiary for the detention care maintenance and employment of maximum security prisoners transferred thereto from the Eastern and Western State Penitentiaries designating

the manner of acquiring or setting aside of land for the erection and construction thereon of the Penitentiary by The General State Authority authorizing the Commonwealth to lease the penitentiary and its grounds from The General State Authority upon its completion and the Department of Welfare to manage and operate the same providing that the cost of maintaining convicts therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of convicts in State penitentiaries and conferring powers and imposing duties upon certain State departments boards commissions and officers

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Welfare with the approval of the Governor shall select for acquisition either by the Department of Property and Supplies in the name of the Commonwealth or by The General State Authority with funds of the Authority a tract of land of not less than five hundred acres centrally located well supplied with water and capable of being properly sewered and drained for the erection and construction thereon by The General State Authority of an institution to be known as the Maximum Security State Penitentiary for the confinement of not less than six hundred convicts to be transferred from the Eastern and Western State Penitentiaries The title to the lands so acquired shall be approved by the Attorney General If it shall be found that the Commonwealth owns State forest lands or other lands suitable in whole or in part for such use such lands may be designated by the Department of Welfare with the approval of the Governor and the department board or commission having possession and control of the same and used for the aforesaid purpose and any additional lands necessary may be selected and acquired as aforesaid

The second section was read as follows:

Section 2 Upon the acquisition of any land in the name of the Commonwealth or designation of any land of the Commonwealth as provided in section one the Department of Property and Supplies shall have authority to convey the same to the General State Authority for the purpose of having such Authority erect or construct thereon the Maximum Security State Penitentiary The plans and specifications of the penitentiary whether erected on land acquired directly by The General State Authority or by conveyance to it from the Commonwealth shall be subject to the approval of the Department of Welfare and shall provide for suitable buildings and an adequate water supply system sewage treatment works heat and electric power plant or plants service lines and other necessary equipment structures and improvements The buildings shall be of modern design plain and substantial and capable of extension as the needs of the institution may require

On the question,

Will the House agree to the section?

Mr. HERBERT B. COHEN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 3, line 19 by striking out after the word "erect" and before the word "construct" the word "[or]" and inserting in lieu thereof the word: "and"

Amend section 2, page 3, line 19 by inserting at the end of the line the following: "and equip"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read and agreed to as follows:

Section 3 The Department of Welfare may enter into an agreement with The General State Authority for the use of convicts in the Eastern and Western State Penitentiaries in improving the site of the new penitentiary the preparation of building materials the construction of any buildings and improvements pertinent thereto or to engage in farming or dairying work In the case of any such agreement the Department of Welfare shall have power to transfer from the Eastern and Western State Penitentiaries such convict as it may deem necessary for these purposes provided that a suitable building or buildings are available for the custody of such convicts Such agreement shall require that The General State Authority shall pay to the Manufacturing Fund in the State Treasury for the labor of such convicts such wages for each convict so employed as may be agreed upon in accordance with the laws regulating the employment of prison or inmate labor The expense of maintaining such convicts at the site of the new penitentiary shall be borne by the respective counties in which they shall have been convicted and shall be paid to the State Treasurer through the Department of Revenue as provided by law in the case of convicts confined in the State penitentiaries but such actual expense shall be paid in the first instance by the Department of Welfare from appropriations made for such purposes Upon the completion of their work any convicts transferred for work in connection with such penitentiary shall be retransferred to the penitentiary from which they were originally transferred unless they are detained in the new penitentiary as maximum security prisoners

The fourth section was read as follows:

Section 4 The Department of Property and Supplies with the approval of the Governor is hereby authorized to enter into a lease for not more than fifty (50) years with The General State Authority to acquire the use of the Maximum Security State Penitentiary and any lands or farms connected therewith for the purpose fo having the same managed and operated by the Department of Welfare In such case the management and operation of the penitentiary and the care maintenance and employment of the convicts shall be the function of the Department of Welfare Subject to and in the manner provided in The Administrative Code of 1929 and its amendments the Department of Welfare shall have power to employ and fix the compensation of a superintendent deputy superintendent chaplain guards physicians mechanics clerks stenographers and other employes as may be deemed necessary for the proper maintenance and management of the penitentiary and the safe-keeping therein of maximum security prisoners The compensation of all persons so appointed and all other expenses in connection with the care and maintenance of convicts in said penitentiary shall be paid from the appropriations made to the Department of Welfare for such purposes but the Commonwealth shall be reimbursed for such expenditures by the respective counties in which such convicts were convicted to the extent and in the manner provided by law in the case of convicts maintained in the Eastern and Western State Penitentiaries

On the question,

Will the House agree to the section?

Mr. HERBERT B. COHEN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 4, page 5, line 6 by striking out after the word "than" and before the word "years" the following: "[fifty (50)]" and inserting in lieu thereof the following: "thirty (30)"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth, sixth and seventh sections, the preamble and the title were separately read and agreed to as follows:

Section 5 Upon the completion of the Maximum Security State Penitentiary and after the execution of a lease of the same by the Commonwealth of Pennsylvania from The General State Authority the Department of Welfare shall from time to time transfer from the Eastern and Western State Penitentiaries such convicts as by their conduct in such penitentiaries and past records require provision for maximum security in order to prevent their escape or to prevent the causing of riot and disorder in the State penitentiaries Such convicts shall be known as maximum security prisoners After the penitentiary herein provided for shall have been fully completed only maximum security prisoners shall be detained in such penitentiary The Department of Welfare shall be the sole judge of those convicts who shall be transferred to and detained in the Maximum Security State Penitentiary The Department of Welfare shall have power to re-transfer from the Maximum Security State Penitentiary to the penitentiary from which originally transferred any convict who by his or her conduct shall in the opinion of the department no longer require detention in the Maximum Security State Penitentiary Any convict so transferred or re-transferred shall serve out the unexpired term of his or her sentence in the penitentiary to which transferred or re-transferred in accordance with the laws in force with reference to the punishment of persons convicted of crime and sentenced to a State penitentiary and as though such convict had been duly committed to such penitentiary and had already served there for such time as had been served in the penitentary from which transferred or re-transferred All such transfers and re-transfers shall be made only by and under the direction of the Department of Welfare When any such transfer or re-transfer is made all records or true and full copies thereof relating to such convicts shall be transmitted from the institution of transfer to the institution of transfer as is provided by law in the case of transfer between the Eastern and Western State Penitentiaries

Section 6 In the management and operation of the Maximum Security State Penitentiary the Department of Welfare shall have all the powers conferred and perform all the duties imposed by the laws of this Commonwealth on the Boards of Trustees of the Eastern and Western State Penitentiaries and all the laws of this Commonwealth relating to the care maintenance management safe-keeping employment pardon and parole of convicts confined in State penitentiaries shall be deemed to apply to convicts detained in such penitentiaries

Section This act shall become effective immediately upon final enactment

Whereas The Eastern State Penitentiary located in Philadelphia is antiquated and many hazardous conditions exist due to deferred maintenance of more than a decade anticipating the removal of inmates therefrom and

Whereas There is urgent need for the erection of a new State penitentiary for the segregation of maximum security prisoners transferred from both the Eastern and Western State Penitentiaries thus accomplishing one important step in the development of an adequate penal institution program for the Commonwealth and

Whereas It is the desire of the Commonwealth of Pennsylvania that The General State Authority construct such new penitentiary and lease the same to the Commonwealth therefore

An Act providing for the erection construction and equipment of a Maximum Security State Penitentiary for the detention care maintenance and employment of maximum security prisoners tranferred thereto from the Eastern and Western State Penitentiaries designating the manner of acquiring or setting aside of land for the erection and construction thereon of the Penitentiary by The General State Authority authorizing the Commonwealth to lease the penitentiary and its grounds from The General State Authority upon its completion and the Department of Welfare to manage and operate the same providing that the cost of maintaining convicts therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of convicts in State penitentiaries and conferring powers and imposing duties upon certain State departments boards commissions and officers

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 2291, Senate Bill No. 872, Printer's No. 400, was passed over at the request of Mr. TURNER.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2349, (Senate Bill No. 1076), entitled:

An Act to amend section one as amended and sections two and three of the act approved the twenty-fourth day of May one thousand eight hundred and ninety-three (Pamphlet Laws 129) entitled "An act to empower boroughs and cities to establish a police pension fund to take property in trust therefor and regulating and providing for the regulation of the same" requiring cities to make certain appropriations to the police retirement fund increasing the maximum payments by members and generally clarifying the provisions of said act.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2326, (Senate Bill No. 1156), entitled:

An Act authorizing and regulating the issuing by cities of the second class of non-debt revenue bonds for the construction or acquisition of water-works and for extensions and improvements to water-works providing for the redemption of such bonds and the payment of interest thereon from rentals and charges imposed upon consumers and establishing the rights of bondholders.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILLS PASSED OVER

There being no objection House Bill No. 2313, Senate Bill No. 144, Printer's No. 546, was passed over at the request of Mr. BROWNFIELD.

There being no objection House Bill No. 993, Senate Bill No. 35, Printer's No. 48, was passed over at the request of Mr. WOODSIDE.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2299, (Senate Bill No. 1046), entitled:

An Act imposing upon the Board of Revision of Taxes in cities of the first class the duty of reading water meters authorizing the employment of assistants for the performance of such duties fixing the salaries of such assistants and repealing inconsistent act.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2148, (Senate Bill No. 571), entitled:

An Act to amend section sixteen of an act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing methods of application for State-aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county boroughs or incorporated town petitions providing for percentage of cost of improvement of repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highway and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as amended by empowering viewers appointed to ascertain and assess damages upon petition of the county commissioners or property owners to also assess any benefits.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2294, (Senate Bill No. 950), entitled:

An Act relating to the settlements of accounts of collectors of county taxes providing for procedure in such cases and for appeals to Courts of Common Pleas.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2312, (Senate Bill No. 999), entitled:

An Act to amend section three hundred eleven as amended of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" further regulating the rights of persons elected by vote of the people who become members of the retirement system in counties of the second class.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2360, (Senate Bill No. 1167), entitled:

An Act to define and restrict the obligation of persons engaged on connected with or employed by certain newspapers or press associations in testifying as to the source of information procured or obtained by such person.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 2202, Senate Bill No. 654, Printer's No. 266, was passed over at the request of The SPEAKER.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2321, (Senate Bill No. 1121), as follows:

An Act providing for the erection construction and equipment of a new Pennsylvania Industrial School to take the place of the present Pennsylvania Industrial School

at Huntingdon designating the manner of acquiring or setting aside of land for the erection and construction of the new school by The General State Authority authorizing the Commonwealth to lease the new school and its grounds from the General State Authority upon its completion and the Department of Welfare to manage and operate the same providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon and conferring powers and imposing duties upon certain State departments boards commissions and officers

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Welfare with the approval of the Governor shall select for acquisition either by the Department of Property and Supplies in the name of the Commonwealth or by The General State Authority with funds of the Authority a tract of land of not less than one thousand acres well supplied with water and capable of being sewered and drained for the erection and construction thereon by The General State Authority of an institution to be known as the Pennsylvania Industrial School with a capacity of not less than twelve hundred inmates to take the place of and to serve the same purposes as the present Pennsylvania Industrial School at Huntingdon The title of the lands so acquired shall be approved by the Attorney General If it shall be found that the Commonwealth owns State forest lands or other lands suitable in whole or in part for such use such lands may be designated by the Department of Welfare with the approval of the Governor and the department board or commission of the Commonwealth having possession and control of the same and used for the aforesaid purpose and any additional lands necessary may be selected and acquired as aforesaid

The second section was read as follows:

Section 2 Upon the acquisition of any land in the name of the Commonwealth or resignation of any land of the Commonwealth as provided in section one the Department of Property and Supplies shall have authority to convey the same to The General State Authority for the purpose of having such Authority erect and construct thereon the new Pennsylvania Industrial School The plans and specifications of the school whether erected on land acquired directly by the General State Authority or by conveyance to it from the Commonwealth shall be subject to the approval of the Department of Welfare and shall provide for suitable buildings and an adequate water supply system sewage treatment works heat and electric power plant or plans service lines and other necessary equipment structures and improvements The buildings shall be of modern design plain and substantial and capable of extension as the needs of the institution may require The setting and the architecture shall express the principle of rehabilitation through the greatest possible freedom of choice and expression in work education and recreation consistent with the protection of society

On the question,

Will the House agree to the section?

Mr. HERBERT B. COHEN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 3, line 22 by inserting after the word "on" and before the word "the" the following: "and equip"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read and agreed to as follows:

Section 3 The Department of Welfare may enter into an agreement with The General State Authority for the use of inmates in the present Pennsylvania Industrial School at Huntingdon in improving the site of the new school the preparation of building materials the construction of new buildings and improvements pertinent thereto or to engage in farming or dairying work In the case of any such agreement the Department of Welfare shall have power to transfer from the present Pennsylvania Industrial School at Huntingdon such inmates as it may deem necessary for these purposes provided a suitable building or buildings are available for the custody of such inmates Such agreement shall require that The General State Authority shall pay to the Manufacturing Fund in the State Treasury for the labor of such inmates such wages for each inmate so employed as may be agreed upon in accordance with the laws regulating the employment of prison or inmate labor The expense of maintaining such inmates at the site of the new school shall be borne by the respective counties from which they shall have been committed and shall be paid to the State Treasurer through the Department of Revenue as provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon but such actual expense shall be paid in the first instance by the Department of Welfare from appropriations made for such purposes

The fourth section was read as follows:

Section 4 The Department of Property and Supplies with the approval of the Governor is hereby authorized to enter into a lease for not more than fifty (50) years with The General State Authority to acquire the use of the new Pennsylvania Industrial School and any lands or farms connected therewith for the purpose of having the same managed and operated by the Department of Welfare In such case the management and operation of the school and the care maintenance and employment of the inmates shall be the function of the Department of Welfare Subject to and in the manner provided in The Administrative Code of 1929 and its amendments the Department of Welfare shall have power to employ and fix the compensation of a superintendent deputy superintendent chaplain guards physicians mechanics clerks stenographers and other employes as may be deemed necessary for the proper maintenance and management of the school and the safekeeping therein of its inmates The compensation of all persons so appointed and all other expenses in connection with the care and maintenance of inmates of said school shall be paid from the appropriation made to the Department of Welfare for such purposes but the Commonwealth shall be reimbursed for such expenditures by the respective counties from which such inmates were committed to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon

On the question,

Will the House agree to the section?

Mr. HERBERT B. COHEN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 4, page 5, line 8 by striking out after the word "than" and before the word "years" the following: "[fifty (50)" and inserting in lieu thereof the following: "thirty (30)"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fifth, sixth and seventh sections, the preamble and the title were separately read and agreed to as follows:

Section 5 Upon the completion of the new Pennsylvania Industrial School and after the execution of a lease of the same by the Commonwealth of Pennsylvania from The General State Authority the Department of Welfare shall transfer under the provisions of The Administrative Code of 1929 from the Pennsylvania Industrial School at Huntingdon all persons who are then detained therein unless directed otherwise as provided by the Mental Health Act of July eleventh one thousand nine hundred thirty-three (Pamphlet Laws nine hundred ninety-eight) and all books papers records and documents in the possession of the said school and the board of trustees thereof Thereafter all commitments which were heretofore made by the courts of this Commonwealth to the Pennsylvania Industrial School at Huntingdon shall be made to the new Pennsylvania Industrial School erected under the provisions of this act The Department of Welfare shall advise all of the courts of this Commonwealth of the date from and after which commitments shall be made to the new school

Section 6 In the management and operation of the new Pennsylvania Industrial School the Department of Welfare shall have all the powers conferred and perform all the duties imposed by the laws of this Commonwealth on the Board of Trustees of the Pennsylvania Industrial School at Huntingdon All laws of this Commonwealth now relating to the care maintenance management safekeeping employment training and treatment pardon and parole of persons detained in the Pennsylvania Industrial School at Huntingdon shall be deemed to apply to persons detained in and committed to the new Pennsylvania Industrial School

Section 7 This act shall become effective immediately upon final enactment

Whereas The present Pennsylvania Industrial School at Huntingdon originally intended as a Middle State Penitentiary with its high walls and towers has all the aspects of a State Penitentiary and the addition of a medium security bloc has detracted little from its forbidding appearance and

Whereas The internal arrangement of the cell blocs with barred windows and double locked switches contradicts the idea that this institution is a school devoted to rehabilitation and

Whereas the erection of a new industrial school and the use of the present institution at Huntingdon for the detention of defective delinquents will accomplish one important step in the development of an adequate penal institution program for the Commonwealth and

Whereas It is the desire of the Commonwealth of Pennsylvania that The General State Authority construct such new industrial school and lease the same to the Commonwealth therefore

An Act providing for the erection construction and equipment of a new Pennsylvania Industrial School to take the place of the present Pennsylvania Industrial School at Huntingdon designating the manner of acquiring or setting aside of land for the erection and construction of the new school by The General State Authority authorizing the Commonwealth to lease the new school and its grounds from The General State Authority upon its completion and the Department of Welfare to manage and operate the same providing that the cost of maintaining inmates therein be borne by the Commonwealth and the counties to the extent and in the manner provided by law in the case of inmates maintained in the Pennsylvania Industrial School at Huntingdon and conferring powers and imposing duties upon certain State departments boards commissions and officers

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILLS PASSED OVER

There being no objection House Bill No. 2289, Senate Bill No. 413, Printer's No. 498, was passed over at the request of Mr. YOURISHIN.

There being no objection House Bill No. 2320, Senate Bill No. 1120, Printer's No. 473, was passed over at the request of The SPEAKER.

There being no objection House Bill No. 2367, Senate Bill No. 365, Printer's No. 582, was passed over at the request of Mr. YOURISHIN.

There being no objection House Bill No. 2368, Senate Bill No. 485, Printer's No. 579, was passed over at the request of Mr. ARNOLD.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2246, (Senate Bill No. 874), entitled:

An Act to amend section forty of the act approved the twenty-ninth day of April, one thousand eight hundred seventy-four (Pamphlet Laws seventy-three) entitled, "An act to provide for the incorporation and regulation of certain corporations," providing for the renewal of charters of corporations, the charters, franchises and property of which have been purchased by another corporation.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2275, (Senate Bill No. 415), entitled:

An Act providing for the examination and certification of and regulating the employment of shot-firers and mining machine runners employed in gaseous bituminous coal mines imposing duties upon the Seceretary of Mines and providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2358, (Senate Bill No. 1158), entitled:

An Act providing a method of annexation of townships of the first class and parts thereof to cities and boroughs and regulating the proceedings pertaining thereto

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and con-

sideration of House Bill No. 2276, (Senate Bill No. 416), entitled:

An Act providing for the examination and certification of and regulating the employment of mine electricians in bituminous coal mines imposing duties upon the mine foremen's examining board and the Secretary of Mines and providing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2359, (Senate Bill No. 1162), entitled:

An Act to amend the act approved the twenty-third day of June one thousand nine hundred and thirty-one (Pamphlet Laws 1199) entitled "An act for the acceptance of a site from the University of Pittsburgh and for surveys and the preparation of preliminary plans and estimates for a Western State Psychiatric Hospital providing for the erection construction and equipment of said hospital when appropriations are made available and for its management by the Department of Welfare" providing for the conveyance of said tract to the General State Authority for the construction of said hospital and for the leasing thereof by the Commonwealth after construction

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2343, (Senate Bill No. 911), entitled:

An Act providing for the payment into the State Treasury without escheat of certain moneys and property subject to escheat under existing law namely unclaimed dividends and profits debts and interest on debts proceeds of policies of insurance stock and customers deposits held by certain limited partnerships and unincorporated associations joint-stock associations companies and corporations doing business under the laws of this Commonwealth declaring the legislative intent with respect to such payments requiring reports of such money and property by and imposing other duties upon such partnerships associations and corporations conferring powers and imposing duties on certain State officers boards and departments providing for jurisdiction of courts and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue providing for refunds of such moneys and property and prescribing penalties

The first section was read as follows:

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

Section 1 Legislative Determination and Declaration of Policy It is hereby declared as a matter of legislative determination that the moneys and property hereinafter enumerated in this act are now and have heretofore been subject to escheat both under the common law and under the provisions and requirements of existing acts of Assembly

That it is both necessary and desirable to provide specific appropriate methods for the recovery of such money and property by the Commonwealth and the payment thereof into the State Treasury subject to being refunded to the persons legally entitled thereto without the necessity of instituting and prosecuting the proceedings for a formal decree of escheat thereof by the court having jurisdiction of said moneys and property

Therefore it is hereby declared to be the policy of the Legislature to provide and it is the purpose and intent of this act so to provide for the payment of such moneys and property hereinafter described into the State Treasury without escheat according to the provisions of this act and subject to being refunded to the persons legally entitled to the same

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HERBERT B. COHEN. Mr. Speaker, at the request of the Chairman of the Committee on Ways and Means I move that this bill be recommitted to the Committee on Ways and Means.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2307, (Senate Bill No. 486), entitled:

An Act to further amend section nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (Pamphlet Laws 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" making additional provision for the filing of tax claims

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2140, (Senate Bill No. 481), entitled:

An Act to amend a part of section three of the act, approved the twenty-ninth day of April, one thousand eight hundred and seventy-four (P. L. 73), entitled "An act to provide for the incorporation and regulation of certain corporations," vesting discretion in the Governor with respect to the approval of the charter of certain corporations.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2232, (Senate Bill No. 708), as follows:

An Act relating to and regulating the manufacture storing and possession of explosives requiring permits for magazines and prescribing permit fees and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person shall manufacture process store or have in his possession any explosives in this Commonwealth until all requirements of this act have been complied with Provided That nothing contained in this act shall be construed to apply to the actual use of explosives in legitimate and lawful mining operations agricultural work or to the military and naval forces of the United States or to the transportation of explosives upon vessels or railroad cars when in conformity with the rules of the Interstate Commerce Commission

Section 2 The term "explosives" whenever used in this act shall mean and include any chemical compound or other substance intended for the purpose of producing an explosion or that contains oxidizing and combustible units or other ingredients in such proportions or quantities that ignition by fire by friction by concussion by percussion or by detonator may produce an explosion capable of causing injury to persons or damage to property

For the purpose of this act manufactured articles shall not be held to be explosives when individual units contain ingredients in such limited quantities and of such nature as not ordinarily to be classified as an explosive such as fixed ammunition for small arms fire-crackers safety fuse matches and other articles which may be defined from time to time by regulations of the department

The term "magazine" as used herein means any building or other structure used exclusively for the storage of explosives

The word "person" as used in this act shall be construed to include individuals copartnerships associations and corporations as well as the Commonwealth and all political subdivisions thereof

Section 3 All persons engaged in the manufacture of explosives or any process involving explosives or where explosives are used as a component part in the manufacture of any article or device on the date when this act takes effect shall within sixty days thereafter and all persons engaging in the manufacture of explosives or any process involving explosives or where explosives are used as a component part in the manufacture of any article or device after this act takes effect shall before so engaging make a report in writing subscribed to by such person or his agent to the Department of Labor and Industry the report stating

(1) The location of place of manufacture or processing

(2) The kind of explosives manufactured processed or used

Section 4 All persons storing explosives or having explosives in their possession on the date when this act takes effect shall within sixty days thereafter and all persons contemplating the storing of explosives or having same in their possession after this act take effect shall before obtaining or storing such explosives make a report in writing subscribed to by such person or his agent to the Department of Labor and Industry the report stating

(1) The capacity type of construction and location of the magazine if then existing or in case of a new magazine or a removal of any existing magazine the capacity type of construction and proposed location of such magazine

(2) The kind of explosives that are stored or in possession or intended to be stored or obtained and the maximum quantity involved

(3) The distance that such magazine is located or intended to be located from the nearest buildings magazines railroads and highways

Section 5 The department shall determine the amount of explosives that may be stored or placed in magazines and shall issue a license to the person applying therefor as hereinafter provided such license to stipulate the maximum amount of explosives permitted

Whenever any person fails for thirty days to pay the annual license fee hereinafter provided after the same bcomes due or otherwise violates any of the provisions of this act the Secretary of Labor and Industry may cancel such license Whenever a license is cancelled for any cause the Secretary of Labor and Industry or his duly authorized representative shall notify in writing the person to whom such license is issued of the fact of such cancellation and shall in said notice direct the removal of all explosives stored in said magazine within a reasonable time limit but not to exceed ten days from the giving of said notice Failure to so remove the explosives stored in said magazine within the time specified in said notice shall constitute a violation of this act

Section 7 All explosive plants and all buildings and magazines wherein explosives are manufactured or stored shall be located operated maintained equipped and conducted so as to provide for the adequate protection for all persons employed in or about such explosive plants or magazines The location of explosives plants with respect to other buildings railroads and highways and the location of buildings wherein explosives are manufactured or stored with respect to other magazines or buildings when explosives are manufactured shall be in accordance with the regulations adopted by the Department of Labor and Industry

Section 8 There shall be kept in the main office on the premises of every explosives plant a plan of said plant showing the location of all buildings and the distance they are located from other buildings where persons are employed and from magazines and these plans shall at all times be open to inspection by duly authorized inspectors of the Department of Labor and Industry The superintendent of each plant shall upon demand of said inspector furnish the following information

(a) The maximum amount and kind of explosives material which is or will be present in each building at any one time

(b) The nature and kind of work carried on in each building whether or not said buildings are surrounded by natural or artificial barricades and if so the details of construction of such barricades

Section 9 After January first one thousand nine hundred and thirty-eight every person storing or in possession of explosives shall be required to have a license for each magazine used for the storing or placing of explosives which license shall be issued on a form prepared and furnished by the Department of Labor and Industry The application for license shall be accompanied by the proper license fee which shall be prescribed by the department stored or placed in the magazine and shall not be less than two dollars and fifty cents ($2.50) nor more than twenty-five dollars ($25) Such license shall be kept posted conspicuously in or about the magazine for which issued Licenses shall expire annually on the thirty-first day of December and shall be renewed annually upon payment of the fee as specified in this section

Section 10 Every person company or corporation manufacturing storing selling transferring dealing in or in any manner disposing of any explosives shall keep in a book for that purpose an accurate record of all transactions with the date thereof relating to the receiving and disposing of the same which record shall show the amount of each such explosive received by whom transported or conveyed and each and every sale or other disposition made of such explosives with the amount thereof and the name of the person to whom delivery of the same was made who shall be required to receipt therefor Such record shall at all times be open to the inspection of any duly authorized representative of the Commonwealth

Section 11 For the purpose of carrying out the provisions of this act and applying these provisions to specific cases the Department of Labor and Industry shall have

the power and its duties shall be to make alter amend or repeal general rules and regulations to provide protection in the manufacture processing transportation storage use or handling of explosives

Section 12 Any person or persons who shall violate any of the provisions of this act or the rules and regulations of the department as herein provided for or who shall hinder or interfere with a duly authorized officer of the Commonwealth in the performance of his duties as herein provided shall upon conviction in a summary proceeding be punished by a fine of not less than ten dollars ($10) or more than one hundred dollars ($100) and in default of the payment of such fine and costs shall be sentenced to imprisonment for not more than thirty days Any person or persons who shall on second offense violate any of the provisions of this act or the rules and regulations of the department as herein provided for shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000) or to suffer imprisonment for not more than one year or both at the discretion of the court Prosecution for violation of this act may be instituted by the Secretary of Labor and Industry or his duly authorized representative

Section 13 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 14 All fees collected under the provisions of this act shall be paid into the State Treasury through the Department of Revenue

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. HERBERT B. COHEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

Mr. ALLEN asked and obtained permission for the Committee on Military Affairs to meet during the session of the House.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2325, (Senate Bill No. 1154), entitled:

An Act to amend article four of the act approved the seventh day of March one thousand nine hundred one (Pamphlet Laws twenty) entitled "An act for the government of cities of the second class' transferring to the Department of Public Works the powers and duties relative to the removal and disposal of offal garbage and swill

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2327, (Senate Bill No. 1157), entitled:

An Act authorizing and empowering cities of the second class to erect and construct water-works as herein defined within and without their corporate limits to acquire property within and without their corporate limits by purchase lease gift and the power of eminent domain and to use sell and purchase water within and without their corporate limits prescribing the powers and duties of such cities providing for the assessment of damages and repealing inconsistent laws

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2324, (Senate Bill No. 1153), entitled:

A Supplement to the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws twenty) entitled "An act for the government of the cities of the second class" establishing a Department of Lands and Buildings in said cities providing for its officers and employes defining the powers duties and jurisdiction of said department and in certain cases transferring the same from existing departments

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1417, (Senate Bill No. 197), entitled:

An Act to amend section one of the act, approved the twenty-sixth day of June, one thousand nine hundred and thirty-one (P. L. 1379), entitled "An act creating in counties of the third class a board for the assessment and revision of taxes; providing for the appointment of the members of such board by the county commissioners; providing for their salaries, payable by the county; abolishing existing boards; defining the powers and duties of such board; regulating the assessment of persons, property, and occupations for county, borough, town, township, school, and poor purposes; authorizing the appointment of subordinate assessors, a solicitor, engineers, and clerks; providing for their compensation payable by such counties; abolishing the office of ward, borough, and township assessors, so far as the making of assessments and valuation for taxation is concerned; and providing for the acceptance of this act by cities;" providing for the appointment of the members of the boards for the assessment and revision of taxes by the Auditor General of the Commonwealth; terminating the terms of the existing members of such boards; and fixing the membership of the county salary boards for certain purposes.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2362, (Senate Bill No. 1238), entitled:

A Joint Resolution creating a commission to make certain studies in respect to bituminous mines defining its powers and duties and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2334, (Senate Bill No. 199), entitled:

An Act to amend section one section three as amended sections seven and thirteen and section seventeen as amended and to repeal section six of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (Pamphlet Laws one thousand twenty-four) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishment in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing

penalties for violations of by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof" as amended by excepting from the provisions of the act certain occupations and professions further regulating the hours of labor eliminating existing provisions permitting over time work in certain cases and the exemption for the canning industry imposing duties on employers and conferring powers and imposing duties on the Department of Labor and Industry and providing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1781, entitled:

An Act to amend sections two and three of the act approved the fourteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred twenty-one) entitled "An act providing for the service of process in civil suits on non-resident operators or non-resident owners of motor vehicles operated within the Commonwealth of Pennsylvania and making the operation of such a motor vehicle on the public highways of the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of Revenue of the Commonwealth of Pennsylvania as the agent of the said non-resident upon whom civil process may be served and providing for further notice to the defendant in any such suit" as amended by providing further for the return of and fees for service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2262, entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" prohibiting employes of certain agencies after leaving employment from practicing before such agencies for a certain period

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1495, entitled:

An Act to amend clause (b) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended changing the personnel of the State Veterans Commission

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1034, entitled:

An Act to amend section five hundred and twenty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as added requiring contracts for public works and improvements to stipulate minimum wages to be paid to foremen timekeepers engineers laborers and mechanics and requiring the Commonwealth to pay minimum wages for such work where no contract is let and providing for county wage boards representing labor business and the Commonwealth to determine such minimum wages

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2019, entitled:

An Act fixing the minimum compensation and salary of certain employes of the Department of Highways and minimum weekly working hours

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 189, entitled:

An Act to provide for an additional law judge of the

Court of Common Pleas in the thirty-second judicial district

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. REESE. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General.

On the question,

Will the House agree to the motion?

Mr. TURNER. Mr. Speaker, this bill provides for an additional law judge in Delaware County. It was before the Committee on Judiciary General for a considerable time and carefully considered on two different occasions and was finally reported out, and I therefore would ask that the membership of the House vote "no" on this motion.

Mr. CAPUTO. Mr. Speaker, I ask the members of the House to vote down this motion.

On the question recurring,

Will the House agree to the motion?

It was not agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1853, entitled:

An Act to amend section seven hundred three and subsection (a) of section nine hundred three of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended changing the chassis weight authorized by the act for certain classes of commercial motor vehicles and truck tractors

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1749, entitled:

An Act to further amend clause eight of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the minimum salary of county superintendents

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2254, (Senate Bill No. 771), entitled:

An Act relating to non-profit cooperative corporations organized to engage in rural electrification providing for the organization consolidation and dissolution of such corporations prescribing the qualification for membership therein conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing cooperative or non-profit corporations and associations within the provisions of this act conferring powers and imposing duties on certain State departments commissions and officers fixing fees conferring the right of eminent domain prohibiting the use of certain terms in the corporate names of other corporations exempting such corporations from excise taxes imposing on them a license fee and exempting such corporations from the jurisdiction of the Pennsylvania Public Utility Commission and from the provisions of the Securities Act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2342, (Senate Bill No. 855), entitled:

An Act supplementing the act approved the twenty-eighth day of July one thousand nine hundred and thirty-six (Pamphlet Laws seventy-nine) and authorizing the Pennsylvania Historical Commission of the Department of Public Instruction to provide plan prepare supervise and carry out a suitable program within and without Pennsylvania for the commemoration by the Commonwealth of Pennsylvania of the three hundredth anniversary of the earliest settlement the first courts of law and the first capital within what is now Pennsylvania and making an appropriation therefor out of the General Fund

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2255, (Senate Bill No. 875), entitled:

An Act to cede jurisdiction to the United States over that portion of the Carlisle Barracks known as the "Main Reservation" located in Cumberland County and over the tract of land and buildings occupied by the New Cumberland Depot located in York County

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2109, entitled:

An Act to further amend section one of the act approved the twenty-sixth day of April one thousand eight hundred fifty-five (Pamphlet Laws three hundred nine) entitled

"An act relating to damages for injuries producing death" by making any amount recovered liable for the payment of expenses of last illness and funeral expenses and authorizing executors and administrators to sue in certain cases

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1789, entitled:

An Act limiting the term of years of any agreement contract or lease to which any city of the first class shall be a party and making certain exceptions

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1952, entitled:

An Act to amend section three of the act approved the tenth day of June one thousand nine hundred and thirty-one (Pamphlet Laws four hundred eighty-five) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" providing for the qualification of additional persons as undertakers

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1073, entitled:

An Act to amend section one thousand and one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (Pamphlet Laws three hundred fifty-nine) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended providing for the payment by the Commonwealth of a bounty for each rattlesnake killed in the Commonwealth

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

TIME EXTENDED ON BILL

Mr. TRONZO. Mr. Speaker, I move that the time on House Bill No. 155, Printer's No. 804, entitled:

An Act to repeal the act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred thirty-nine) entitled "An act defining sedition and prescribing the punishment therefor" and its amendments

on page 14 of today's calendar, bills on second reading, be extended two weeks.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. DECKER asked and obtained permission for the Committee on Federal Relations to meet during the session of the House.

BILLS ON FINAL PASSAGE

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 2128, (Senate Bill No. 371), as follows:

An Act to amend sections twenty-one and forty-seven of the act approved the twentieth day of June one thousand nine hundred nineteen (Pamphlet Laws five twenty-one) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by providing for the filing of bond with the Department of Revenue and by limiting the amount to be retained by registers of wills for their own use for collection of inheritance taxes as agents of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same. That section twenty-one of the act approved the twentieth day of June one thousand nine hundred nineteen (Pamphlet Laws five hundred twenty-one) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby amended to read as follows

Section 21 The registers of wills upon their filing with the [Auditor General] Department of Revenue the bond hereinafter required shall be the agents of the Commonwealth for the collection of the said tax in the case of resident decedents For services rendered in collecting and paying over the same they shall be allowed to retain for their own use upon the gross amount collected during any year five per centum upon the tax collected if such tax shall amount to a sum of fifty thousand ($50,000) dollars or less three per centum on the amounts collected in excess of fifty thousand ($50,000) dollars and not exceeding one hundred thousand ($100,000) dollars one per centum on the amounts collected in excess of one hundred thousand ($100,000) dollars and not over two hundred thousand ($200,000) dollars and one-half of one per-centum on the amounts collected in excess of two hundred thousand ($200,000) dollars and not over one million ($1,000,000) dollars and one-quarter of one per centum on the amounts collected in excess of one million ($1,000,000) dollars Provided that the total amount to be so retained by such registers of wills for their own use shall not exceed the total sum of ten thousand dollars ($10,000) during any year

Section 2 That section forty-seven of the said act is hereby amended to read as follows

Section 47 The act approved May sixth one thousand eight hundred and eighty-seven entitled "An act to provide for the better collection of collateral inheritance taxes" and the amendments and supplements thereto and the act approved the eleventh day of July one thousand nine hundred and seventeen entitled "An act for the imposition and collection of certain inheritance taxes" and all other acts or parts of acts inconsistent with the provisions

of this act are hereby repealed but nothing in this repealer shall affect or impair the lien of any taxes heretofore assessed or any tax due owing or payable or any remedies for the collection of the same or to surrender any remedies powers rights or privileges acquired by the Commonwealth under said act approved May sixth one thousand eight hundred and eighty-seven entitled "An act to provide for the better collection of collateral inheritance taxes" its amendments and supplements and the said act approved the eleventh day of July one thousand nine hundred and seventeen entitled "An act for the imposition and collection of certain inheritance taxes" or to relieve any person or corporation from any tax or penalty imposed by said acts Provided That the registers of wills shall not retain any amount for their own use for the collection of taxes under said acts as agents for the Commonwealth

Section 3 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—188.

Achterman,	Ganser,	McKinney,	Siegel,
Alexander,	Gerard,	McShane,	Simon,
Allen,	Haberlen,	Melchiorre,	Simpson,
Arnold,	Hagerty,	Mellott,	Skale,
Atkins,	Hall,	Merrell,	Sloan,
Aukerman,	Hamilton, F. P.,	Moomaw,	Smith, James A.,
Baine,	Hamilton, R. S.,	Mooney,	Smith, John A.,
Baker, J. J.,	Harkins,	Moran,	Snyder,
Balthaser,	Harmuth,	Moul,	Sollenberger,
Bierly,	Hays,	Muir,	Spengler,
Blank,	Hering,	Munley,	Stackpole,
Bohn,	Hess,	Murrin,	Stank,
Boies,	Hindman,	Nagel,	Stewart,
Boltz,	Hirsch,	O'Brien,	Stockham,
Boose,	Holland,	O'Connor,	Strode,
Boyer,	Holmes,	O'Keefe,	Terry,
Bradley,	Holstrom,	Ominsky,	Thomas,
Brancato,	Hontz,	O'Neill,	Thompson,
Broad,	Horting,	Ostroff,	Toole,
Brown,	Imbrie,	Patterson, C. S.,	Tronzo,
Brownfield,	Jirolanio,	Patterson, J. W.,	Tumelty,
Burrows,	Kane,	Pearson,	Turner,
Cadwalader,	Keenan,	Perry,	Valibus,
Caesar,	Kelso,	Pershing,	VanAllsburg,
Caputo,	Kilroy,	Piole,	VanSickle,
Coakley,	Kline,	Powers,	Vogt,
Cohen, H. B.,	Kroll,	Preston,	Wagner,
Cohen, R. E.,	LaRue,	Readinger,	Wall,
Coleman,	Leisey,	Reese,	Walsh,
Coolahan,	Levy,	Reising,	Wampole,
Costanzo,	Lewis,	Richter,	Watkins,
Davies,	Long,	Robinson,	Webster,
Decker,	Longaker,	Rothenberger,	Weiss, D. H.,
DeNote,	Lopresti,	Royer,	Weiss, S. A.,
Dickinson,	Lovett,	Rush,	Welliver,
Donohoe,	Lyons,	Sarraf,	Welsh,
Dougherty,	Mallen,	Scanlon,	Whalen,
Downey,	Marino,	Schor,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrock,	Wilson,
Dyson,	Matthews, J. F.,	Schrope,	Winner,
Eipern,	McArdle,	Schumacher,	Wood,
Falkenstein,	McCullough,	Serrill,	Wright,
Fiss,	McDermott,	Shaw,	Yanoshat,
Fitch,	McDevitt,	Shea,	Yeakel,
Flanagan,	McElroy,	Shepard,	Yourishin,
Flannery,	McFall,	Shoemaker,	Zappala,
Flinchbaugh,	McGee,	Shugarts,	Furman,

NAYS—4.

Habbyshaw,	Sproul,	Weidemann,	Woodside,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendment in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 558, as follows:

An Act authorizing the Water and Power Resources Board to make a survey and investigation to determine to what extent the beds of rivers lakes and streams title to which is in the Commonwealth have been and are occupied or encroached upon and making an appropriation

Whereas Land in whole or in part owned by the Commonwealth has been and is occupied by divers persons and corporations and

Whereas Under existing laws it is unlawful to so occupy such land and

Whereas A survey and investigation should be made to determine where such occupancy exists and the value of Commonwealth owned land so occupied and to determine upon reasonable rental values for such land heretofore and hereafter so occupied therefore

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Gneral Assembly met and it is hereby enacted by the authority of the same That the Waters and Power Resources Board is hereby authorized and directed to make a survey and investigation to determine to what extent the beds of rivers lakes and streams title to which is in whole or in part in the Commonwealth have been and are occupied by fills wharves docks piers and other obstructions as defined in the act approved the twenty-fifth day of June one thousand nine hundred and thirteen (Pamphlet Laws 555)

Section 2 The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby specifically appropriated to the Water and Power Resources Board for the payment of the salary compensation and wages of engineers experts clerks assistants and employees deemed necessary in making the investigation and survey authorized by this act for the payment of postage travelling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment for printing and for the all other incidental expenses necessary for carrying into effect the provisions of this act

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—188.

Achterman,	Gerard,	McGee,	Siegel,
Alexander,	Habbyshaw,	McKinney,	Simon,
Allen,	Haberlen,	McShane,	Simpson,
Arnold,	Hagerty,	Melchiorre,	Skale,
Atkins,	Hall,	Mellott,	Sloan,
Aukerman,	Hamilton, F. P.,	Merrell	Smith, James A.,
Baker, J. J.,	Hamilton, R. S.,	Moomaw,	Smith, John A.,
Balthaser,	Harkins,	Mooney,	Snyder,
Bierly,	Harkins,	Moran,	Sollenberger,
Blank,	Harmuth,	Moul,	Spengler,
Bohn,	Hays,	Muir,	Stackpole,
Boies,	Hering,	Munley,	Stank,
Boltz,	Hess,	Murrin,	Stewart,
Boose,	Hindman,	Nagel,	Stockham,
Boyer,	Hirsch,	O'Brien,	Strode,
Bradley,	Holland,	O'Connor,	Terry,
Brancato,	Holmes,	O'Keefe,	Thomas,
Broad,	Holstrom,	Ominsky,	Thompson,
Brown,	Hontz,	O'Neill,	Toole,
Brownfield,	Horting,	Ostroff,	Tronzo,
Burrows,	Imbrie,	Patterson, C. S.,	Tumelty,
Cadwalader,	Jirolanio,	Patterson, J. W.,	Turner,
Caesar,	Kane,	Pearson,	Valibus,
Caputo,	Keenan,	Perry,	VanAllsburg,
Coakley,	Kelso,	Pershing,	VanSickle,
Cohen, H. B.,	Kilroy,	Piole,	Vogt,
Cohen, R. E.,	Kline,	Powers,	Wagner,
Coleman,	Kroll,	Preston,	Wall,
Coolahan,	LaRue,	Readinger,	Walsh,
Costanzo,	Leisey,	Reese,	Wampole,
Davies,	Levy,	Reising,	Watkins,

Decker,	Lewis,	Richter,	Weiss, D. H.,
DeNote,	Long,	Robinson,	Weiss, S. A.,
Dickinson,	Longaker,	Rothenberger,	Welliver,
Donohoe,	Lopresti,	Royer,	Welsh,
Dougherty,	Lovett,	Rush,	Whalen,
Downey,	Lyons,	Sarraf,	Whitenight,
Dubbs,	Mallen,	Scanlon,	Wilson,
Dyson,	Marino,	Schor,	Winner,
Elpern,	Matthews, H. T.,	Schrope,	Woodside,
Falkenstein,	Matthews, J. F.,	Schumacher,	Wright,
Fiss,	McArdle,	Serrill,	Yanoshat,
Fitch,	McCullough,	Shaw,	Yeakel,
Flanagan,	McDermott,	Shea,	Yourishin,
Flannery,	McDevitt,	Shepard,	Zappala,
Flinchbaugh,	McElroy,	Shoemaker,	Furman,
Ganser,	McFall,	Shugarts,	

NAYS—4.

Schrock,	Sproul,	Weidemann,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 86, entitled:

An Act to establish as a State highway a certain section of public road in the County of Allegheny and providing for its construction and maintenance at the expense of the Commonwealth

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192.

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boies,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1177, as follows:

An Act to provide for the ordinary expenses of the Executive Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first one thousand nine hundred and thirty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-seven

Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as The General Appropriation Act of one thousand nine hundred thirty-seven

Section 2. The following sums or as much thereof as may be necessary are hereby specifically appropriated from the General Fund to the several hereinafter named agencies of the Executive Legislative and Judicial Departments of the Commonwealth for the purposes hereinafter set forth for the two years beginning June first one thousand nine hundred and thirty-seven and for the payment of the bills incurred by said agencies and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-seven

EXECUTIVE DEPARTMENT

To the Governor

For the payment of the salary of the Governor the sum of thirty-six thousand dollars ($36,000)

For the payment of salaries wages or other compensation of the Secretary to the Governor the Budget Secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Governor his Secretary the Budget Secretary and the Executive Board for the expenses incurred in the conduct of the Executive Mansion and the entertainment of official guests and for the expense incident to the participation of the Governor in the Governor's Conference the sum of three hundred twenty-five thousand five hundred dollars ($325,500)

For the payment of the salary of the Lieutenant Governor the sum of sixteen thousand dollars ($16,000)

For all necessary expenses including postage telegrams telephone toll charges and travelling clerical stenographic and discretionary expenses and for the care and maintenance of an automobile and mileage charges to the Department of Property and Supplies for the use of automobiles for the Lieutenant Governor the sum of ten thousand dollars ($10,000)

To the Department of the Auditor General

For the payment of the salary of the Auditor General the sum of twenty-four thousand dollars ($24,000)

For the payment of salaries wages and other compensation of a deputy Auditor General and other employes for the payment of general expenses for the payment of rentals of patented leased office devices for the purchase

of automobiles furniture furnishings and equipment and for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of one million four hundred eighty thousand dollars ($1,480,000)

For the payment to the State's Fiscal Agent for the custody and safekeeping of the books and records pertaining to loans of the Commonwealth as provided by law the sum of one thousand dollars ($1,000)

For the payment of the cost of painting a portrait of Auditor General Frank E Baldwin to be placed in the office of the Auditor General in the Capitol Building the sum of seven hundred fifty dollars ($750)

For the payment of fees to county officers for furnishing information to the officers of the Commonwealth as provided by law the sum of four thousand dollars ($4,000)

To the Treasury Department

For the payment of the salary of the State Treasurer the sum of twenty-four thousand dollars ($24,000)

For the payment of salaries wages or other compensation of a depty State Treasurer and other employes for the payment of general expenses for the purchase of insurance covering the loss of any or all cash and securities of which the Treasury Department or State Treasurer is custodian and covering forgeries of all kinds on checks drafts warrants and requisitions for the payment of rentals of patented leased office devices and for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices records law books and other books necessary for the proper conduct of the work of the department the sum of seven hundred thousand dollars ($700,000)

For the payment of the cost of painting a portrait of State Treasurer Charles A Waters to be placed in the office of the State Treasurer in the Capitol Building the sum of seven hundred fifty dollars ($750)

For the payment of salaries or other compensation of a secretary and other employes and for the payment of general expenses necessary for the proper conduct of the work of the Board of Finance and Revenue the sum of sixty-five thousand dollars ($65,000) For the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses necessary for the proper conduct of the work of the State Employes' Retirement Board the sum of seventy-two thousand dollars ($72,000)

For the payment of the difference between the interest earned by the moneys in the Agricultural College Land Scrip Fund and in the State College Experimental Farm Fund and the interest guaranteed by the Commonwealth of Pennsylvania to State College the sum of twelve thousand six hundred dollars ($12,600)

For refunding the balance due or to become due retired county officers on account of overpayment of any taxes licenses fees or other moneys collected for and paid to the Commonwealth the sum of one thousand dollars ($1,000)

For refunding to purchasers of stock transfer tax stamps any sums that may be due them upon the surrender and return of such stamps as may be spoiled canceled mutilated or defaced unintentionally by accident or error the sum of two thousand five hundred dollars ($2,500)

For refunding transfer inheritance taxes on estates of resident decedents paid in error or overpaid the sum of one hundred thousand dollars ($100,000)

For refunding transfer inheritance taxes on estates of non-resident decedents paid in error or overpaid the sum of five hundred dollars ($500)

For refunding moneys paid by any person to any professional examining board or advisory committee or to the Department of Public Instruction on behalf of any such board or advisory committee the sum of one thousand five hundred dollars ($1,500)

For refunding fees paid for notary public commissions when such commissions have not been issued or if issued have not been received and have been canceled the sum of one thousand dollars ($1,000)

For refunding moneys subject to escheat which were paid into the State Treasury either voluntarily or by order of the court to any persons making proof of their ownership or right of possession thereto in the manner provided by law the sum of twenty-five thousand dollars ($25,000)

For the purpose of refunding moneys other than taxes paid into the State Treasury to the credit of the General Fund which refunds are not specifically authorized by any other appropritaion the sum of two thousand five hundred dollars ($2,500)

For the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue for moneys collected or received by the Department of Revenue for the maintenance support care treatment housing fees or other fees or costs of any inmate pupil patient or student in any State-owned institution and for the payment of approved claims for refunds made to the Board of Finance and Revenue for moneys collected or received by the Department of Revenue to reimburse the Commonwealth for the share which it was supposed to have paid towards the support care and treatment of any pupil or patient in any mental hospital or institution for the feeble-minded in part supported by the Commonwealth the sum of twenty thousand dollars ($20,000)

For the purpose of refunding fees paid to the Pennsylvania Securities Commission in connection with renewal applications for registration under The Securities Act which have been canceled before January first of the year for which the fees were paid the sum of five hundred dollars ($500)

For the payment of approved claims for refunds of liquor taxes including moneys paid for spiritous and vinous liquor tax stamps the sum of five thousand dollars ($5,000)

For the payment of approved claims for refund of cigarette tax permit fees and cigarette tax stamps the sum of one thousand dollars ($1,000)

For payment of approved claims for refund of documentary tax stamps the sum of twenty thousand dollars ($20,000)

For the payment of approved claims for refund of amusement tax which the Department of Revenue is not authorized to refund or to credit in subsequent tax periods the sum of one thousand dollars ($1,000)

For refunding liquid fuels tax erroneously paid or overpaid into the General Fund the sum of twenty-six thousand dollars ($26,000)

For the payment into the Sinking Fund to meet the interest and sinking fund requirements of the general expense bonds issued under authority of the act approved the first day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eleven) the sum of six million one hundred twenty-five thousand dollars ($6,125,000) according to the following schedule

Requirements

Date of Payment	Principal	Interest	Total
December 1 1937	$2,500,000.00	$ 328,125.00	$2,828,125.00
June 1 1938	.....	281,250.00	281,250.00
December 1 1938	2,500,000.00	281,250.00	2,781,250.00
June 1 1939	.....	234,375.00	234,375.00
Total	$5,000,000.00	$1,125,000.00	$6,125,000.00

For the payment into the Sinking Fund to meet the interest and sinking fund requirements of the Veterans' Compensation Bonds issued under authority of the act approved the fifth day of January one thousand nine hundred and thirty-four (one thousand nine hundred and thirty-three and one thousand nine hundred and thirty-four Pamphlet Laws page two hundred nineteen) the sum of seven million four hundred fifty thousand one hundred ninety-two dollars and fifty cents ($7,450,192.50) according to the following schedule

Requirements

Date of Payment	Principal	Interest	Total
September 1 1937	$.....	$ 487,500.00	$ 487,500.00
November 1 1937	.....	300,000.00	300,000.00
March 1 1938	1,237,253.21	487,500.00	1,724,753.21

May 1 1938	912,843.04	300,000.00	1,212,843.04
September 1 1938	.....	487,500.00	487,500.00
November 1 1938	.....	300,000.00	300,000.00
March 1 1939	1,237,253.21	487,500.00	1,724,753.21
May 1 1939	912,843.04	300,000.00	1,212,843.04
Total	$4,300,192.50	$3,150,000.00	$7,450,192.50

For the payment of the compensation of the Commonwealth's Loan and Transfer Agent for services rendered in connection with the registration transfer and payment of interest on general expense bonds and Veterans' Compensation Bonds and for other services required to be performed by the said Loan and Transfer Agent the sum of twenty-two thousand five hundred dollars ($22,500)

To the Department of Agriculture

For the payment of the salary of the Secretary of Agriculture the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the purchase of insecticides for gypsy moth work For testing of animals to prevent spreading of dangerous contagious and infectious diseases and for the payment of any loss or damage by dogs to live stock domestic game birds and poultry as provided by law the sum of two million sixty-two thousand five hundred dollars ($2,062,500)

For the payment of the salaries wages or other compensation of employes and for the payment of all other expenses necessary for the proper conduct of the Pennsylvania Official Egg-Laying Contest as provided by the act of May twentieth nineteen hundred thirty-one (Pamphlet Laws one hundred thirty-six) the sum of twenty-one thousand dollars ($21,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses necessary for the proper conduct of the work of the State Farm Products Show Commission for the payment of premium awards for exhibits at the State Farm Products Show and for the maintenance of the State Farm Building and the grounds surrounding it the sum of one hundred twenty-five thousand dollars ($125,000)

For the purpose of reimbursing incorporated agricultural associations for premiums paid for exhibits of live stock products horticultural products handiwork cereals bees and bee products as provided by law Provided That such associations file such reports as may be required by the Secretary of Agriculture the sum of ninety-five thousand dollars ($95,000)

For the payment of indemnities for payment of expenses of testing animals appraised and destroyed to prevent the spread of dangerous contagious and infectious diseases as provided by law the sum of one million two hundred thousand dollars ($1,200,000)

To the Department of Banking

For the payment of salaries wages or other compensation of the members and employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania Securities Commission the sum of one hundred forty-five thousand three hundred dollars ($145,300)

For the payment of liquidating and dissolution expenses of building and loan associations taken in charge by the Secretary of Banking when the cash assets are insufficient to pay such expenses the sum of twenty-five thousand dollars ($25,000) and in addition there is hereby appropriated for the same purposes the full amount of all sums received from such liquidated asests by way of reimbursement for expenditures previously made from this appropriation which sums so received shall be paid into the General Fund and credited to the appropriation made by this paragraph

To the Department of Forests and Waters

For the payment of the salary of the Secretary of Forests and Waters the sum of the twenty thousand dollars ($20,000)

For the payment of the salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department with respect to forests parks and waters and the Pymatuning Dam project the Water and Power Resources Board the Geographic Board the State Forest Commission and Flood Prevention and maintenance of dikes along Darby Creek and the Delaware River in Tinicum Township Delaware County for the purchase of telephone equipment and the cost of telephone rentals at towers district offices ranger stations and other necessary locations for the erection and repairs of buildings the sum of one million three hundred thirty-five thousand dollars ($1,335,000)

For the payment of expenses incurred for the extinction and control of forest fires the sum of one hundred fifty thousand dollars ($150,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Washington Crossing Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing photographic distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of thirty-one thousand dollars ($31,000)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Valley Forge Park Commission for the repair and construction of roads dams parking spaces and buildings for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of seventy-one thousand seven hundred fifty dollars ($71,750)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania State Park and Harbor Commission of Erie for the repair and construction of roads dams parking spaces camp sites and buildings for the repair and construction of jetties and other necessary work to protect Presque Isle Peninsula from erosion for the purchase of materials supplies flags markers and equipment and for printing photographing distributing or otherwise making available maps documents records historical information and reports issued by or in the possession of the commission for public use as may be authorized and approved by the Secretary of Forests and Waters the sum of seventy-three thousand two hundred dollars ($73,200)

For the supervision maintenance improvement regulation and preservation of State Park the sum of seventy-five thousand dollars ($75,000)

For the payment of maintenance and improvement of Fort Washington Park the sum of two thousand dollars ($2,000)

For the payment of annual fixed charges as provided by law for county school township and road purposes on lands owned or classified by either the Commonwealth of Pennsylvania or the Federal Government and held or administered as forest reserves auxiliary forest reserves or for the purpose of preserving and perpetuating a portion of the original forests of Pennsylvania and preserving and maintaining the same as public places and parks the sum of two hundred eighteen thousand five hundred dollars ($218,500)

For the payment of annual fixed charges on lands acquired for the purpose of conservation of water or the prevention of flood conditions as provided by law the sum of fourteen thousand dollars ($14.000)

To the Department of Health

For the payment of the salary of the Secretary of Health the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Sanitary Water Board the Advisory Health Board and other boards the sum of two million eight hundred ninety-three thousand five hundred dollars ($2,893,500) and in addition to said amount all contributions received by the department from private sources for the express use of the department in public health work shall be paid into the General Fund and credited to this appropriation

For the payment of salaries wages or other compensation of superintendents and other employes for the expenses of maintaining and operating automobiles and other motor equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishing and live stock for incidental expenses and all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Tuberculosis Sanatoria and the State Hospital for Crippled Children including the incidental expenses necessary for the proper conduct of the orthopaedic work of the department and for the purchase of braces jackets artificial limbs and crutches the sum of three million two hundred eighty-five thousand dollars ($3,285,000)

To the Insurance Department

For the payment of the salary of the Insurance Commissioner the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for the payment of costs in court proceedings to forfeit charters of extinct companies the sum of six hundred seventy thousand dollars ($670,000)

And in addition to said amount all income and all moneys collected by the Insurance Department from foreign insurance companies for examinations made by the Insurance Department and paid into the General Fund of the State Treasury are hereby appropriated out of the General Fund to the Insurance Department

For the payment of liquidating and dissolution expenses of companies taken in charge by the Insurance Commissioner when the cash asests are insufficient to pay such expenses the sum of twenty-five thousand dollars ($25,000) and in addition there is hereby appropriated for the same purposes the full amount of all sums received from such liquidated assets by way of reimbursement for expenditures previously made from this appropriation which sums so received shall be paid into the General Fund and credited to the appropriation made by this paragraph

To the Department of Internal Affairs

For the payment of the salary of the Secretary of Internal Affairs the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the board of Property and for the payment of fees to the county commissioners of the several counties of the Commonwealth for data and statistics furnished relative to local taxes the sum of four hundred fifty-five thousand seven hundred fifty dollars ($455,750)

For the payment of salaries wages or other compensation of employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department with respect to the Topographic and Geologic Survey the sum of one hundred twenty thousand two hundred fifty dollars ($120,250)

For the payment of the expenses of organizing and supervising conferences of local governmental officials selected from the State associations of county commissioners third class city officials borough officials township officials and school officials and the expenses of delegates attending such conferences for the purpose of evaluating and determining the proper sphere and activities of local governments the proper allocation of governmental functions and sources of revenue between the State and local governments the elimination of non-essential functions and to cooperate and advise any official commission created to study local government the sum of ten thousand dollars ($10,000)

To the Department of Justice

For the payment of the salary of the Attorney General the sum of twenty-four thousand dollars ($24,000)

For the payment of salaries wages or other compensation of deputy attorneys general special deputy attorneys general assistant deputy attorneys general special attorneys law clerks and other employes for the payment of compensation of attorneys employed by the several departments boards and commissions with the approval of the Attorney General for handling litigation or making collections or appointed to represent the Commonwealth or any department board or commission thereof in special work or in particular cases for the payment of costs and witness fees for the purchase of law books for the law library of the department and for payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for the prosecution and defense of litigation to which the Commonwealth is a party or in which the Commonwealth is interested the sum of three hundred two thousand five hundred dollars ($302,500)

For the payment of the salaries wages or other compensation of such special deputy attorneys general assistant deputy attorneys general and attorneys as may be assigned by the Attorney General to other departments boards or commissions except the counsel and assistant counsel of the Public Service Commission of the Commonwealth of Pennsylvania and except departments boards or commissions the work of which is supported mainly out of moneys in funds other than the General Fund for the payment of the salaries wages or other compensation of special deputy attorneys general assistant deputy attorneys general and attorneys appointed to represent the Commonwealth and the several departments boards and commisisons thereof in legal matters arising or to be handled in cities counties or districts outside the State Capitol or appointed to represent the Commonwealth or any department board or commission thereof in special work or in particular cases for traveling and other incidental expenses incurred by the special deputy attorneys general assistant deputy attorneys general or attorneys whose compensation is payable out of this appropriation for the payment of mileage charges to the Department of Property and Supplies for the use of automobiles for any such special deputy attorneys general assistant deputy attorneys general or attorneys and for any contingent expenses incident to their work the sum of two hundred twenty-five thousand dollars ($225,000)

For the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the Board of Pardons the sum of twenty-one thousand dollars ($21,000)

For the payment of salaries wages and other compensation of the Supervisor of Paroles chief field agents field agents and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Board of Pardons in supervising prisoners released on parole from the State penitentiaries and the Pennsylvania Industrial School and for other parole work of the board the sum of two hundred sixty-one thousand dollars ($261,000)

For the payment of compensation and general expenses incident to the preparation by the Department of Justice for the presentation to the General Assembly at its session

of one thousand nine hundred thirty-nine of a revision of the insurance laws and the laws relating to the formation of public utilities the sum of ten thousand dollars ($10,000)

For the payment of expenses necessary for the proper conduct of the work of the Board of Commissioners on Uniform State Laws the sum of two thousand five hundred dollars ($2,500)

To the Department of Labor and Industry

For the payment of the salary of the Secretary of Labor and Industry the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of the members of the Workmen's Compensation Board Workmen's Compensation Referees the members of the Industrial Board a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the Workmen's Compensation Board the Workmen's Compensation Referees and the Industrial Board the sum of two million four hundred sixty-three thousand three hundred dollars ($2,463,300)

For the payment of salaries wages or other compensation of employes engaged in the administration of the State and State-Federal Employment Service and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of this service the sum of four hundred eighty-one thousand four hundred dollars ($481,400) And be it provided that with approval of the Federal Government contributions under the Wagner-Peyser Act or any other Federal law toward the expense of conducting this service may be paid into the General Fund and credited to this appropriation

For the payment of salaries wages or other compensation of employes engaged in administration of the laws relating to rehabilitation of persons injured in industry and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department with respect to rehabilitation and for the purchase of artificial appliances for and the payment of maintenance cost of physically handicapped persons in training and all other expenses necessary to carry out the provisions of the Rehabilitation Acts the sum of three hundred three thousand eight hundred dollars ($303,800) And be it provided that contributions from the Federal Government or from any other source for rehabilitation shall be paid into the General Fund and credited to this appropriation

For the payment of the statutory amounts of workmen's compensation and medical hospital surgical and burial expenses to injured employes and dependents of deceased employes of the various departments of the State government upon claims arising prior to June first one thousand nine hundred and twenty-nine under the Workmen's Compensation Act of one thousand nine hundred and fifteen its amendments and supplements the sum of five thousand dollars ($5,000)

To the Department of Military Affairs

For the payment of the salary of the Adjutant General the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy adjutant general and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including Division Headquarters the United States Property and Disbursing Office State Arsenal State Military Reservation and advisory commissions connected with the department for the making of improvements additions or repairs to existing buildings roads and utilities on the State Military Reservation and State Arsenal the sum of four hundred thirty-seven thousand two hundred dollars ($437,200)

For the purpose of placing at the disposal of the Governor and making the same available for replacement or repair such military stores and supplies issued to the Commonwealth of Pennsylvania by the Federal Government as may be destroyed or damaged in whole or in part by fire flood storm or any other unavoidable cause for the payment of transportation pay of officers and enlisted men horse hire subsistence quartermaster stores and other proper and necessary expenses incident to field service rendered by the Pennsylvania National Guard under orders of the Governor in repelling invasion subduing insurrection riot tumult or disorder or the prevention of the same and when such Pennsylvania National Guard may be placed on duty under orders of the Governor under extraordinary circumstances for the protection of property or human life and in the event of all or any portion of said Pennsylvania National Guard being called into active service of the United States by the President of the United States or in furnishing the quota of volunteers from the Commonwealth of Pennsylvania under a call made by the President of the United States and for the payment of mileage and lawful expenses of commissioners to take the vote of Pennsylvania Soldiers in Federal or State service when in the field on active duty for the payment of any and all expenses incident to furnishing men material and equipment to relieve unemployment or draught conditions throughout the State or when a disaster occurs for payment of claims against the Commonwealth of Pennsylvania for damages incurred by the operation or training of the Pennsylvania National Guard as provided by law for the payment of all necessary expenses supplies printing and equipment including annual allowances for maintenance and armory rent individual pay officers' annual allowances passenger and freight transportation telegrams telephone toll charges subscriptions to The Pennsylvania National Guardsmen for distribution to officers and men of the Pennsylvania National Guard the expenses of operating and maintaining automobiles and other motor equipment the payment of mileage charges to the Department of Property and Supplies for the use of automobiles and other expenses necessary for the maintenance training government discipline and equipment of the Pennsylvania National Guard for the payment of claims made by the War Department based upon approved reports of survey covering loss damage or destruction of Federal property for the payment of salaries of members of the Armory Board of the State of Pennsylvania and inspectors for the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Armory Board of the State of Pennsylvania for the maintenance and repair of armories and for the expenses of inspection of armories the sum of one million two hundred twenty thousand dollars ($1,220,000) Provided however That there is hereby appropriated for the same purposes the full amount of all rentals of armories and receipts from public or private sources in payment of costs and material expended by the Guard in furnishing relief from disaster which shall be collected as heretofore and paid into the General Fund and credited to the appropriation made by this paragraph

For the payment of the salary of the Division Commander the sum of sixteen thousand dollars ($16,000)

For the payment of salaries of the members of the State Athletic Commission for the payment fo salaries wages or other compensation of a secretary and deputies and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Athletic Commission as [illegible] by the Adjutant General the sum of ninety-nine thousand seven hundred dollars ($99,700)

For the payment of salaries wages or other compensation of the superintendent and other employes for the expenses of maintaining and operating automobiles and other motor equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for improvements to land for repairs alterations and improvements to plant and equipment for the purchase of equipment furniture furnishing and live stock for expenses of the Board of Trustees and incidental expenses for burial expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Soldiers' and Sailors' Home at Erie as may be authorized and approved by the Adjutant General the sum of two hundred forty thousand dollars ($240,000) Provided

That all moneys received from the United States Government by the Governor of Pennsylvania on account of maintenance of the honorably discharged soldiers and sailors or marines in the Pennsylvania Soldiers' and Sailors' Home at Erie shall be paid into the State Treasury through the Department of Revenue

For the payment of traveling expenses and for other authorized disbursements of the State Veterans' Commission and for the assistance of such Pennsylvania veterans of any war or the widows and infant children or dependents of such veterans as are sick disabled or indigent and who are without means as may be authorized and approved by the Adjutant General the sum of forty thousand dollars ($40,000)

To the Department of Mines

For the payment of the salary of the Secretary of Mines the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of eighty-three thousand six hundred fifty dollars ($83,650)

For the payment of salaries postage supplies printing and equipment traveling expenses telephone toll charges telegram freight express cartage and incidental expenses of the anthracite and bituminous mine inspectors the sum of five hundred thirty-eight thousand nine hundred dollars ($538,900)

For the payment of expenses of conducting the examination of applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses as provided for by law the sum of ten thousand dollars ($10,000)

To the Department of Property and Supplies

For the payment of the salary of the Secretary of Property and Supplies the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and Capitol Police the Board of Commissioners of Public Grounds and Buildings and other boards attached to the department for the care maintenance and preservation of public grounds and buildings including the Executive Mansion for the payment of the advertising schedules of supplies the sale of unserviceable property proposals for executing the State Printing and binding proposals for any contract work re-advertising any schedules or proposals when necessary and all other advertising necessary for the proper conduct of the work of the department the sum of one million eight hundred fifteen thousand dollars ($1,815,000) Provided however That the department shall not use any part of this appropriation for the payment of the salaries wages or other compensation of employes necessary for the cleaning and care of offices or other quarters either in the Capitol Building or elsewhere used by the Department of Banking the Department of Highways the Department of Revenue and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds the General Assembly the Judicial Department the Department of the Auditor General the Treasury Department the Board of Game Commissioners the Board of Fish Commissioners the Pennsylvania Liquor Control Board the Milk Control Board or the State Workmen's Insurance Board for the cleaning and care of offices or other quarters outside the city of Harrisburg used by any other department board or commission or for the cleaning and care of the State Arsenal or any barracks used by the Pennsylvania State Police

For payment into the Purchasing Fund created by the Act of June 1 1933 Appropriation Acts page 30 the sum of fifteen thousand dollars ($15,000)

For the cost of printing and distributing records of the proceedings of the conventions of the Departments of Pennsylvania of the Grand Army of the Republic the United Spanish War Veterans the Veterans of Foreign Wars of the United States The American Legion and the Disabled American Veterans of the World War as provided by law the sum of ten thousand dollars ($10,000)

For the cost of printing and distributing the Capitol News Clip Sheet and the Pennsylvania State Manual the sum of forty thousand dollars ($40,000)

For the purchase of fuel water gas steam and electric current and necessary devices for the reception and use of same and for alterations materials supplies repairs equipment renovations and improvements to for or on to the State Capitol buildings the public grounds and buildings connected with the State Capitol the Publications Buildings the Executive Mansion and any buildings or monuments of historical interest located anywhere in the Commonwealth for the payment of rents fuel water gas steam electric current and any necessary alterations for any buildings offices or storage space in the City of Harrisburg required for the accommodation of departments supported from the General Fund which had heretofore been provided entirely with space in the Capitol Buildings the sum of five hundred fifty thousand dollars ($550,000)

For the payment of premiums on surety bonds on policies of liability insurance covering all motor vehicles owned by the Commonwealth and on policies of insurance insuring the Commonwealth against workmen's compensation liability to employes bills and invoices for which covering the period ending May 31 1937 may remain unpaid on that date and for the payment of premiums on surety bonds for such officers and employes of the General Assembly and the several administrative departments boards and commissions supported by appropriation from the General Fund who may be required to statute or otherwise to furnish bonds with corporate surety the sum of sixty-five thousand dollars ($65,000) and it is provided that on May 1 1939 the remaining unobligated balance of this appropriation shall be paid into the State Insurance Fund and for this purpose such remaining balance is hereby appropriated

For the purchase of automotive equipment aeroplanes and accessories thereto as may be required for use by the several administrative departments boards commissions and officers of the State government except those required for permanent use by the Department of Banking the Department of Highways and the Department of Revenue and any other agency to the extent to which appropriations for this purpose shall have been made to them from special funds the Department of the Auditor General the Treasury Department the Board of Fish Commissioners the Board of Game Commissioners the State Farm Products Show Commission the Pennsylvania Liquor Control Board the Milk Control Board and the State Workmen's Insurance Board for the payment of the cost of minor repairs to automotive equipment permanently assigned to departments boards and commissions except the Department of Highways and stored at the garage maintained by the Department of Property and Supplies in the City of Harrisburg and for the payment of the cost of oil gasoline tires repair parts for and repairs to automotive equipment which is not permanently assigned to any department board commission or officer of the State government the sum of four hundred thousand dollars ($400,000)

For the purchase of office supplies and equipment stationery printing printing supplies and printing processes for the purchase of legal books periodicals maps pamphlets for the purchase of all other materials supplies and equipment for the costs of repairing office equipment for the payment of rental charges of telephone and other leased devices for the payment of telephone toll charges and telegrams required by the General Assembly and the Judicial Department for the payment of costs including delivery expenses of documents and publications furnished to members and officers of the General Assembly for the payment of the costs of all printing incident to the sessions of the General Assembly including the printing of the Pamphlet Laws and for the payment of the cost of postage freight express paper and printing of departmental documents distributed to members of the Legislature in accordance with law the sum of two hundred fifty thousand dollars ($250,000)

To the Department of Public Assistance

For the payment of the salary of the Secretary of Public Assistance the sum of twenty thousand dollars ($20,000)

For the payment of the salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department the sum of one million five hundred thousand dollars ($1,500,000)

To the Department of Public Instruction

For the payment of the salary of the Superintendent of Public Instruction the sum of twenty-four thousand dollars ($24,000)

For the payment of salaries wages or other compensation of a deputy superintendent and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and the State Council of Education the sum of six hundred twenty-three thousand two hundred dollars ($623,200)

For the payment of salaries wages or other compensation of employes for the payment of general expenses supplies printing and equipment and for the purchase of books maps charts manuscripts records exchange pamphlets illustrations lantern slides periodicals parliamentary papers legal books and periodicals subscriptions to newspapers necessary for the proper conduct of the work of the department with respect to the State Library and Museum the sum of two hundred eighteen thousand five hundred dollars ($218,500)

For the payment of salaries wages or other compensation of employes and for the payment of general expenses including the cost of newspapers and periodicals deemed necessary for the work of the State Library with respect to collecting press information and distributing it to the several departments boards commissions and legislative offices and legislative agencies the sum of fifteen thousand dollars ($15,000)

For the payment of salaries wages or other compensation of a deputy members and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Department of Public Instruction with respect to professional education and licensure and the professional examining boards and advisory committees within the department the sum of five hundred fifty-two thousand three hundred dollars ($552,300) Provided that no part of this appropriation shall be expended for any purpose other than the work of the department with respect to the certification of teachers professional education and licensure and the professional examining boards and advisory committees within the department

For the payment of salaries wages or other compensation of members and other employes for the payment of general expenses supplies printing and equipment necessary for life proper conduct of the work of the Pennsylvania State Board of Censors the sum of one hundred thirty-one thousand seven hundred fifty dollars ($137,750)

For the payment of salaries wages or other compensation of a secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the Pennsylvania Historical Commission and for the purchase of archaeological collections and maintenance of historical monuments buildings and markers as provided by law and as authorized and approved by the Superintendent of Public Instruction the sum of fifty-five thousand dollars ($55,000)

For payment of salaries wages or other compensation of the presidents or principals and other employes for the expenses of maintaining and operating automobiles and other motor equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the State Teachers Colleges and the Cheyney Training School for Teachers as may be authorized and approved by the Superintendent of Public Instruction the sum of three million seven hundred sixty thousand dollars ($3,760,000) and in addition to said amount all income and all moneys collected at the various State Teachers Colleges and the Cheyney Training School and paid into the General Fund of the State Treasury under existing law are hereby appropriated out of the General Fund to the several State Teachers Colleges and Training Schools for same purpose each college and school to receive from such appropriation the exact amount which was collected at said school or college during the said fiscal years

For the payment of salaries wages or other compensation of superintendents and other employes for the expenses of maintaining and operating automobiles and other equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment or improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the hereinafter designated institutions as may be authorized and approved by the Superintendent of Public Instruction in the amounts hereinafter specified

Pennsylvania State Oral School for the Deaf at Scranton Pennsylvania	$160,000
Pennsylvania Soldiers' Orphan School at Scotland Pennsylvania	$335,000
Thaddeus Stevens Industrial School at Lancaster Pennsylvania	$95,000

For the payment of salaries of the county superintendents of public schools as required by law the sum of four hundred eighty-two thousand twenty-seven dollars ($482,027)

For the payment of the expenses of county superintendents of public school as required by law the sum of fifty thousand dollars ($50,000)

For the payment of the salaries of assistant county superintendents of public schools as required by law the sum of four hundred fifty-nine thousand five hundred dollars ($459,500)

For the payment of the expenses of assistant county superintendents of public schools as required by law the sum of seventy thousand dollars ($70,000)

For the payment of salaries of members of county boards of school directors the sum of thirty-nine thousand six hundred dollars ($39,600)

For reimbursement to school districts for transportation of school children as required by law the sum of three million five hundred thousand dollars ($3,500,000)

For aid to school districts that now maintain or shall cause to be established and maintained as part of the public school system vocational schools or departments schools for agricultural education industrial training home economics and other vocational and practical education for the salaries and expenses of employes and the payment to the Department of Property and Supplies of mileage charges for the use of automobiles by traveling vocational education supervisors and for the cost of training vocational teachers in such institutions as the State Council of Education may designate and under such regulations as the State Council of Education may prescribe as provided by law the sum of eight hundred thousand dollars ($800,000)

For the cost of transportation investigation and necessary expenses involved in the education of blind children as required by law for the education of children placed in homes by the courts or other agencies as required by law for the award of scholarships to graduates of secondary schools to aid them in obtaining higher education as required by law for Cornplanter Indians as rerequired by law for the expense of blind students in attendance at institutions of higher learning as provided

by law and for the payment to school districts of annual fixed charges in lieu of taxes on State lands as required by law the sum of two hundred eighty-three thousand dollars ($283,000)

For reimbursing school districts upon the salaries of school teachers and for closed schools and for non-resident high school tuition as required by law the sum of sixty million dollars ($60,000,000) Provided That the Superintendent of Public Instruction with the approval of the Governor may make payments from this appropriation in advance of the due dates prescribed by law to school districts which are financially handicapped whenever he shall deem it necessary to make such advanced payments to enable school districts to keep their public schools open

For special education including the payment of the Commonwealth's share in the case of children between the ages of six (6) and twenty-one (21) and the payment of all in the case of pupils under the age of six (6) or over twenty-one (21) of the cost of tuition and maintenance (as determined by the Superintendent of Public Instruction) of Pennsylvania pupils enrolled with the approval of the Department of Public Instruction in schools or institutions for the blind or for the deaf under the supervision of and approved by the department in accordance with law the sum of one million one hundred thousand dollars ($1,100,000)

For the payment into the School Employes' Retirement Fund to the credit of the Contingent Reserve Account of the School Employes' Retirement Fund as required by law the sum of two million four hundred fifty thousand dollars ($2,450,000)

For the payment into the School Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two of the School Employes' Retirement Fund as required by law the sum of three million six hundred thousand dollars ($3,600,000)

For the payment of compensation to former teachers principals supervising principals or superintendents who agree in writing to hold themselves ready under the direction of the board of school directors to advise and counsel with school officials to visit and counsel with new teachers to act as substitute teachers when able to examine and report on public school work to visit pupils' homes in the interest of child welfare to attend educational conferences and addresses and to be concerned with other educational work as may be deemed necessary and helpful to community-school interest as provided by law the sum of two hundred fifty thousand dollars ($250,000)

To The Pennsylvania Public Utility Commission

For the payment of the salary of the chairman and members of the commission the sum of one hundred one thousand dollars ($101,000)

For the payment of salaries wages or other compensation of a secretary and other employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the commission the sum of three million two hundred thousand dollars ($3,200,000)

For the payment of such proportion of the cost of installing warning signals for the protection of the public where tracks of railroad corporations or street railway corporations cross public highways other than those State highways designated as primary routes as shall be determined by the commission to be paid by the Commonwealth the sum of fifteen thousand dollars ($15,000)

To the Department of Revenue

For the payment of the salary of the Secretary of Revenus the sum of twenty-four thousand dollars ($24,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses Supplies printing and equipment necessary for the proper conduct of the work of the department for the payment of lost of filing liens for the purchase of tax stamps and for the payment of costs of advertising required by any act of Assembly in connection with the escheat of moneys and property to the Commonwealth or in connection with the payment of unclaimed moneys into the State Treasury without escheat the sum of three million eight hundred eighty-eight thousand dollars ($3,888,000) Provided however That to the extent to which appropriations have been made to the department out of special funds for any of the foregoing purposes this appropriation shall not be used for such purposes

For the payment of the compensation of informants in escheats and the fees and expenses of escheators in connection with escheat proceedings the sum of ten thousand dollars ($10,000)

For the payment of the mileage of appraisers of mercantile and other license taxes the sum of thirty-five thousand dollars ($35,000)

For the payment of costs in suits against delinquent dealers for mercantile and other license taxes the sum of fifteen thousand dollars ($15,000)

To the Department of State

For the payment of the salary of the Secretary of the Commonwealth the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department and for proof-reading the Pamphlet Laws the sum of one hundred fifty-one thousand five hundred dollars ($151,500)

For the payment of State employes who have retired in accordance with the provisions of the act of Assembly approved June fourteenth one thousand nine hundred fifteen (Pamphlet Laws nine hundred seventy-three) as amended the sum of thirty-three thousand four hundred twenty dollars ($33,420)

For the payment of pensions and gratuities that have been granted by law or that may hereafter be granted by law the sum of one thousand eight hundred forty-eight dollars ($1,848)

For the payment into the State Employes' Retirement Fund to the credit of the State Annuity Reserve Account Number Two the sum three hundred ninety-seven thousand nine hundred dollars ($397,900)

For the payment into the State Employes' Retirement Fund to the credit of the Contingent Reserve Account the sum of one hundred ninety-eight thousand nine hundred fifty dollars ($198,950)

For the payment of the cost of publishing in various newspapers throughout the State the several proposed amendments to the Constitution of the Commonwealth of Pennsylvania the sum of thirty thousand dollars ($30,000)

To the Department of Welfare

For the payment of the salary of the Secretary of Welfare the sum of twenty thousand dollars ($20,000)

For the payment of salaries wages or other compensation of a deputy secretary and other employes for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the department including the cost of a central accounting system for State-owned institutions subject to the supervision of the department the sum of three hundred eighty-eight thousand five hundred dollars ($388,500)

For the payment of salaries wages or other compensation of employes and for the payment of general expenses supplies printing and equipment necessary for the proper conduct of the work of the State Council for the Blind the sum of fifty-one thousand dollars ($51,000)

For the payment of salaries wages or other compensation of the superintendents or wardens and other employes for the expenses of maintaining and operating automobiles and other motor equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses for the payment of gratuities clothing and parole expenses and for all other expenses of main-

tenance and operation necessary for the proper conduct of the work of the Pennsylvania Industrial School at Huntingdon the Pennsylvania Training School at Morganza the State Industrial Home for Women at Muncy the Eastern State Penitentiary at Philadelphia and Graterford the Western State Penitentiary at Pittsburgh the State Penitentiary at Rockview and any other institution hereafter established for the custody of prisoners as may be authorized and approved by Secretary of Welfare the sum of six million four hundred thousand dollars ($6,400,000)

For the payment of salaries wages or other compensation of the superintendents and other employes for the expenses of maintaining and operating automobiles and other motor equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necesary for the proper conduct of the work of the Allentown the Danville State Hospital at Danville the Fairview State Hospital at Fairview the Harrisburg State Hospital at Harrisburg the Norristown State Hospital at Norristown the Torrance State Hospital at Torrance the Warren State Hospital at Warren the Wernersville and any other institution established for the care and treatment of the insane State Hospital at Wernersville as may be authorized and approved by the Secretary of Welfare the sum of nine million five hundred fifty thousand dollars ($9,550,000)

For the payment of salaries wages or other compensation of the superintendents and other employes for the expenses of maintaining and operating automobiles and other motor equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Laurelton State Village at Laurelton the Pennhurst State School at Pennhurst the Polk State School at Polk the Selinsgrove State Colony for Epileptics at Selinsgrove and any other institution established for the care and treatment of mental defectives and epileptics as authorized and approved by the Secretary of Welfare the sum of three million two hundred thousand dollars ($3,200,000)

For the payment of salaries wages or other compensation of the Superintendents and other employes for the expenses of maintaining and operating automobiles and other motor equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs for the purchase of equipment furniture and furnishings for expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Ashland State Hospital at Ashland the Blossburg State Hospital at Blossburg the Coaldale State Hospital at Coaldale the Connellsville State Hospital at Connellsville the Hazleton State Hospital at Hazleton the Locust Mountain State Hospital at Shenandoah the Nanticoke State Hospital at Nanticoke the Philipsburg State Hospital at Philipsburg the Scranton State Hospital at Scranton and the Shamokin State Hospital at Shamokin as may be authorized and approved by the Secretary of Welfare the sum of two million seven hundred thousand dollars ($2,700,000)

For the payment of salaries wages or other compensation of the superintendents and other employes for the expenses of maintaining and operating automobiles and other motor equipment for the payment to the Department of Property and Supplies of mileage charges for the use of automobiles for the purchase of supplies food and fuel for repairs alterations and improvements to plant and equipment for improvements to land for the purchase of equipment furniture furnishings and live stock for the expenses of the boards of trustees and incidental expenses and for all other expenses of maintenance and operation necessary for the proper conduct of the work of the Penal and Correctional Institutions the Mental Hospital and the Medical and Surgical Hospitals as may be allocated by the Secretary of Welfare and approved by the Governor the sum of one million dollars ($1,000,000)

To the State Planning Board

For the two fiscal years beginning June first one thousand nine hundred thirty-seven for the purpose of carrying into effect the provisions of the Act of July thirtieth one thousand nine hundred thirty-six (Pamphlet Laws page eighty-one) the sum of one hundred twenty-five thousand dollars ($125,000)

LEGISLATIVE DEPARTMENT

For the payment of the expenses of the Legislative Department for two years beginning June one one thousand nine hundred and thirty-seven and also for the expenses of the session and recess of one thousand nine hundred and thirty-seven not previously provided for the following sums or as much thereof as may be necessary to be paid in the manner prescribed by law Provided That the salaries stationery and mileage of the Members of the Senate and House of Representatives and all the salaries and mileage of the session officers and employes of the legislative session of one thousand nine hundred and thirty-nine shall only be paid after statement of the amounts due the several Senators Members officers and employes shall have been certified to the Auditor General by the President Pro Tempore of the Senate and the Speaker of the House of Representatives respectively and that the Senators and Members also the officers receiving fixed salaries for said session shall each be paid one-fifth of his total salary each month for the first four months of the session if the Legislature shall be in session that long and the balance on the day fixed for the final adjournment of the Legislature or during the two days previous thereto to

To the Senate

For the payment of the salaries of fifty Senators and extra compensation allowed by law to the President Pro Tempore of the Senate session of one thousand nine hundred and thirty-nine the sum of one hundred twenty-six thousand dollars ($126,000)

For the payment of the mileage of fifty Senators session of one thousand nine hundred and thirty-nine the sum of eighteen thousand dollars ($18,000)

For the payment of postage session of one thousand nine hundred and thirty-nine allowed by law to fifty Senators the sum of seven thousand five hundred dollars ($7,500)

For the payment of postage of one thousand nine hundred and thirty-nine for the chief clerk and assistants the sum of one hundred fifty dollars ($150)

For the payment of postage session of one thousand nine hundred and thirty-nine to the Lieutenant Governor the sum of one hundred fifty dollars ($150)

To the chief clerk of the Senate for the payment of the postage on the Legislative Journal bills and calendars session of one thousand nine hundred and thirty-nine the sum of four thousand five hundred dollars ($4,500)

For the payment of the salaries of the officers and employes of the Senate session of one thousand nine hundred and thirty-nine also for the payment of the session and recess salaries of all officers and employes whose positions are now or may hereafter be created and for the payment of which provision is not otherwise made also for the payment of any increases which may now or hereafter be authorized in the recess and session salaries of the officers and employes of the Senate whose present salaries are provided for in this section the sum of ninety-six thousand dollars ($96,000) for the two years ending May thirty-first one thousand nine hundred and thirty-nine

For the payment of the mileage of the officers and employes of the Senate session of one thousand nine hundred

and thirty-nine the sum of two thousand seven hundred dollars ($2,700)

For the payment of the salaries of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and thirty-nine the sum of eight thousand dollars ($8,000)

For the payment of the mileage of the returning officers of the Senate at the beginning of the session of one thousand nine hundred and thirty-nine the sum of two thousand dollars ($2,000)

For the payment of the salary of the clerk to the President of the Senate for two years ending May thirty-one one thousand nine hundred and thirty-nine the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salary of the secretary of the Senate for the two years beginning June first one thousand nine hundred and thirty-seven the sum of fifteen thousand dollars ($15,000)

For the payment of the salary of the chief clerk of the Senate for the two years beginning June first one thousand nine hundred and thirty-seven the sum of twelve thousand dollars ($12,000)

For the payment of the salary of the assistant clerk of the Senate for the session of one thousand nine hundred and thirty-nine the sum of two thousand dollars ($2,000)

For the payment of the salary of the assistant clerk of the Senate for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and thirty-nine the sum of three thousand eight hundred dollars ($3,800)

For the payment of the salary of the librarian of the Senate for the two years beginning June first one thousand and thirty-seven the sum of nine thousand dollars ($9,000)

For the payment of the salary of the assistant librarian of the Senate for the two years beginning June first one thousand nine hundred and thirty-seven the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salary of the assistant to the secretary of the Senate for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and thirty-nine as provided by law the sum of four thousand two hundred dollars ($4,200)

For the payment of the salary of the stenographer to the President of the Senate for the two years ending May thirty-first one thousand nine hundred and thirty-nine the sum of two thousand four hundred dollars ($2,400)

For the payment of the salaries of the stenographers to the Senate Librarian for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and thirty-nine as provided by law the sum of six thousand three hundred dollars ($6,300)

For the payment of the salaries of two watchmen of the Senate for the two years beginning June first one thousand nine hundred and thirty-seven as provided by law the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salary of the superintendent of the storeroom of the Senate for the two years beginning June first one thousand nine hundred and thirty-seven as provided by law the sum of six thousand dollars ($6,000)

For the payment of the salaries of the custodian of the washroom and of the custodian of the basement of the Senate for the two years beginning June first one thousand nine hundred and thirty-seven as provided by law the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salaries of one custodian of the Senate Chamber and three assistant custodians of the Senate Chamber for the two years beginning June first one thousand nine hundred and thirty-seven as provided by law the sum of eight thousand six hundred twenty-five dollars ($8,625)

For the payment of the salary of the messenger in the Senate Library for the two years beginning June first one thousand nine hundred and thirty-seven as provided by law the sum of two thousand four hundred dollars ($2,400)

To the Secretary of the Senate for the payment of extra services in connection with the compilation of the history of legislation in the Senate session of one thousand nine hundred and thirty-seven the sum of two thousand five hundred dollars ($2,500)

For the payment of the expenses of the Committee on Appropriations of the Senate session of one thousand nine hundred and thirty-nine in investigating schools reformatories prisons asylums hospitals and other institutions supported in whole or in part from the Treasury of the Commonwealth and for the necessary clerical assistance the sum of twelve thousand dollars ($12,000) to be paid on the warrant of the Auditor General drawn in favor of the chairman of said committee on the presentation of his requisition for same and said chairman shall file an account of the committee's expense with the Auditor General within thirty days after the adjournment of the Legislature

For the payment of expenses incident to issuing certificates of election of Senators for the session of one thousand nine hundred and thirty-nine the sum of seventy-five dollars ($75) (Act of June fourteenth one thousand nine hundred and eleven)

For the payment of the contingent expenses including clerical stenographic traveling and discretionary charges of the President Pro Tempore of the Senate during the recess ending January first one thousand nine hundred and thirty-nine the sum of two thousand dollars ($2,000) or as much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and thirty-nine the sum of two thousand dollars $2,000)

For the payment of the necessary expenses including extra labor in the office of the chief clerk for the year ending May thirty-first one thousand nine hundred and thirty-eight the sum of four thousand dollars ($4,000) and for six months ending November thirtieth one thousand nine hundred and thirty-eight the sum of two thousand dollars ($2,000)

For the payment of the incidental expenses of the Senate for six months commencing December first one thousand nine hundred and thirty-eight and for the entire period of the session of one thousand nine hundred and thirty-nine should the same extend beyond May thirty-first such sum as may be necessary to be expended by the chief clerk of the Senate who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts but said chief clerk shall at no time have in his hands more than two thousand dollars ($2,000) for which accounts have not been rendered and settled and the whole amount expended by said chief clerk shall not exceed the sum of eight thousand dollars ($8,000) out of which amount such necessary extra labor in the Senate shall be paid as shall be certified by the President Pro Tempore and the chief clerk.

For the payment of the postage labor and incidental expenses in the office of the Secretary of the Senate for the year ending May thirty-first one thousand nine hundred and thirty-eight the sum of two thousand five hundred dollars ($2,500) and for the year ending May thirty-first one thousand nine hundred and thirty-nine the sum of two thousand five hundred dollars ($2,500)

For the payment of postage labor express charges and all other expenses in the office of the librarian of the Senate for the year ending May thirty-first one thousand nine hundred and thirty-eight the sum of two thousand eight hundred dollars ($2,800) and for the year ending May thirty-first one thousand nine hundred and thirty-nine the sum of two thousand eight hundred dollars ($2,800)

To the Secretary of the Senate for the payment of the expenses of the Senate or committees of the Senate in attending funerals or expenses incident thereto of Senators officers of the Senate or State officials during the two years ending May thirty-first one thousand nine hundred and thirty-nine the sum of three thousand dollars ($3,000)

To the House of Representatives

For the payment of the salaries of two hundred and eight Members of the House of Representatives and extra

compensation allowed by law to the Speaker of the House session of one thousand nine hundred and thirty-nine the sum of five hundred twenty-one thousand dollars ($521,000)

For the payment of the mileage of two hundred and eight Members of the House session of one thousand nine hundred and thirty-nine the sum of eighty-five thousand dollars ($85,000)

For the payment of postage session of one thousand nine hundred and thirty-nine allowed by law to two hundred and eight Members one hundred fifty dollars ($150) each the sum of thirty-one thousand two hundred dollars ($31,200)

For the payment of postage session of one thousand nine hundred and thirty-nine to the chief clerk and assistants the sum of one hundred fifty dollars ($150)

To the chief clerk of the House of Representatives for the payment of postage on the Legislative Journal bills and calendar session of one thousand nine hundred and thirty-nine the sum of ten thousand dollars ($10,000)

For the payment of salaries of the officers and employes of the House of Representatives session of one thousand nine hundred and thirty-nine also for the payment of the session and recess salaries of all officers and employes whose positions are now or may be hereafter created and for the payment of which provision is not otherwise made also for the payment of any increase which may now or hereafter be authorized in the recess and session salaries of the officers and employes of the House of Representatives whose present salaries are provided for in this section the sum of one hundred twenty thousand dollars ($120,000) for the two years ending May thirty-first one thousand nine hundred and thirty-nine

For the payment of the mileage of the officers and employes of the House of Representatives session of one thousand nine hundred and thirty-nine the sum of four thousand dollars ($4,000)

For the payment of the salaries of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and thirty-nine the sum of thirteen thousand dollars ($13,000)

For the payment of the mileage of the returning officers of the House of Representatives at the beginning of the session of one thousand nine hundred and thirty-nine the sum of three thousand dollars ($3,000)

For the payment of the salary of the chief clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and thirty-seven the sum of fifteen thousand dollars ($15,000)

For the payment of the salary of the assistant to the chief clerk of the House of Representatives for the two years beginning June first one thousand nine hundred and thirty-seven the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salary of the chief stenographer to the chief clerk for the time employed during the recess periods in the two years beginning June first one thousand nine hundred thirty-seven the sum of three thousand seventy-five dollars ($3,075)

For the payment of the salary of the assistant clerk of the House of Representatives for the session of one thousand nine hundred and thirty-nine the sum of two thousand dollars ($2,000)

For the payment of the salary of the assistant clerk of the House of Representatives for the time employed during the recess periods in the two years ending May thirty-first one thousand nine hundred and thirty-nine the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the superintendent of storerooms of the House of Representatives for the time employed during the period ending May thirty-first one thousand nine hundred and thirty-nine as provided by law the sum of six thousand dollars ($3,000)

For the payment of salaries of one day watchman and one night watchman of the House of Representatives for the time employed during the period ending May thirty-first one thousand nine hundred and thirty-nine as provided by law the sum of seven thousand two hundred dollars ($7,200)

For the payment of the salary of the custodian of the basement of the House of Representatives for the time employed in the period ending May thirty-first one thousand nine hundred and thirty-nine as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of the salary of the custodian of the Hall of the House of Representatives for the time employed in the period ending May thirty-first one thousand nine hundred and thirty-nine as provided by law the sum of three thousand six hundred dollars ($3,600)

For the payment of salaries of the four assistant custodians of the Hall of the House of Representatives for the time employed in the recess period ending May thirty-first one thousand nine hundred and thirty-nine as provided by law the sum of seven thousand nine hundred eight dollars ($7,908)

For the payment of the salary of the messenger in the House Library for the time employed in the period ending May thirty-first one thousand nine hundred and thirty-nine as provided by law the sum of two thousand four hundred dollars ($2,400)

For the payment of contingent expenses including clerical stenographic traveling and discretionary charges of the Speaker of the House of Representatives during the recess ending January first one thousand nine hundred and thirty-nine the sum of two thousand dollars ($2,000) or as much thereof as may be necessary and for like expenses for the session of one thousand nine hundred and thirty-nine the sum of two thousand dollars ($2,000)

For the payment of the salary of the stenographer to the Speaker of the House of Representatives for the two years beginning June first one thousand nine hundred and thirty-seven the sum of three thousand six hundred dollars ($3,600) or as much thereof as may be necessary

For the payment of the salary of the parliamentarian of the House of Representatives for the two years beginning June first one thousand nine hundred and thirty-seven the sum of six thousand dollars ($6,000) or as much thereof as may be necessary

For the payment of necessary expenses including extra labor in the office of the chief clerk and library for the year ending May thirty-first one thousand nine hundred and thirty-eight the sum of sixteen thousand dollars ($16,000) and for the six months ending November thirtieth one thousand nine hundred and thirty-eight the sum of eight thousand dollars ($8,000)

For the payment of the incidental expenses of the House of Representatives for the six months commencing December first one thousand nine hundred and thirty-eight and for the entire period of the session of one thousand nine hundred and thirty-nine should the same extend beyond May thirty-first those accounts are to be expended by the chief clerk who shall render to the Auditor General accounts from time to time with proper specifically itemized vouchers to be settled in the same manner as other accounts The whole amount thus expended by the chief clerk shall not exceed the sum of twenty thousand dollars ($20,000)

For the payment of the expenses of the Committee on Appropriations of the House of Representatives session of one thousand nine hundred and thirty-nine in investigating schools reformatories prisons asylums hospitals and other institutions supported in whole or in part from the treasury of the Commonwealth and for necessary clerical assistance the sum of twelve thousand dollars ($12,000) to be paid on the warrant of Auditor General drawn in favor of the chairman of the said committee on presentation of his requisition for same the said chairman shall file an account of the committee's expenses with the Auditor General within thirty days after the adjournment of the Legislature

For the payment of the expenses incident to issuing certificates of election to Members of the House of Representatives for the session of one thousand nine hundred and thirty-nine (Act of June fourteenth one thousand nine hundred and eleven) the sum of seven hundred fifty dollars ($750) to be paid by the State Treasurer on warrants of the Auditor General upon presentation of vouchers approved by the Speaker of the House of Representatives

To the chief clerk of the House of Representatives for the payment of the expenses of the House of Representa-

tives or committee of the House of Representatives in attending funerals or expenses incident thereto of Members of the House of Representatives officers of the House of Representatives or State officials during the two years ending May thirty-first one thousand nine hundred and thirty-nine the sum of three thousand dollars ($3,000)

Legislative Journals

The expenses for paper and printing of the Legislative Journals shall be paid out of the appropriation for paper and printing made to the Department of Property and Supplies contained in this act

For the payment of the chief clerk of the Senate and the chief clerk of the House of Representatives for making indices for the journals of each House for the session of one thousand nine hundred and thirty-seven the sum of one thousand five hundred dollars ($1,500)

For the work of the Legislative officials after the close of the session of one thousand nine hundred and thirty-seven on the Legislative Journals also the proof-reading of the appendix and index thereto as provided by law the sum of four thousand five hundred dollars ($4,500)

For the payment of the person or persons appointed to index the Legislative Journals session of one thousand nine hundred and thirty-nine the sum of one thousand five hundred dollars ($1,500) in accordance with the act establishing said journals

Legislative Miscellaneous

To the chief clerk of the House of Representatives for the purpose of paying unpaid bills of Joint Legislative or Senate or House Investigations held prior to the fifteenth day of May one thousand nine hundred and thirty-seven in amounts not exceeding those hereinafter specified

For reporting and furnishing daily copies of transcript of testimony taken in proceedings before the Committee appointed pursuant to Resolution Number Ten of the House of Representatives adopted the seventeenth day of February one thousand nine hundred and thirty one the sum of fifteen thousand six hundred forty dollars and forty cents ($15,640.40)

For reporting and transcribing proceedings before the House Committee to investigate the Pittsburgh Board of Public Education under Resolution Number Twenty-seven session of one thousand nine hundred thirty-seven the sum of three hundred ninety-two dollars ($392)

For reporting and transcribing proceedings before the House Committee to investigate the Pennsylvania Working Home for the Blind under Resolution Number Twenty-nine First Extraordinary session of one thousand nine hundred thirty-six the sum of three thousand seven hundred nineteen dollars and seventy cents ($3,719.70)

For reporting and transcribing proceedings before the House Committee to investigate the Fairmount Park Commission under Resolution Number One hundred fifty-four Session of one thousand nine hundred thirty-five the sum of eight thousand six hundred forty-six dollars and forty-six cents ($8,646.46)

Provided That the amounts hereby appropriated to the chief clerk of the House shall be distributed by him only after the receipt by him of detailed itemized vouchers satisfactory to the Department of the Auditor General and the Treasury Department covering the several amounts disbursed

For the payment of wages and other compensation of employes for the payment of expenses of members in attending conferences and for the payment of the general expenses necessary for the proper conduct of the work of the Commission on Interstate Cooperation the sum of ten thousand dollars ($10,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission The chairman shall file an accounting of said expenses with the Auditor General

For the payment of wages and other compensation of employes for the payment of expenses of members in attending conferences and for the payment of the general expenses necessary for the proper conduct of the work of the Interstate Commission on the Delaware River Basin created by the Commission on Interstate Cooperation the sum of twenty-five thousand dollars ($25,000) to be paid on warrants of the Auditor General in favor of the chairman of said commission The chairman of said commission shall file an accounting of said expenses with the Auditor General

For the payment of traveling and other expenses of the delegates of the General Assembly of Pennsylvania in attending the meetings of the American Legislators' Association the sum of two thousand five hundred dollars ($2,500)

For the support of the American Legislators' Association and the Interstate Legislative Reference Bureau established by it to coordinate the work of the various State Legislative Reference Bureaus and other official agencies dealing with legislative matters the sum of two thousand dollars ($2,000) One-half of said appropriation shall be paid during each fiscal year of the biennium in equal quarterly instalments on requisition drawn by the Auditor General Warrants for such payments shall be drawn to the order of the Director of the Interstate Legislative Reference Bureau

For the payment of wages and other compensation of the employes and for the payment of general expenses necessary for the proper conduct of the work of the Joint State Government Committee the sum of twenty-five thousand dollars ($25,000) to be paid on Auditor General Warrants drawn in favor of the chairman of said committee on the presentation of his requisition for the same The said chairman shall file an accounting of the expense of the committee with the Auditor General thirty days after the convention of the next regular session of the Legislature following his appointment

To the Legislative Reference Bureau

For the payment of the salaries of the director assistant director chief compiler compiler and bill drafter compiler and bill reading clerk search clerk messenger and file clerk chief clerk reference librarian stenographers charwomen regularly employed and bill book clerks and stenographers for the two fiscal years beginning June first one thousand nine hundred and thirty-seven and for the session of the General Assembly of one thousand nine hundred and thirty-nine and for maintenance law books incidental expenses traveling expenses and emergency clerical help and emergency assistants if needed for two years for the Legislative Reference Bureau the sum of ninety-four thousand dollars ($94,000)

JUDICIAL DEPARTMENT

For the payment of the salaries of the judges of the Supreme Court and Superior Courts the salaries and mileage of the president and other law judges of the several Courts of Common Pleas in the Commonwealth and the judges of the several Orphans' Courts and for the compensation of common pleas judges holding court in other districts and for the payment of salaries and mileage of associate judges the following sum or as much thereof as may be necessary for the two fiscal years beginning June first one thousand nine hundred and thirty-seven payments to be made monthly by warrant drawn by the Auditor General on the State Treasurer except in the case of association judges who shall be paid quarterly on August thirty-first November thirtieth February twenty-eighth and May thirty-first of each year but when by reason of death or resignation salary for a fraction of a quarter is due any judge it shall be computed according to the ratio it bears to the whole quarter so as not however to increase or diminish the salary he is entitled to receive under the several acts of Assembly fixing the compensation of judges Provided That at the beginning of the term the interval from first Monday of January to the first Monday of March shall be reckoned as two-thirds of a quarter and at the close of the term the interval from the first day of December to the first Monday of January shall be reckoned as one-third of a quarter

Supreme Court

For the payment of the salaries of the Supreme Court Judges the sum of two hundred seventy-four thousand dollars ($274,000)

For the payment of the salaries or compensation of the briefers investigators stenographers typewriters and clerks and to reimburse the judges of said court for expenses incurred in the discharge of their duties or attendant upon execution of the duties of the office the sum of fifty-six thousand dollars ($56,000)

For the payment of the salary of the deputy prothonotary eastern district the sum of eight thousand six hundred dollars ($8,600)

For the payment of the salary of a chief clerk in the office of the prothonotary of the Supreme Court for the eastern district the sum of six thousand dollars ($6,000)

For the payment of the salary of an assistant chief clerk in the office of the prothonotary of the Supreme Court for the eastern district the sum of three thousand nine hundred dollars ($3,900)

For the payment of the salary of a clerk as assistant to the chief clerk of the prothonotary's office of the Supreme Court in the eastern district the sum of three thousand nine hundred dollars ($3,900)

For the payment of the salary of a record clerk in the office of the prothonotary of the eastern district the sum of six thousand dollars ($6,000)

For the payment of the salaries and expenses of the librarian assistant librarian and for the purchase of books for the library of the Supreme Court at Philadelphia the sum of seventeen thousand three hundred dollars ($17,300)

For the payment of the salary of the deputy prothonotary and clerk middle district the sum of four thousand eight hundred dollars ($4,800)

For the payment of an attendant of the Supreme Court room and office and showroom adjacent thereto middle district the sum of one thousand two hundred dollars ($1,200) payable monthly

For the payment of the salary of a clerk in the office of prothonotary of the Supreme Court western district the sum of six thousand six hundred dollars ($6,600)

For the payment of the salary of a court clerk in the office of the prothonotary of the Supreme Court western district the sum of four thousand eight hundred dollars ($4,800)

For the payment of the salary and expenses of the crier tipstaves official stenographers court officers and special clerk to the Chief Justice of the eastern middle and western districts the sum of sixty-nine thousand five hundred ninety-six dollars ($69,596) Provided That the crier for the middle district shall receive no other compensation from the State

For the purchase of stationery supplies and the payment of the necessary expenses of the said Supreme Court for the eastern district thereof the sum of fifteen thousand five hundred dollars ($15,500) to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Supreme Court for the eastern district thereof

For the purchase of stationery supplies books for the library and other necessary expenses of the Supreme Court western district the sum of five thousand five hundred dollars ($5,500) to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said court for the said western district thereof

For the payment of the fees of the prothonotaries of the Supreme Court of the eastern middle and western districts on assignment of judges to counties other than their own under an order of the Supreme Court dated February nineteen one thousand nine hundred and nineteen the sum of five thousand dollars ($5,000) payments to be made monthly by the State Treasurer on warrants drawn by the Auditor General

For the payment of the expenses of the Supreme Court in the middle district and the Superior Court of Harrisburg the sum of fifteen hundred dollars ($1,500)

For the payment of expenses of Board of Governance of the Pennsylvania Bar the sum of five thousand dollars ($5,000)

Superior Court

For the payment of the salaries of the judges of the Superior Court the sum of two hundred fifty-three thousand dollars ($253,000)

For the payment of the salaries or compensation of the clerks briefers investigators stenographers and typewriters of the Superior Court and to reimburse the judge of said court for expenses incurred in the discharge of their duties the sum of forty-nine thousand dollars ($49,000)

For the payment of the salaries and expenses of the crier and necessary tipstaves of the Superior Court the sum of fifty-six thousand dollars ($56,000)

For the purchase of dockets stationery supplies books for the library and other necessary expenses of the said Supreior Court of its officers the sum of ten thousand dollars ($10,000) to be paid on the warrant of the Auditor General upon presentation of specifically itemized vouchers approved by the prothonotary of the said Superior Court Philadelphia Harrisburg and Pittsburgh

Common Pleas Courts

For the payment of the salaries of the judges of the Courts of Common Pleas learned in the law in the several judicial districts of the Commonwealth the sum of three million thirty-one thousand five hundred dollars ($3,031,500)

For the payment of the compensation carfare and expenses of judges for holding court outside of their own judicial districts in accordance with law the sum of one hundred thousand dollars ($100,000)

For the payment of mileage allowed common pleas judges in judicial districts containing more than one county as provided by law the sum of five thousand dollars ($5,000)

For the payment of the judges of the Courts of Common Pleas of Dauphin County for clerk hire in accordance with the law the sum of fourteen thousand four hundred dollars ($14,400)

Orphans' Court

For the payment of the salaries of the orphans' court judges in the several judicial districts in which separate Orphans' Courts have been established by law the sum of six hundred eighteen thousand dollars ($618,000)

Family Court of Philadelphia

For the payment of the salaries of the judges of the Family Court of Philadelphia in accordance with law the sum of one hundred sixteen thousand seven hundred dollars ($116,700)

County Court of Allegheny County

For the payment of the salaries of the judges of the County Court for County of Allegheny the sum of one hundred twenty-one thousand dollars ($121,000)

To the Juvenile Court of Allegheny County

For the payment of the salary of the judge of the Juvenile Court of the County of Allegheny the sum of twenty thousand dollars ($20,000)

Retired Judges

For the payment of the salaries of the judges of the Supreme Superior Common Pleas and Orphans' Courts who may resign or retire in accordance with the provision of the Act of Assembly approved June twelfth Anno Domini one thousand nine hundred and nineteen (Pamphlet Laws four hundred sixty-one) the sum of one hundred sixty thousand dollars ($160,000)

Associate Judges

For the payment of the salaries of the associate judges the sum of fifty thousand dollars ($50,000)

For the payment to the associate judges of mileage for the two fiscal years beginning June first one thousand nine hundred and thirty-seven the sum of seven thousand dollars ($7,000)

State Reporter

For the payment of the salary of the State Reporter the sum of ten thousand dollars ($10,000)

For the payment of the salary of the Assistant State Reporter the sum of six thousand dollars ($6,000)

For the payment of stationery clerk hire and assistants the sum of twelve thousand dollars ($12,000)

Section 3 This act is not intended to be inconsistent with or to repeal any provision of any act enacted at this or any prior session of the General Assembly regulating the purchase of supplies the ordering of printing and binding the purchase maintenance and use of automobiles the method of making payments from the State Treasury for any purpose or the functioning of any administrative department board or commission

Section 4 No appropriation made by this act to any department board commission or agency of the Executive Department shall be available unless and until such department board commission or agency shall have complied with sections 604 605 and 606 of The Administrative Code

Section 5 The term "employes" as used in this act shall include all directors superintendents bureau of division chiefs assistants directors assistant superintendents assistant chief experts scientists engineers surveyors draftsmen accountants secretaries auditors inspectors examiners statisticians marshals clerks stenographers bookkeepers messengers and other assistants in any department board and commission

Section 6 The term "general expenses" shall include all printing binding and stationery food and forage materials and supplies traveling expenses motor vehicle supplies and repairs freight express and cartage postage telephone and telegraph rentals and toll charges newspaper advertising and notices light heat power and water contracted repairs rent of real estate and equipment premiums on workmen's compensation insurance premiums on policies of liability insurance covering the operation of permanently assigned automobiles the purchase of equipment and machinery other than passenger motor vehicles and all other incidental costs and expenses including payment to the Department of Property and Supplies of mileage charges for the use of automobiles and of expenses or costs of service incurred through the Purchasing Fund

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, this is the General Appropriation Bill. There are a number of items in this bill which will have to await upon determination of legislation in the House before we can know exactly what appropriations should be made. However, the bill must be advanced, and with the understanding that we had in the Appropriations Committee, that either the bill would go to a conference between the House, or that the subcommittee of the Committee on Appropriations of the House would meet with the sub-committee of the Senate, I feel that we should go along and pass this bill tonight, so that it may be advanced. We cannot do much good by fighting over any of the details, if we do feel that there are certain details that should be changed, but at this time, as I said, we do not know what course the legislation will take; for instance, take the question of relief, mothers' assistance, the consolidation of the State Police and the State Highway Patrol and a number of other features that appear in the bill.

The Chairman of the Committee on Appropriations has been most fair with me in the consideration of all the problems, and I therefore am willing that the bill go ahead on the understanding, however that we may have comment and criticism on the bill.

Mr. HERBERT B. COHEN. Mr. Speaker, I wish to thank the gentleman from Delaware. What he said is quite correct. The appropriation bill, as it appears on the members' desks at the present time by no means represents the General Appropriation Bill which will finally be enacted at the termination of this session. As the gentleman from Delaware, Mr. Turner, has indicated, there are a number of legislative acts that await completion before we can definitely know just what further appropriations will be necessary for the State government.

I wish to extend to the gentleman from Delaware my thanks, who for the second session has assisted me in the work of the Appropriations Committee. We have had numerous hearings with the various departments, at which times the gentleman from Delaware was present, as well as other members of the Appropriations Committee. Due to our labors and efforts, we have a much better picture of the operations of the government, and to no small degree is the success of the Appropriations Committee dependent upon the efforts of the gentleman from Delaware. I ask that this bill be given the approval of the membership of the House, and we will have an opportunity to see just how the departmental appropriations change when the bill comes back to the House for concurrence.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boies,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wad,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, that the Clerk present the same to the Senate for concurrence.

HOUSE BILL No. 1690 MADE A SPECIAL ORDER

Mr. McARDLE. Mr. Speaker, I move that House Bill No. 1690 Printer's No. 1067, entitled:

An Act regulating the mining of bituminous coal prescribing duties for county commissioners and imposing penalties.

on page 30 of today's calendar, bills on third reading be made a special order of business on Monday, May 24, 1937, at 10:00 p. m.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1465, as follows:

An Act relating to vocational education creating vocational school districts for the purpose of conducting systems of vocational schools departments or classes providing for their government prescribing their powers and duties conferring powers and imposing duties on school districts and on the State Board for Vocational Education and providing for referendum in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That each school district of this Commonwealth is hereby constituted a separate political subdivision to be known as a vocational school district for the purposes and with the powers hereinafter specified Provided however That all of the school districts in each county that are under the jurisdiction of the county superintendent shall together constitute one vocational school district

Section 2 Each vocational school district having a population of five hundred thousand (500,000) or more shall be a vocational school district of the first class

Each vocational school district having a population of thirty thousand (30,000) or more but less than five hundred thousand (500,000) shall be a vocational school district of the second class

Each vocational school district having a population of five thousand (5,000) or more but less than thirty thousand (30,000) shall be a vocational school district of the third class

Each vocational school district having a population of less than five thousand (5,000) shall be a vocational school district of the fourth class

Section 3 The affairs of each vocational school district shall be conducted by the board of school directors or by the county board of school directors as the case may be created by the school laws of this Commonwealth who shall when so acting be known as boards of directors of vocational schools The secretary and the treasurer elected by the board of school directors or by the county board of school directors as the case may be shall serve as secretary and as treasurer respectively of the vocational school district

Section 4 Subject to the applicable provisions of the school laws of this Commonwealth each board of directors of vocational schools shall have power and its duty shall be

(a) To make or cause to be made a survey to determine the vocational education needs of the vocational school district

(b) To make and establish and from time to time alter and amend rules and regulations for the transaction of its business and for the administration of the work under its charge

(c) To employ supervisors and teachers and all other persons necessary to carry on vocational education and to determine the salaries to be paid

(d) To purchase lease rent improve or sell land and to build repair improve lease rent buy and sell buildings

(e) To acquire real property by condemnation for the purposes of vocational school district Such condemnation proceedings shall be instituted and conducted by the board in the name of the district in the same manner as provided by law in the case of school districts

(f) To incur and increase indebtedness and to issue its bonds or other evidences of indebtedness therefor

(g) To purchase all necessary furniture implements books materials equipment and supplies

(h) To make contracts with counties cities boroughs towns townships and school districts or other agencies for carrying out the purposes of this act

(i) To make an annual report in writing to the Department of Public Instruction and such other reports as the department may require

(j) Such other powers and duties as are necessary to carry into effect the purposes of this act

Section 5 The powers and duties of vocational school districts shall be limited to the establishment maintenance conducting and operation of vocational industrial vocational agricultural vocational home-making and vocational distributive occupational schools departments and classes when and only when the same have been authorized by the electors of the district as hereinafter provided In carrying out these functions (except as otherwise expressly provided by law) all vocational school districts all boards of directors of vocational schools and all vocational public schools departments and classes established under the provisions of this act shall be subject to all the provisions of the public school laws of this Commonwealth which apply generally to school districts of the particular class to boards of directors thereof and to public secondary schools and vocational schools and the teaching and supervisory staffs thereof

Section 6 The board of directors of vocational schools of each vocational school district shall have power if and when necessary to levy an annual tax on all property within the district taxable for school purposes and on the valuation used for county tax purposes The board of directors shall have power to prepare duplicates of such taxes by municipal districts and provide for the collection of such taxes by issuing warrants to the respective collectors of taxes in each city borough incorporated town and township within the districts The compensation for the collection of such taxes shall be fixed by the board of directors In the collection of such taxes the respective tax collectors shall have all the powers of collectors of county taxes If any municipal collector of taxes shall refuse or neglect to collect such district taxes or for fifteen days after notice so to do neglect or refuse to furnish a bond as herein provided the board of directors shall have power to appoint a tax collector for such district Each tax collector shall give a separate bond annually to the Commonwealth for the use of said district in such amount as the board of directors may fix The same discounts for prompt payment and the same penalties for delinquency shall apply to such taxes as in the case of county taxes and exonerations of district taxes may be allowed by the directors thereof in the same manner as other taxes are now exonerated Delinquent taxes of the district may be collected by return and county treasurer's sale thereon or by lien filed in the office of the prothonotary in the same manner as county taxes

The Commonwealth shall reimburse the vocational school districts herein established in the same manner and to the same extent as is provided by existing law for salaries of teachers transportation and tuition of pupils and any other reimbursements to which school districts are now or shall hereafter be entitled

Section 7 Whenever it shall have been determined by resolution of the State Board for Vocational Education that a need exists in any vocational school district or districts for vocational industrial vocational agricultural vocational home-making or vocational distributive occupational public schools departments or classes the State

Board for Vocational Education shall transmit a copy of such resolution to the board or boards of directors of vocational schools of such district or districts

Section 8 Each board of directors of vocational schools receiving a copy of such resolution shall vote on the question whether vocational schools should be established in their district or jointly with another vocational school district or districts or another school district or dstricts in accordance with the recommendation contained in said resolution of the State Board of Vocational Education In case the board of directors of vocational schools shall by a majority vote favor the establishment in their district of vocational school the question as to their establishment shall be submitted to a vote of the electors as hereinafter provided

Section 9 Whenever electors equal to at least ten per centum of the highest vote cast for any office in the territory comprised within any vocational school district at the last preceding general election shall petition the board of directors of vocational schools of such district for a referendum on the question of the establishment of vocational schools or whenever the board of directors shall have voted in favor of the same as hereinbefore provided the board of directors shall cause a question to be submitted at the general or municipal election occurring at least sixty days thereafter by certifying a resolution duly adopted to the county commissioners for submission of such question on the ballot or on voting machines at such election in the manner provided by the election laws of the Commonwealth

Such question shall be in the following form

Do you favor the establishment of vocational schools in the vocational school district of?	Yes / No	____

If a majority of the persons voting on such question vote "Yes" then vocational schools shall be forthwith established and maintained in such vocational school district as provided by law

Section 10 The board of directors of vocational schools in any two or more vocational school districts that have voted in favor of the establishment of vocational schools or any one or more vocational school districts having so voted and any one or more school districts may establish construct equip furnish and maintain joint public vocational industrial vocational agricultural vocational homemaking or vocational distributive occupational schools departments or classes The cost of establishing constructing equipping furnishing and maintaining such joint schools departments or classes shall be paid by the several districts establishing the same in such manner and in such proportion as they may agree upon All vocational schools departments or classes so established and maintained shall be governed and controlled as other joint public schools and departments are governed and controlled under the laws of this Commonwealth

Section 11 The State Board for Vocational Education shall prescribe rules and regulations for the organization management and control of such schools The boards of directors of vocational schools maintaining any such schools shall receive pupils from other districts so far as their facilities will permit provided the rate of tuition is determined and paid in accordance with the provisions of the school law

Section 12 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 13 All acts and parts of acts inconsistent herewith are hereby repealed

Section 14 The provisions of this act do not repeal or in anywise affect any of the provisions of the existing laws of this Commonwealth providing for the establishment maintenance conduct or operation of vocational school departments or classes by school districts or unions of school districts

Section 15 The provisions of this act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Baltheser	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Vallbus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2346, (Senate Bill No. 1047), entitled:

An Act to amend the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estate including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as

fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the Court of Common Pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by further modifying the terms qualifications and other conditions under which the investment of trust funds may be made by fiduciaries by further providing for additional investments of trust funds by fiduciaries and by further providing with respect to the retention or sale of certain investments in the hands of fiduciaries.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Habbyshaw,	McShane,	Simpson,
Alexander,	Haberlen,	Melchiorre,	Skale,
Allen,	Hagerty,	Mellott,	Sloan,
Arnold,	Hall,	Merrell,	Smith, James A.,
Atkins,	Hamilton, F. P.,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, R. S.,	Mooney,	Snyder,
Baine,	Harkins,	Moran,	Sollenberger,
Baker, J. J.,	Harmuth,	Moul,	Spengler,
Balthaser	Hays,	Muir,	Sproul,
Bierly,	Hering,	Munley,	Stackpole,
Blank,	Hess,	Murrin,	Stank,
Bohn,	Hindman,	Nagel,	Stewart,
Boles,	Hirsch,	O'Brien,	Stockham,
Boltz,	Holland,	O'Connor,	Strode,
Boose,	Holmes,	O'Keefe,	Terry,
Boyer,	Holstrom,	Ominsky,	Thomas,
Bradley,	Hontz,	O'Neill,	Thompson,
Brancato,	Horting,	Ostroff,	Toole,
Broad,	Huntley,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,
Gerard,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 638, entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University Chester County.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Alexander,	Gerard,	McShane,	Simpson,
Achterman,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted

in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1141, entitled:

An Act making appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell	Smith, James A.
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin.	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1153, entitled:

An Act making an appropriation to the Department of Property and Supplies for repairs alterations and additions to or replacements of existing buildings and equipment to eliminate fire and other hazards to safety at State institutions.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	Melchiorre,	Skale,
Alexander,	Habbyshaw,	Mellott,	Sloan,
Allen,	Haberlen,	Merrell,	Smith, James A.,
Arnold,	Hagerty,	Moomaw,	Smith, John A.,
Atkins,	Hall,	Mooney,	Snyder,
Aukerman,	Hamilton, F. P.,	Moran,	Sollenberger,
Baine,	Hamilton, R. S.,	Moul,	Spengler,
Baker, J. J.,	Harkins,	Muir,	Sproul,
Balthaser	Harmuth,	Munley,	Stackpole,
Bierly,	Hays,	Murrin,	Stank,
Blank,	Hess,	Nagel,	Stewart,
Bohn,	Hindman,	O'Brien,	Stockham,
Boles,	Hirsch,	O'Connor,	Strode,
Boltz,	Holland,	O'Keefe,	Terry,
Boose,	Holmes,	Ominsky,	Thomas,
Boyer,	Holstrom,	O'Neill,	Thompson,
Bradley,	Hontz,	Ostroff,	Toole,
Brancato,	Horting,	Patterson, C. S.,	Tronzo,
Broad,	Imbrie,	Patterson, J. W.,	Tumelty,
Brown,	Jirolanio,	Pearson,	Turner,
Brownfield,	Kane,	Perry,	Valibus,
Burrows,	Keenan,	Pershing,	VanAllsburg,
Cadwalader,	Kelso,	Piole,	VanSickle,
Caesar,	Kilroy,	Powers,	Vogt,
Caputo,	Kline,	Preston,	Wagner,
Coakley,	Kroll,	Readinger,	Wall,
Cohen, H. B.,	LaRue,	Reese,	Walsh,
Cohen, R. E.,	Leisey,	Reising,	Wampole,
Coleman,	Levy,	Richter,	Watkins,
Coolahan,	Lewis,	Robinson,	Webster,
Costanzo,	Long,	Rothenberger,	Weidemann,
Davies,	Longaker,	Royer,	Weiss, D. H.,
Decker,	Lopresti,	Rush,	Weiss, S. A.,
DeNote,	Lovett,	Sarraf,	Welliver,
Dickinson,	Lyons,	Scanlon,	Welsh,
Donohoe,	Mallen,	Schor,	Whalen,
Dougherty,	Marino,	Schrock,	Whitenight,
Downey,	Matthews, H. T.,	Schrope,	Wilson,
Dubbs,	Matthews, J. F.,	Schumacher,	Winner,
Dyson,	McArdle,	Serrill,	Wood,
Elpern,	McCullough,	Shaw,	Woodside,
Falkenstein,	McDermott,	Shea,	Wright,
Fiss,	McDevitt,	Shepard,	Yanoshat,
Fitch,	McElroy,	Shoemaker,	Yeakel,
Flanagan,	McFall,	Shugarts,	Yourishin,
Flannery,	McGee,	Siegel,	Zappala,
Flinchbaugh,	McKinney,	Simon,	Furman,
Ganser,	McShane,	Simpson,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1372, entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates rentals and other charges that may become due on leases and other contracts executed by such Department with the General State Authority for the use and occupancy by the Commonwealth of various projects structures buildings and facilities of the Authority or for the services rendered by the Authority or its projects

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, John A.
Atkins,	Hall,	Moomaw,	Smith, James A.
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 486, as follows:

An Act making an appropriation to the Trustees of Temple University at Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million dollars ($1,000,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of Temple University at Philadelphia for the two fiscal years beginning June first one thousand nine hundred and thirty-seven for the general maintenance of the University and the purchase of such apparatus and equipment as the Trustees may deem necessary for the best interests of the University

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2330, as follows:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred ten thousand dollars ($110,000) or so much thereof as may be necessary is hereby specifically appropriated to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-seven for the purpose of maintenance of a school of medicine

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2181, (Senate Bill No. 274), entitled:

An Act relating to statutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2166, (Senate Bill No. 610), entitled:

An Act providing for the creation of a legal holiday on September 17 1937 to be known and observed as "Constitution Day"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boies,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2211, (Senate Bill No. 643), entitled:

An Act regulating and prescribing the computation and running of sentences for criminal offenses.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boies,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2258, (Senate Bill No. 1086), entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections and in case any bonds have been sold by a municipality and the publication of notices of the sale have been defective to cure such defective publication of sale notices and validate the sale thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Skale,
Alexander,	Habbyshaw,	Melchiorre,	Sloan,
Allen,	Haberlen,	Mellott,	Smith, James A.,
Arnold,	Hagerty,	Merrell,	Smith, John A.,
Atkins,	Hall,	Moomaw,	Snyder,

Aukerman,	Hamilton, F. P.,	Mooney,	Sollenberger,
Baine,	Hamilton, R. S.,	Moran,	Spengler,
Baker, J. J.,	Harkins,	Moul,	Sproul,
Balthaser,	Harmuth,	Muir,	Stackpole,
Bierly,	Hays,	Munley,	Stank,
Blank,	Hering,	Murrin,	Stewart,
Bohn,	Hess,	Nagel,	Stockham,
Boles,	Hindman,	O'Brien,	Strode,
Boltz,	Hirsch,	O'Connor,	Terry,
Boose,	Holland,	O'Keefe,	Thomas,
Boyer,	Holmes,	Ominsky,	Thompson,
Bradley,	Holstrom,	O'Neill,	Toole,
Brancato,	Hontz,	Ostroff,	Tronzo,
Broad,	Horting,	Patterson, C. S.,	Tumelty,
Brown,	Imbrie,	Patterson, J. W.,	Turner,
Brownfield,	Jirolanio,	Pearson,	Valibus,
Burrows,	Kane,	Perry,	VanAllsburg,
Cadwalader,	Keenan,	Pershing,	VanSickle,
Caesar,	Kelso,	Piole,	Vogt,
Caputo,	Kilroy,	Powers,	Wagner,
Coakley,	Kline,	Preston,	Wall,
Cohen, H. B.,	Kroll,	Readinger,	Walsh,
Cohen, R. E.,	LaRue,	Reese,	Wampole,
Coleman,	Leisey,	Reising,	Watkins,
Coolahan,	Levy,	Richter,	Webster,
Costanzo,	Lewis,	Robinson,	Weidemann,
Davies,	Long,	Royer,	Weiss, D. H.,
Decker,	Longaker,	Rush,	Weiss, S. A.,
DeNote,	Lopresti,	Sarraf,	Welliver,
Dickinson,	Lovett,	Scanlon,	Welsh,
Donohoe,	Lyons,	Schor,	Whalen,
Dougherty,	Mallen,	Schrock,	Whitenight,
Downey,	Marino,	Schrope,	Wilson,
Dubbs,	Matthews, J. F.,	Schumacher,	Winner,
Dyson,	Matthews, H. T.,	Serrill,	Wood,
Elpern,	McArdle,	Shaw,	Woodside,
Falkenstein,	McCullough,	Shea,	Wright,
Fiss,	McDermott,	Shepard,	Yanoshat,
Fitch,	McDevitt,	Shoemaker,	Yeakel,
Flanagan,	McElroy,	Shugarts,	Yourishin,
Flannery,	McFall,	Siegel,	Zappala,
Flinchbaugh,	McGee,	Simon,	Furman,
Ganser,	McKinney,	Simpson,	

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2304, (Senate Bill No. 1133), entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws 65) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections and in case any bonds have been sold by a municipality and the publication of notices of the sale have been defective to cure such defective publication of sale notices and validate the sale thereof

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2292, (Senate Bill No. 931), entitled:

An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class boroughs and townships of the first class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments claims and liens

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,

Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser,	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS— 0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with out amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2207, (Senate Bill No. 670), entitled:

An Act to further amend sections four and six of the act approved he seventh day of August 1936 (Pamphlet Laws 106) entitled "An relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships the Department of Highways and the Department of Property and Supplies" as re-enacted and amended by providing for the recording of completed suitable plans and the effect thereof as constructive notice to owners of property taken damaged or restroyed and correcting the reading of section six

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—192

Achterman,	Gerard,	McShane,	Simpson,
Alexander,	Habbyshaw,	Melchiorre,	Skale,
Allen,	Haberlen,	Mellott,	Sloan,
Arnold,	Hagerty,	Merrell,	Smith, James A.,
Atkins,	Hall,	Moomaw,	Smith, John A.,
Aukerman,	Hamilton, F. P.,	Mooney,	Snyder,
Baine,	Hamilton, R. S.,	Moran,	Sollenberger,
Baker, J. J.,	Harkins,	Moul,	Spengler,
Balthaser	Harmuth,	Muir,	Sproul,
Bierly,	Hays,	Munley,	Stackpole,
Blank,	Hering,	Murrin,	Stank,
Bohn,	Hess,	Nagel,	Stewart,
Boles,	Hindman,	O'Brien,	Stockham,
Boltz,	Hirsch,	O'Connor,	Strode,
Boose,	Holland,	O'Keefe,	Terry,
Boyer,	Holmes,	Ominsky,	Thomas,
Bradley,	Holstrom,	O'Neill,	Thompson,
Brancato,	Hontz,	Ostroff,	Toole,
Broad,	Horting,	Patterson, C. S.,	Tronzo,
Brown,	Imbrie,	Patterson, J. W.,	Tumelty,
Brownfield,	Jirolanio,	Pearson,	Turner,
Burrows,	Kane,	Perry,	Valibus,
Cadwalader,	Keenan,	Pershing,	VanAllsburg,
Caesar,	Kelso,	Piole,	VanSickle,
Caputo,	Kilroy,	Powers,	Vogt,
Coakley,	Kline,	Preston,	Wagner,
Cohen, H. B.,	Kroll,	Readinger,	Wall,
Cohen, R. E.,	LaRue,	Reese,	Walsh,
Coleman,	Leisey,	Reising,	Wampole,
Coolahan,	Levy,	Richter,	Watkins,
Costanzo,	Lewis,	Robinson,	Webster,
Davies,	Long,	Rothenberger,	Weidemann,
Decker,	Longaker,	Royer,	Weiss, D. H.,
DeNote,	Lopresti,	Rush,	Weiss, S. A.,
Dickinson,	Lovett,	Sarraf,	Welliver,
Donohoe,	Lyons,	Scanlon,	Welsh,
Dougherty,	Mallen,	Schor,	Whalen,
Downey,	Marino,	Schrock,	Whitenight,
Dubbs,	Matthews, H. T.,	Schrope,	Wilson,
Dyson,	Matthews, J. F.,	Schumacher,	Winner,
Elpern,	McArdle,	Serrill,	Wood,
Falkenstein,	McCullough,	Shaw,	Woodside,
Fiss,	McDermott,	Shea,	Wright,
Fitch,	McDevitt,	Shepard,	Yanoshat,
Flanagan,	McElroy,	Shoemaker,	Yeakel,
Flannery,	McFall,	Shugarts,	Yourishin,
Flinchbaugh,	McGee,	Siegel,	Zappala,
Ganser,	McKinney,	Simon,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendment in which the concurrence of the Senate is requested.

TIME EXTENDED ON BILL

Mr. TURNER. Mr. Speaker, I move that the time on House Bill No. 2114, Printer's No. 905, entitled:

An Act relating to trust indentures deeds of trusts or similar instruments relating to real estate mortgages and interests therein regulating and supervising the appointment creation powers and duties of trustees bondholders' protective committees depositories management companies voting trustees and other persons administering holding in custody or otherwise concerned with real estate mortgages and interests therein imposing certain powers and duties on Courts of Common Pleas and prescribing penalties.

on page 43 of today's calendar, bills on third reading postponed, be extended five days.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. SIEGEL, from the Committee on Appropriations, reported as committed, House Bill No. 2435, entitled:

An Act making an appropriation to the Civil Liberties Commission.

Mr. AUKERMAN, from the Committee on Appropriations, reported as committed, House Bill No. 2436, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; prescribing the powers and duties of the State Emergency Relief Board and certain State departments; prohibiting political activity by employes of the State Emergency Relief Board; and prescribing penalties.

Mr. SARRAF, from the Committee on Appropriations, reported as committed, House Bill No. 844, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of rehabilitating, repairing, restoring, maintaining, and re-conditioning the property at Ambridge, Beaver County, Pennsylvania, formerly owned and occupied by the Harmony Society and known as "Old Economy."

Mr. STANK, from the Committee on Appropriations, reported as committed, House Bill No. 143, entitled:

An Act making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania.

Mr. ZAPPALA, from the Committee on Appropriations, reported as committed, House Bill No. 1237, entitled:

An Act authorizing and empowering the officers of the Commonwealth to refund the license moneys paid under the act of July seventeen, one thousand nine hundred and nineteen (P. L. 1003), entitled "An act requiring licenses to sell teamship tickets or orders for transportation to or from foreign countries and providing penalties," as amended; providing for the method of reimbursement to such licensees, and making an appropriation therefor.

Mr. ALEXANDER, from the Committee on Appropriations, reported as committed, House Bill No. 1135, entitled:

An Act making an appropriation to the Department of Property and Supplies for the restoration, preservation, development and maintenance of the Ephrata Cloisters Park.

Mr. JOHN J. BAKER, from the Committee on Appropriations, reported as committed, House Bill No. 2402, entitled:

An Act making an appropriation to the Flagship Niagara Commission.

Mr. SAMUEL A. WEISS, from the Committee on Federal Relations, reported as committed, House Bill No. 2426, (Senate Bill No. 1304), entitled:

An Act for the conveyance to the United States of America of title in and to certain lands in the Township of Fairview County of York and ceding to the United States jurisdiction over said lands.

Mr. BROWNFIELD, from the Committee on Military Affairs, reported as committed, House Bill No. 2445, (Senate Bill No. 1301), entitled:

An Act providing for the erection construction and equipment of armories for the use of the Pennsylvania National Guard designating the manner of acquiring or setting aside of land for the erection and construction of armories thereon by The General State Authority authorizing the Commonwealth to lease such armories and their grounds from The General State Authority upon their completion and the Armory Board of the State of Pennsylvania to manage and operate the same and conferring powers and imposing duties upon certain State departments and boards.

Miss BRANCATO, from the Committee on Labor, reported as amended House Bill No. 1640, entitled:

A Supplement to the act approved the second day of June one thousand nine hundred fifteen (P. L. 736) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing a compulsory system and schedule of compensation providing procedure for the determination of liability and compensation thereunder and prescribing penalties" as amended and re-enacted providing for the inclusion of occupational diseases within the scope thereof and providing definitions provisions and procedue related to such diseases and making an appropriation.

Mr. LaRUE, from the Committee on Appropriations, reported as committed, House Bill No. 978, entitled

An Act creating the "Valley Forge Peace Memorial Fund" in the State Treasury for the receipt of contributions by this and other states and the Federal Government, for the purpose of providing, erecting and dedicating on the Valley Forge Camping Ground of an Eternal Light Peace Memorial; appropriating the moneys in said fund to the Valley Forge Park Commission; and making an appropriation into said fund.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2435, entitled:

An Act making an appropriation to the Civil Liberties Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2436, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; prescribing the powers and duties of the State Emergency Relief Board and certain State departments; prohibiting political activity by employes of the State Emergency Relief Board; and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 844, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of rehabilitating, repairing, restoring, maintaining and reconditioning the property at Ambridge, Beaver County, Pennsylvania, formerly owned and occupied by the Harmony Society and known as "Old Economy".

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 143, entitled:

An Act making an appropriation to the Johnson Industrial School of Scranton, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1237, entitled:

An Act authorizing and empowering the officers of the Commonwealth to refund the license moneys paid under the act of July seventeenth, on thousand nine hundred and nineteen (P. L. 1003), entitled "An act requiring licenses to sell steamship tickets or orders for transportation to or from foreign countries, and providing penalties," as amended, providing for the method of reimbursement to such licensees, and making an appropriation therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1135, entitled:

An Act making an appropriation to the Department of Property and Supplies for the restoration, preservation, development and maintenance of the Ephrata Cloisters Park.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2402, entitled:

An Act making an appropriation to the Flagship Niagara Commission.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RESOLUTION

Mr. TUMELTY offered a resolution which was filed with the Clerk under the Rules.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair wishes to thank all the members for doing the work that they have done today; for having been loyal and faithful in staying until the day's work was completed.

RESOLUTION No. 83

Mr. JOHN A. SMITH. Mr. Speaker, I desire to call up at this time Resolution No. 83, Printer's No. 1014.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 11, 1937.

Whereas The Seventh World's Poultry Congress will be held in the United States in the early part of 1939 which will be its first meeting in the United States and

Whereas The United States is now the leading poultry producing and consuming nation of the world and

Whereas Pennsylvania ranks first among the states in the value of eggs produced fourth in the value of chickens raised fifth in the number of eggs produced and seventh in the number of chickens raised therefore be it

Resolved (if the Senate concur) That the Commonwealth of Pennsylvania hereby invites the seventh World's Poultry Congress to hold its [illegible] exhibition in Pennsylvania and urges favorable consideration of this invitation because of the importance of Pennsylvania in the poultry industry and the suitable exhibition places which are available for such purposes in this State

Resolved That a copy of this resolution be transmitted to the committee in charge of the selection of the place for the holding of this exhibition by the Chief Clerk of this House

On the question,

Will the House adopt the resolution?

It was adopted.

Ordered, That the Clerk present the same to the Senate for concurrence.

ADJOURNMENT

Mr. WALSH. Mr. Speaker, I move that this House do now adjourn until Monday, May 24, 1937, at 9:00 p. m.

The motion was agreed to, and (at 10:46 p. m.) the House adjourned until Monday, May 24, 1937, at 9:00 p. m.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1937. 132d of the General Assembly.

Vol. 21. HARRISBURG, PA., MONDAY, MAY 24, 1937. No. 64.

SENATE

MONDAY, May 24, 1937.

The Senate met at 9:00 o'clock p. m.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

PRAYER

The Rev. Mr. FRANK W. RUTH, offered the following prayer:

O Lord God our Father, at this the beginning of a new week we come to Thee. We admit we are weak and that we cannot do all things alone but that we must go hand in hand with Thee and Thou wilt guide us to do the things which shall bring the greatest blessings upon the people of this great State whom we represent, and when the sum total of our efforts is made up, it will show that we are of the mind and spirit and body of the poet who said:

"Let me live in a house by the side of the road
Where the rest of world goes by,
The men who are good and the men who are bad
As good and as bad as I;
I would not sit in the scorner's seat
Nor hurl the cynic's ban;
Let me live in a house by the side of the road
And be a friend to man." Amen.

JOURNAL APPROVED

The PRESIDENT—A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. KAHLE, the further reading was dispensed with, and the Journal was approved.

COMMUNICATIONS FROM THE GOVERNOR

The Secretary to the Governor being introduced presented communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

JOINT SESSION

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 24, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

If it meets with approval of the General Assembly, I should like to address the members in joint session at nine thirty o'clock this evening.

GEORGE H. EARLE.

Mr. HALUSKA. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HALUSKA offered the following resolution, which was twice read considered and agreed to:

In the Senate, May 24, 1937.

Resolved (if the House of Representatives concur) That the Senate and House of Representatives meet in Joint Session, Monday evening, May 24, 1937, at 9:30 o'clock in the Hall of the House for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

Ordered, That the Clerk inform the House of Representatives accordingly.

COMMITTEE OF ESCORT

Mr. RUTH. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RUTH offered the following resolution, which was twice read considered and agreed to:

In the Senate, May 24, 1937.

Resolved (if the House of Representatives concur) That a Committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives, (if the House shall appoint such committee), to escort His Excellency, the Governor, to the Hall of the House to address the Members of the General Assembly in Joint Session, Monday evening, May 24, 1937, at 9:30 o'clock, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk inform the House of Representatives accordingly.

Messrs. Clayton, E. Moul and G. Edgar Kline, a Committee on the part of the House informed the Senate that the House is ready to receive officers and members of the Senate and are ready to escort them to the Hall of the House.

The PRESIDENT. The Chair appoints the following Senators Messrs. Sones, Kahle and Gelder, as a Committee on the part of the Senate, to escort His Excellency, the Governor, to the Hall of the House to address the Members of the General Assembly in Joint Session, Monday evening, May 24, 1937, at 9:30 o'clock, pursuant to a resolution already adopted by the Senate and House of Representatives.

PETITIONS AND REMONSTRANCES

The Chair cleared his table and laid before the Senate the following communications:

OPPOSING HOUSE BILL NO. 1984.

Telegram from T. L. Rosensteel of Vandergrift, Pa., opposing House Bill No. 1984.

Which was referred to the Committee on Highways.

URGING PASSAGE OF SENATE BILL NO. 343

Telegram from Liebert and Obert, Philadelphia Brewing Co., C. Schmidt & Sons Inc., urging passage of Senate Bill 343 which allows grocers to sell bottled beer in less than case lots.

Which was referred to the Committee on State Boards.

PROTESTING PACKAGE PROVISION OF SENATE BILL NO. 343

Senator J. Albert Reed, presented petitions from members of the Men's Brotherhood of Claysville, Pa., protesting the package provision of Senate Bill No. 343.

Which was referred to the Committee on State Boards.

OPPOSING BILL WHICH WOULD ABOLISH POOR RELIEF BY ELECTED POOR DIRECTORS

Petitions from numerous citizens of the Commonwealth of Pennsylvania opposing any measure or bill which would abolish the present poor relief by elected Poor Directors, or to curtail or limit their power and duties under existing law.

Which was referred to the Committee on Welfare.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 86 (Senate Bill No. 1406), entitled:

An Act to establish as a State highway a certain section of public road in the County of Allegheny, and providing for its construction and maintenance at the expense of the Commonwealth.

Which was committed to the Committee on Highways.

House Bill No. 486 (Senate Bill No. 1407), entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 638 (Senate Bill No. 1408), entitled:

An Act making an appropriation to the Trustees of Lincoln University, Chester County.

Which was committed to the Committee on Appropriations.

House Bill No. 1141 (Senate Bill No. 1409), entitled:

An Act making an appropriation to the Board of Commissioners of Navigation for the River Delaware and its navigable tributaries.

Which was committed to the Committee on Appropriations.

House Bill No. 1153 (Senate Bill No. 1410), entitled:

An Act making an appropriation to the Department of Property and Supplies for repairs, alterations and additions to or replacements of existing buildings and equipment to eliminate fire and other hazards to safety at State institutions.

Which was committed to the Committee on Appropriations.

House Bill No. 1177 (Senate Bill No. 1411), entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative, and Judicial Departments of the Commonwealth, interest on the public debt, and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-seven; and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first, one thousand nine hundred and thirty-seven.

Which was committed to the Committee on Appropriations.

House Bill No. 1372 (Senate Bill No. 1412), entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such Department with the General State Authority for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority, or for the services rendered by the Authority or its projects.

Which was committed to the Committee on Appropriations.

House Bill No. 1465 (Senate Bill No. 1413), entitled:

An Act creating county vocational school districts for the purpose of conducting county systems of vocational schools departments or classes; and defining the powers and duties of county boards of school directors in connection therewith.

Which was committed to the Committee on Appropriations.

House Bill No. 2330 (Senate Bill No. 1414), entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital, of Philadelphia, Pennsylvania.

Which was committed to the Committee on Appropriations.

He also informed the Senate that the House has concurred in the following resolution:

In the Senate, May 24, 1937.

Resolved (if the House of Representatives concur) That the Senate and House of Representatives meet in Joint Session, Monday evening, May 24, 1937, at 9:50 o'clock in the Hall of the House for the purpose of hearing an address of His Excellency, the Governor of the Commonwealth.

HOUSE CONCURS IN SENATE BILL NO. 274

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 274, entitled:

An Act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation

of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, reenactments and repeals of statutes.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 610

He also returned to the Senate, Senate Bill No. 610, entitled:

An Act providing for the creation of a legal holiday on September 17, 1937, to be known and observed as "Constitution Day."

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 643

He also returned to the Senate, Senate Bill No. 643, entitled:

An Act regulating and prescribing the computation and running of sentences for criminal offenses.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 931

He also returned to the Senate, Senate Bill No. 931, entitled:

An Act to validate certain proceedings for municipal improvements municipal assessments municipal claims and municipal liens in the several cities of the third class boroughs and townships of the first class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments and liens

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 1047

He also returned to the Senate, Senate Bill No. 1047, entitled:

An Act to amend the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447), entitled "An Act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised, the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds; transcripts to the Court of Common Pleas of balances due by fiduciaries; the rights, powers, and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and also, generally dealing with the jurisdiction powers, and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents," as amended, by further modifying the terms, qualifications, and other conditions under which the investment of trust funds may be made by fiduciaries; by further providing for additional investments of trust funds by fiduciaries; and by further providing with respect to the retention or sale of certain investments in the hands of fiduciaries

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 1086

He also returned to the Senate, Senate Bill No. 1086, entitled:

An Act validating certain proceedings and election of municipalities had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections, and in case any bonds have been sold by a municipality and the publication of notices of the sale have been defective, to cure defective publication of sale notices and validate the sale thereof.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL NO. 1133

He also returned to the Senate, Senate Bill No. 1133, entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An Act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections and in case any bonds have sold by a municipality and the publication of notices of the sale have been defective to cure such defective publication of sale notices and validate the sale thereof

with the information that the House has passed the same without amendment.

SENATE BILL NO. 371 RETURNED WITH AMENDMENT

The Clerk of the House of Representatives being introduced, returned to the Senate, Senate Bill No. 371, entitled:

An Act to amend section twenty-one of the act approved the twentieth day of June one thousand nine hundred nineteen (Pamphlet Laws five twenty-one) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property

passing from decedent who was a resident of this Commonwealth at the time of his death, and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth of national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid; and providing penalties; and citing certain acts for repeal," by providing for the filing of bond with the Department of Revenue and by limiting the amount to be retained by registers of wills for their own use for collection of inheritance taxes as agents of the Commonwealth.

with the information that the House has passed the same as amended in which the concurrence of the Senate is requested.

SENATE BILL NO. 670 RETURNED WITH AMENDMENT

He returned to the Senate, Senate Bill No. 670, entitled:

An Act to further amend section 4 of the act approved the seventh day of August, one thousand nine hundred thirty-six (P. L. 106) entitled, "An act relating to flood control; prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance, aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements, conferring the power of eminent domain imposing certain charges upon the Commonwealth, providing for appeals and conferring certain powers on municipalities, counties and townships, the Department of Highways and the Department of Property and Supplies" by providing for recording of completed suitable plans and the effect thereof as constructive notice to owners of property taken, damaged or destroyed.

with the information that the House has passed the same as amended in which the concurrence of the Senate is requested.

HOUSE INSISTS UPON ITS AMENDMENTS TO SENATE BILL NO. 213

The Clerk of the House of Representatives being introduced.

He also presented communications from the House of Representatives informing the Senate that the House insists upon its amendments, non-concurred in by the Senate to Senate Bill No. 213, entitled:

An Act to amend section eighteen of this act approved the second day of July one thousand nine hundred and thirty-five (P. L. 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products concerning powers and imposing duties on the Secretary of Health and Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" requiring local ordinances to conform to this act and the regulations made thereunder

Mr. RICE. Mr. President, I move that the Senate insist upon its non-concurrence in the amendments to the foregoing bill, and that a Committee of Conference be appointed to confer with a similar committee of the House (already appointed) (if the House shall appoint such committee) to consider the differences existing between the two Houses in relation to said bill.

Mr. FREY. Mr. President, I second the motion.

The motion was agreed to.

PENNSYLVANIA INVITES SEVENTH WORLD'S POULTRY CONGRESS TO HOLD 1939 EXHIBITION IN PENNSYLVANIA

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read considered and agreed to:

In the House of Representatives, May 12, 1937.

Whereas, The Seventh World's Poultry Congress will be held in the United States in the early part of 1939, which will be its first meeting in the United States; and

Whereas, The United States is now the leading poultry producing and consuming nation of the world; and

Whereas, Pennsylvania ranks first among the states in the value of eggs produced, fourth in the value of chickens raised, fifth in the number of eggs produced, and seventh in the number of chickens raised; therefore be it

Resolved (if the Senate concur), That the Commonwealth of Pennsylvania hereby invites the Seventh World's Poultry Congress to hold its 1939 exhibition in Pennsylvania and urges favorable consideration of this invitation because of the importance of Pennsylvania in the poultry industry and the suitable exhibition places which are available for such purposes in this State.

Resolved, That a copy of this resolution be transmitted to the committee in charge of the selection of the place for the holding of this exhibition by the Chief Clerk of this House.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 274, entitled:

An Act relating to statutory laws; prescribing an enacting clause for statutes; fixing the effective date and time of statutes hereafter enacted; providing for notice of application for local and special legislation, for the correction of errors in statutes, and for the printing and publication of statutes; prescribing rules for the interpretation of statutes; defining certain words and phrases when used in statutes; and prescribing rules for the construction and operation of amendments, reenactments and repeals of statutes.

SENATE BILL No. 610, entitled:

An Act providing for the creation of a legal holiday on September 17, 1937, to be known and observed as "Constitution Day."

SENATE BILL No. 643, entitled:

An Act regulating and prescribing the computation and running of sentences for criminal offenses.

SENATE BILL No. 931, entitled:

An Act to validate certain proceedings for municipal improvements, municipal assessments, municipal claims, and municipal liens in the several cities of the third class, boroughs, and townships of the first class of this Commonwealth; and validating such improvements, assessments, claims, and liens; providing for the filing of claims and liens therefor, and the proceedings for the collection of such assessments, claims, and liens.

SENATE BILL No. 1047, entitled:

An Act to amend the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447) entitled, "An act relating to the administration and distribution of the estates of decedents and of minors, and of trust estates; including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians, and trustees, herein designated as fiduciaries; the administration and distribution of the estates of presumed decedents; widow's and children's exemptions; debts of decedents, rents of real estate as assets for payment thereof, the lien thereof, sales and mortgages of real estate for the payment thereof, judgments and executions therefor, and the discharge of real estate from the lien thereof; contracts of decedents for the sale or purchase of real estate; legacies, including legacies charged on land; the discharge of residuary estates and of real estate from the lien of legacies and other charges; the appraisement of real estate devised at a valuation; the ascertainment of the curtilage of dwelling houses or other buildings devised; the abatement and survival of actions, and the substitution of executors and administrators therein, and suits against fiduciaries; investments by fiduciaries; the organization of corporations to carry on the business of decedents; the audit and review of accounts of fiduciaries; refunding bonds, transcripts to the Court of Common Pleas of balances due by fiduciaries; the rights, powers and liabilities of nonresident and foreign fiduciaries; the appointment, bonds, rights, powers, duties, and liabilities of trustees durante absentia; the recording and registration of decrees, reports and other proceedings, and the fees therefor; appeals in certain cases; and also, generally dealing with the jurisdiction, powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents," as amended, by further modifying the terms, qualifications, and other conditions under which the investment of trust funds may be made by fiduciaries; by further providing for additional investments of trust funds by fiduciaries; and by further providing with respect to the retention or sale of certain investments in the hands of fiduciaries.

SENATE BILL No. 1086, entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act, approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65), entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections, and in case any bonds have been sold by a municipality and the publication of notices of the sale have been defective, to cure such defective publication of sale notices and validate the sale thereof.

SENATE BILL No. 1133, entitled:

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four (Pamphlet Laws sixty-five) entitled "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections, and in case any bonds have been sold by a municipality and the publication of notices of the sale have been defective, to cure such defective publication of sale notices and validate the sale thereof.

Whereupon,

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the presence of the Senate signed the same.

NOMINATIONS BY THE GOVERNOR

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committe on Executive Nominations.

APPOINTMENTS AS MEMBERS OF THE SENATE COUNCIL FOR THE BLIND.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 24, 1937.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Council for the Blind for the term of four years:

Mrs. Mabel O. Taylor, of Pittsburgh, Allegheny County, to fill a vacancy.

Herbert L. Smith, of Harrisburg, Dauphin County, vice Samuel Horton Brown, of Philadelphia whose term expired.

Victor C. Mather, of Philadelphia, Philadelphia County, to fill a vacancy.

John M. Crandall, of Harrisburg, Dauphin County, to fill a vacancy.

GEORGE H. EARLE

NOTARIES PUBLIC.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1937.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

A. C. Greiner, 2929 Knowlson Ave., Pittsburgh.

CENTRE COUNTY

Mrs. Mildred L. Grazier, State College.

DAUPHIN COUNTY

Miss Ellen T. Madden, Harrisburg.

PHILADELPHIA COUNTY

Adolph C. Eberz, 6256 Charles St., Philadelphia.
James E. Kerns, 18th St. & Indiana Ave., Philadelphia.
John J. Owens, 100 S. Broad St., Philadelphia.
J. C. Vuncanon, 4626 Newhall St., Philadelphia.

WESTMORELAND COUNTY

Miss Sarah B. Fogg, Greensburg.

GEORGE H. EARLE.

COMMUNICATION FROM THE GOVERNOR

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILL No. 104

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 24, 1837.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a Resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 104, Printer's No. 264, for further consideration.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

APPROVAL OF SENATE BILL No. 755

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 24, 1837.

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 755, Printer's No. 307, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

APPROVAL OF SENATE BILL No. 746

Governor's Office, Harrisburg, May 24, 1937.
Commonwealth of Pennsylvania,

To the Honorable, the Senate
of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed a resolution of the Senate and House of Representatives recalling from the Governor Senate Bill No. 746, Printer's No. 304, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

NOMINATIONS BY THE GOVERNOR

The Chair cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 24, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Hannah K. Heim, 300 Penn Ave., Pittsburgh.
Miss Jeannette E. Young, 1520 Beaver Ave., Pittsburgh.

CAMBRIA COUNTY

Mrs. Zella Hershberger, South Fork.

DELAWARE COUNTY

S. Lee Moses, Upper Darby Twp., Drexel Hill.

LUZERNE COUNTY

S. K. Knies, Hazleton.

PHILADELPHIA COUNTY

Raymond J. Chestnut, 1259 N. 12th St., Philadelphia.
Michael Darmopray, 809 N. Franklin St., Philadelphia.
William J. Drennen, 271 City Hall, Philadelphia.
Arthur Marshall Jr., 4356 Frankford Ave., Philadelphia.
Joseph Trachtman, 4015 Lancaster Ave., Philadelphia.

VENANGO COUNTY

Thomas H. Bines, Oil City.
Thomas J. Callanan, Oil City.

WESTMORELAND COUNTY

Russell A. Artman, New Kensington.

GEORGE H. EARLE.

RESOLUTION

Mr. LAW offered the following resolution which was twice read considered and agreed to:

In the Senate, May 24, 1937.

RESOLVED, That page 88 of the Pennsylvania Election Code, House Bill No. 1792, H. R. Printer's No. 1114, be reprinted in accordance with the amendments authorized by the Committee and that the reprinted page govern over the page now printed in the bill and this page shall be designated Printer's No. 1114-A.

REPORTS FROM COMMITTEES

Mr. RICE, from the Committee on Appropriations reported as amended, Senate Bill No. 1374, (House Bill No. 307), entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education.

Also from the Committee on Appropriations reported as amended, Senate Bill No. 1375, (House Bill No. 348), entitled:

An Act making an appropriation to The Glen Mills Schools situate in Delaware County, Pennsylvania.

Also from the Committee on Appropriations reported as amended, Senate Bill No. 1381, (House Bill No. 973), entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in The Dixmont Hospital at Dixmont, Allegheny County.

Also from the Committee on Appropriations reported as committed, Senate Bill No. 1394, (House Bill No. 2259), entitled:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds.

Also from the Committee on Appropriations reported as committed, Senate Bill No. 1390, (House Bill No. 1818), entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursing fourth class school districts upon certain increases of the salaries of members of the teaching staffs of elementary schools in such school districts.

Mr. WOODWARD, from the Committee on Judiciary General reported as committed, Senate Bill No. 1295, (House Bill No. 2115), entitled:

An Act relating to criminal prosecutions limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth.

REPORT OF JOINT LEGISLATIVE COMMITTEE TO INVESTIGATE BURDENS PLACED UPON INDUSTRIES IN PENNSYLVANIA.

Mr. DENT. Mr. President, at this time I desire to make a report of the committee to investigate the facts concerning the coal question and other industries in the State of Pennsylvania as Chairman of the Tax Study Commission, I view with regret the current misconstruction of its third preliminary report, dated May 24th, on the part of individuals attempting to make political capital of the Chairman's findings.

Those findings admittedly were incomplete, and were submitted solely because of the imminent adjournment of the General Assembly. Since they have been subject to misconstruction, the Chairman deems it advisable to report immediately upon other phases of the problem, in order to correct any false impressions in the public mind, without waiting to complete its researches into these related questions having a direct bearing upon the general problem.

In its preliminary report the Chairman merely stated the fact that certain industries had moved from the State, and gave the reasons offered by those industries for such removal. The Commission had intended to reserve for future study and report those general trends in industrial activity which are responsible for the shifting of plant operations from State to State. We now deem it necessary to report upon these questions.

We have called attention to the fact that a number of textile establishments have left the State. In doing so we have merely stated a fact without discussing the many reasons involved.

It is a well known fact that the entire Northern textile industry has been steadily shifting to the South, in order to take advantage of lower wages and other inducements. The public press has reported from time to time that such inducements have included free plant construction from public funds, tax exemptions, misuse of Federal relief funds, and the use of convict labor in industry.

In this connection we present a statement given to the Commission by John Edelman, research director of the American Federation of Hosiery Workers, as follows:

"The American Federation of Hosiery Workers has made extensive surveys of the entire economic background of the textile industry. In addition national research projects of the Works Progress Administration have covered the field thoroughly.

We find that the question of State taxation has never been raised by textile operators as an impediment to successful operations in Pennsylvania. The problem was entirely one of wages and hours of labor. In Philadelphia, for instance, the wage cost per dozen pairs of hose was $2.00 to $2.35, while in the South there was a differential of from 50 cents to $1.00 a dozen. Add to this the tax and other inducements, and it is easy to see why they moved.

The proof that State taxation was not responsible is seen in the fact that textile migration from Pennsylvania halted when NRA stablized labor conditions throughout the country. In fact one company moved back. After NRA the migration started again, but has since been halted by several factors. One is that the plants which did move have learned that the Southern field is not all that the Chamber of Commerce prospectus say it is, and the other is that the South's competitive advantage is being wiped out by the CIO drive in the southern area."

This statement by Mr. Edelmen is supported by testimony presented to Congress on behalf of the Ellenbogen Textile Bill. Impartial students of the textile industry, among them Mr. George Taylor of the Industrial Research Department, University of Pennsylvania, have recognized and called attention to these factors.

Therefore, while this Chairman is deeply concerned with the effect of State taxation upon industry, its researches to date indicate clearly that taxation has played a relatively small part, if any, in textile migration.

We wish to call attention to the statement of the Armstrong Cork Company, of Lancaster, which was included in our third preliminary report. This statement was presented at its face value, without comment. Lest there be any misunderstanding, however, the Chairman is obliged to point out that the company's figures of comparison with other States are not comparable. Its corporate income tax, for instance, is high because its profits are high, and the corporate loan tax is not chargeable against operation, since it is paid by the borrower.

The Chairman also reports with regret that the Armstrong Cork Company does not come before us with clean hands, inasmuch as it has been cited by the Department of Revenue for failing for two years to make a report on its capital stock tax and corporate loan tax, with the result that the Department of Justice was required to take legal action. Its statement must be considered in the light of this fact.

Any study of industrial removals from Pennsylvania must take into account the record of foreign corporations withdrawing and domestic corporations dissolving. This record the Department of Revenue keeps. The record shows the number of corporations which have been removed from the files of the Department as a result of withdrawals, dissolutions, mergers, and the filing of out-of-existance affidavits. These totaled 6308 in 1934, 4594 in 1935 and 2961 in 1936. It is apparent that the number of corporations withdrawing, dissolving, merging and going out of business in Pennsylvania has been declining steadily and rapidly since 1934.

It is universally agreed that the chief index of industrial activity is employment. Employment statistics prepared by the Department of Labor and Industry from this reports furnished by employers show steady employment increases through 1935, 1936 and the first month of 1937, as follows:

NUMBER OF WAGE EARNERS EMPLOYED

	1935	1936	1937
January	758,000	775,000	820,000
February	766,000	771,000	834,000
March	772,000	767,000	892,000
April	769,000	786,000	
May	769,000	802,000	
June	787,000	805,000	
July	756,000	798,000	
August	748,000	799,000	
September	781,000	816,000	
October	808,000	848,000	
November	748,000	853,000	
December	805,000	867,000	

It is hardly necessary, in the light of these figures, to call attention to the fact that during the past few months many great corporations have expanded their facilities, at a cost of many millions of dollars, with the full intention of remaining in Pennsylvania despite labor and tax inducements offered by other States. The reason for this is simply that increased taxes have been infinitesmal in comparison with increased profits. For example, the Jones and Laughlin Steel Company has spent $100,000,000 for new plant facilities in the Pittsburgh district, and the Carnegie Illinois Steel Company, only the other day, broke ground for a $60,000,000 rolling mill.

I also consider it advisable to correct a mis-statement in the report, in which it was said that the Curtis Publishing Company of Philadelphia had obtained a site in Burlington County, New Jersey, and had made plans to move its plant there. The Curtis Publishing Company has not purchased a site in Burlington County, New Jersey. It has not made any plans to move its plant to New Jersey. In this case the Chairman acted in good faith upon false information, which it believed to be true.

The Chairman submits this additional data, not because it is definite or complete, but solely to clarify the situation resulting from unwarranted conclusions drawn by many persons from the Chairman's third preliminory report.

The PRESIDENT. The report will be made a matter of record in the appendix of the Journal.

Mr. STIEFEL. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL from the Committee on City Government reported as committed, Senate Bill No. 943, entitled:

An Act authorizing and empowering any city, county, school district or other municipality, which shall have acquired a limited title to real estate for municipal purposes, to secure a title in fee simple to any such real estate; and providing and regulating the procedure in such cases.

Mr. GILSON. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GILSON from the Committee on Judiciary General re-reported as amended, Senate Bill No. 309, entitled:

An Act to amend section three as amended of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (Pamphlet Laws four hundred fifty-two) entitled, "An act to promote the welfare of the people of the Commonwealth, creating a General State Authority as a body corporate and politic with power to construct, improve and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency, and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," changing the personnel.

BILLS INTRODUCED

Mr. RICE. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE read in his place and presented to the Chair Senate Bill No. 1415, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May, one thousand nine hundred thirty-seven, and such time as the funds provided by the General Appropriation Act become available.

Which was committed to the Committee on Appropriations.

Mr. RICE. Mr. President, I now call up for consideration Senate Bill No. 879, on page 2 of the calendar.

Mr. WOODWARD. Mr. President, if I am voting on this Goodrich bill, I would like to explain that I am not voting for this bill because it is a lump sum appropriation.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 879, as follows:

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two years beginning June first one thousand nine hundred thirty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-seven

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred thirty-seven million one hundred fifty thousand dollars ($137,150,000) or as much thereof as may be necessary is hereby specifically appropriated from the General Fund in the State Treasury to the Department of Public Assistance in the amounts hereinafter specified to provide assistance and for local administration expenses in the manner provided in the Public Assistance Law for the two fiscal years beginning June first one thousand nine hundred thirty-seven and for the payment of assistance and expenses incident thereto accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-seven

Dependent Children
Aged Persons
Blind Persons
Other Indigent Persons

Section 2 From time to time the Governor may and is hereby empowered to transfer from one allocation to any other allocation specified in section one such sums as may be needed

Section 3 Out of the moneys hereby appropriated the Department of Public Assistance shall allocate from time to time among the County Boards of Assistance the Boards of Trustees of the Mother's Assistance Fund and the Boards of Trustees of Pension Fund for the Blind on the basis of need funds with which to provide assistance and administrative expenses in the manner provided in the Public Assistance Law including the administration expenses of the Department of the Auditor General and the Treasury Department in auditing and disbursing said appropriation Allocations so made to a County Board of Assistance or a Board of Trustees of the Mothers' Assistance Fund or a Board of Trustees of Pension Fund for the Blind by the Department of Public Assistance shall be available for expenditure in that county for assistance and for administrative expenses in the manner provided by law

The Governor with the approval of the Auditor General and State Treasurer shall from time to time allocate to the Department of the Auditor General and the Treasury Department from the appropriations made by this act such sums as may be deemed necessary to pay the administration expenses of the Department of the Auditor General and the Treasury Department in auditing and disbursing said appropriation

Section 4 This act shall become effective on the first day of June one thousand nine hundred thirty-seven.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Buckman,	Henney,	Mallery,	Rupp,
Cavalcante,	Heyburn,	McCreesh,	Ruth,
Chapman,	Homsher,	McGinnis,	Scarlett,
Dando,	Huffman,	Mundy,	Shapiro,
Deitrick,	Jacobs,	Owlett,	Sipe,
Dent,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gelder.			

NAYS—1

Woodward,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered that the Clerk present said bill to the House of Representatives for concurrence.

Mr. RICE. Mr. President, I call up at this time Senate Bill No. 1069, entitled:

An Act relating to and regulating the mining of antharcite coal; providing for the health, safety and welfare of persons employed in and about the anthracite coal mines, and for the protection and preservation of property connected therewith; amending, consolidating, revising and changing the law relating thereto; and imposing penalties.

Agreeably to order.

The Senate resumed consideration of Senate Bill No. 1069, as follows:

An Act relating to and regulating the mining of anthracite coal providing for the health safety and welfare of persons employed in and about the anthracite coal mines and for the protection and preservation of property connected therewith amending consolidating revising and changing the law relating thereto and imposing penalties

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Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

ARTICLE I

Preliminary Provisions

Section 101 This act shall be known and may be cited as "The Anthracite Mining Code"

Section 102 The provisions of this act so far as they are the same as those of existing laws shall be construed as a continuation of such laws and not as new enactments The repeal by this act of any provision of law shall not revive any law heretofore repealed or superseded nor shall such repeal affect any act done liability incurred or any right accrued or vested or affect abate or prevent any suit or prosecution pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such repealed laws

Section 103 The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect the validity of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted by the General Assembly had such unconstitutional provisions not been included therein

Section 104 This act shall apply to every anthracite coal mine or colliery in the Commonwealth where five or more persons are employed or engaged in work Provided however That any mine inspector shall nevertheless have the right to enter and inspect all mines where from two to five persons are employed or engaged in work for the purpose of determining the conditions of safety in any such mine In case a mine inspector shall find any such mine to be unsafe or to be operated in any unsafe manner he shall order such unsafe conditions to be forthwith corrected and in default of the owner or operator doing so shall order such mine closed until the unsafe conditions are corrected

ARTICLE II

Inspection Districts

Section 201 The counties of Luzerne Lackawanna Sullivan Susquehanna Wayne Carbon Schuylkill Northumberland Columbia and Dauphin shall be devided int oeightin-spection districts as follows

First District—County of Luzerne
Second District—County of Lackawanna
Third District—County of Carbon
Fourth District—County of Schuylkill
Fifth District—County of Northumberland
Sixth District—County of Columbia
Seventh District—County of Dauphin
Eighth District—Counties of Susquehanna Wayne and Sullivan

Section 202 The Governor shall appoint the following number of qualified persons to act as mine inspectors of this Commonwealth namely

First Inspection District—Nine Inspectors
Second Inspection District—Six Inspectors
Third Inspection District—One Inspector
Fourth Inspection District—Four Inspectors
Fifth Inspection District—Two Inspectors
Sixth Inspection District—One Inspector
Seventh Inspection District—One Inspector
Eighth Inspection District—One Inspector

Said inspectors shall be under the direction of the Secretary of Mines who shall assign districts to the several inspectors but where an inspector has not enough work or duty to perform in his own inspection district then it shall be the right of the Secretary of Mines to assign said inspector to work or duty in another adjoining district or territory wherein the services of said inspector are necessary

Section 203 It shall be the duty of the Secretary of Mines to direct one or more of the inspectors who shall be appointed under this act and it shall be the duty of said inspectors to obey said orders of the said Secretary of Mines to inspect such collieries as come under this act in counties not mentioned in the act in such manner and at such times as is required by law and the inspectors inspecting said collieries shall make and include in their return a due report of said inspection

ARTICLE III

Examination and Appointment of Mine Inspectors

Section 301 The Anthracite Mine Inspectors' Examining Board shall meet upon the call of the chairman thereof at such times and places as the chairman shall designate and at such times and places as the board may by rule designate

Section 302 The said examining board shall prepare questions and formulate rules to be used in conducting and governing the examinations given to applicants for the office of Anthracite Mine Inspector The members of the board upon assuming office shall each take and subscribe to before any officer authorized to administer the same the following oath namely

"I do solemnly swear that I will perform the duties of examiner of applicants for the office of mine inspector to the best of my ability and that in recommending or rejecting said applicants I will be governed by the evidence of their qualifications to fill the position and not by any consideration of political or personal favor and I will certify all applicants who may be found qualified and no others according to the true intent and meaning of the "law"

The oaths of the members of the examining board shall be filed in the Department of Mines

Section 303 Public notice of an examination shall be given at least two weeks prior thereto in a newspaper published in each of the following counties Luzerne Lackawanna Schuylkill and Northumberland The board shall meet at the time and place set forth in said notice and examine the applicants for the office of Anthracite Mine Inspector and the qualifications of applicants shall be certified to the board and be as follows

(a) They shall be citizens of this Commonwealth and residents of the anthracite region of temperate habits of good repute of personal integrity in good physical condition and not under thirty or over fifty years of age Every applicant shall furnish to the examining board a service statement Such statement shall show the length of time served at each class of work at which the applicant has been employed in and about the mines and be certified to by the superintendent or other responsible official under whom such applicant was employed The owner operator or superintendent of every mine or colliery is hereby required to furnish such a statement to every applicant

(b) They shall give to the board satisfactory evidence or they shall give to the Board satisfactory evidence of having had at least ten (10) years of practical experience in the Anthracite coal mines of this Commonwealth, five (5) years of which they shall have served as qualified mine foremen or qualified assistant mine foremen, possession mine foremen's or assistant mine foremen's certificates and one year of which they shall have served as qualified coal miners, possessing miners' certificates engaged in the actual practice of cutting and blasting coal or rock at the face of a gangway, airway, breast, pillar or other working place in a mine and in performing such other work in such working places as is necessary for the extraction of coal of having had at least ten (10) years of practical experience in the anthracite coal mines of this Commonwealth five (5) years of which they shall have served as qualified coal miners possessing miners' certificates engaged in the actual practice of cutting and blasting coal or rock at the face of a gangway airway breast pillar or other working place in a mine and in performing such other work in such working places as is necessary for the extraction of coal

(c) They shall give to the board satisfactory evidence of having had practical experience with explosive gases and other dangerous and noxious gases found in coal mines

(d) They shall give to the board satisfactory evidence of having a general practical knowledge of mines mining and machinery

(e) They shall give to the board satisfactory evidence of having a general practical and comprehensive knowledge of the chemistry of gases generally found in coal mines

(f) They shall give to the board satisfactory evidence of having knowledge of the methods of administering first aid to the injured and of the work and requirements of rescue corps

(g) They shall give to the board satisfactory evidence of knowledge of the science of electricity as applied to coal mining and they shall in addition give evidence of sufficient knowledge of the science of mining engineering to enable them to read and understand the mine workings of any mine as shown on mine maps presented at such examinations and they shall be able to make a cross section of a mine from said maps

(h) They shall give to the board satisfactory evidence of theoretical and practical knowledge of the different systems of mining and ventilating anthracite coal mines and of their fitness and capability to perform the duties of the office of a mine inspector

Section 304 The examination shall be in writing and the applicants who have made an average of at least ninety per cent including proper allowances for experience shall be deemed successful but in no case shall the allowances for experience be more than fifteen per cent

Section 305 The manuscripts and all other papers of the applicants in the examination together with the tally sheets and the correct solution of each question as prepared by the examining board shall be filed in the Department of Public Instruction The examining board or at least four members thereof shall certify to the Governor and also to the Secretary of Mines the names and percentages of all successful applicants who are properly qualified under the provisions of this act to fill the office of Anthracite Mine Inspector A certificate of qualification shall be issued to each successful applicant A certificate so issued shall remain in force for a period of four years only unless the holder thereof has received an appointment as Anthracite Mine Inspector and has served as such for a period of four years in which case the certificate shall become permanent

Section 306 The Anthracite Mine Inspectors holding office at the date this act becomes effective shall continue to serve until the expiration of their respective terms and such persons shall thereafter be eligible for reappointment as Anthracite Mine Inspectors without examination provided they have served as Anthracite Mine Inspectors for a period of four (4) years or longer Such reappointment shall not be governed by the provisions of section three hundred seven of this act

Section 307 When a vacancy occurs in the office of Anthracite Mine Inspector by death or otherwise the Governor shall appoint from the list of successful applicants certified to him by the Anthracite Mine Inspectors to the Examining Board a person to fill such vacancy

Section 308 When there remain upon the list of successful applicants certified to the Governor less than three names as a result of appointments made therefrom or as a result of the expiration of the certificates of qualification of persons named therein or from any other cause the Governor shall call the Anthracite Mine Inspectors' Examining Board to meet and proceed to conduct an examination for the purpose of supplying a new list of eligible applicants

Section 309 The tenure of office of Anthracite Mine Inspectors appointed under this act shall be during good behavior subject to the provisions of section three hundred twelve of this act and the Constitution of this Commonwealth

Section 310 In case an inspector becomes incapacitated to perform the duties of his office or is granted a leave of absence by the Secretary of Mines for sixty (60) days or more it shall be the duty of the Governor at the request of the Secretary of Mines to appoint temporarily to the the office a person on the eligible list of applicants The temporary inspector shall act until the regular inspector is able to resume the duties of his office and shall be paid in the same manner as hereinbefore provided for the payment of regular inspectors

Section 311 No Anthracite Mine Inspector under this act shall act as manager of any anthracite coal mine or

be interested in the operation of any anthracite coal mine in this Commonwealth

Section 312 Upon a petition signed by not fewer than fifteen reputable citizens who shall be miners or operators of mines and with the affidavit of one or more of said petitioners attached setting forth that any inspector of mines is holding office illegally or is neglectful or is incompetent or unable to perform the duties of his office or that he is guilty of malfeasance in office or upon petition of the Secretary of Mines setting forth any of the above charges the Court of Common Pleas of the county in which the inspector is acting and is a resident shall issue a citation in the name of the Commonwealth to the said inspector to appear at not less than ten (10) days' notice on a day fixed before said court and the court shall then proceed to inquire into and investigate the allegations of the petitioners If said charges are sustained the court shall declare the office of said inspector vacant and shall so certify to the Governor who shall proceed in compliance with the provisions of this act to fill the vacancy If said charges are not sustained and the court believes there was sufficient ground for said charges the costs shall be placed upon the county

Section 313 Any anthracite mine inspector violating the provisions of section three hundred eleven of this act shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) or undergo imprisonment in the county jail for a period of not less than ninety (90) days or both at the discretion of the court

Any person who shall give any false or forged evidence of any kind to the Anthracite Mine Inspectors' Examining Board or to any member thereof in obtaining a certificate of qualification shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than three hundred dollars ($300.00) or to undergo imprisonment in the county jail for a period of not less than three (3) months or both at the discretion of the court

Any person or persons found to be in collusion with any member or members of the examining board or who shall use any undue influence or attempt to bribe any member or members of the board for the purpose of procuring certificates for applicants or who shall violate any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of three hundred dollars ($300.00) or undergo imprisonment in the county jail for a period of three (3) months or both at the discretion of the court

ARTICLE IV

DUTIES OF MINE INSPECTORS

Section 401 Each of the said inspectors shall reside in the district for which he is appointed and shall give his whole time and attention to the duties of his office He shall examine all the collieries in his district at least once every three months and as often in addition thereto as the necessities of the case or condition of the mines require He shall see that every precaution is taken to secure the safety of the workmen and that the provisions of this act are observed and obeyed and he shall personally visit each working face and see that the air current is carried to the working faces and is of sufficient quantity or volume to thoroughly ventilate the places He shall make to the Secretary of Mines at the end of every month a detailed report of the number of days worked during the month marking in tabular form the number of hours spent inspecting mines investigating accidents traveling inspecting surface plants around the mines together with any other information that will be of value to the department He shall every four months make a report of the condition of each working place at each colliery on a form to be furnished to the inspector by the Secretary of Mines showing the gangway in which the working place is located and the breast number of said working and their condition shall be designated by the words "good" "fair" or "bad" as the circumstances may warrant Said report shall also set forth the condition of the mine with respect to ventilation tracks timber drainage and traveling ways and the said report or a duplicate shall be placed in a weather or dust-proof case with a glass front said case to be furnished by the operator and placed in a conspicuous place at each mine opening shaft slope or drift so that the workmen may have easy access thereto He shall certify in said report that the employes are hoisted to the surface of the ground or given access thereto according to law he shall attend every inquest held by the coroner or his deputy upon the bodies of persons killed in or about the collieries in his district he shall visit the scene of the accident for the purpose of making an examination into the particulars of the same wherever loss of life or serious personal injury occurs as elsewhere herein provided for and make an annual report of his proceedings to the Secretary of Mines of the Commonwealth at the close of every year enumerating all the accidents in and about the collieries in his district marking in tabular form those accidents causing death or serious personal injury the condition of the workings of the said mines with regard to the safety of the workmen therein and the ventilation thereof and setting forth generally the results of such inspection and shall perform such other duties as now are or hereafter may be required by law

Section 402 The mine inspector shall have the right and its is hereby made his duty to enter inspect and examine any mine or colliery in the territory allotted to him and the workings and machinery belonging thereto at all reasonable times either by day or by night but not so as to obstruct or impede the working of the colliery and shall have the power to take one or more of his fellow inspectors into or around any mine or colliery in the territory allotted to him for the purpose of consultation or examination

Section 403 He shall also have the right and it is hereby made his duty to make inquiry into the condition of such mine or colliery working machinery ventilation drainage method of lighting or using lights and into all matters and things connected with or relating to such mine or colliery as well as to make suggestions providing for the health and safety of persons employed in or about the same and especially to make inquiry as to whether the provisions of this act have been complied with

Section 404 The owner operator or superintendent of such mine or colliery is hereby required to furnish the means necessary for such entry inspection examination inquiry and exit

The inspector shall make a record of the visit noting the time and material circumstances of the inspection

Section 405 The maps and plans of the mines and the records thereof together with all the papers relating thereto shall be kept by the inspector properly arranged and preserved in a convenient place in the territory to which the inspector has been allotted and shall be transferred by him with any other property of the Commonwealth that may be in his possession to his successor in office

Section 406 The inspector shall also do the following

(a) Apply to the court for an injunction where the spedy closing of a mine or section thereof is expedient for health or safety

(b) Approve self-acting doors

(c) Assist in determining width of barrier pillars

(d) Inspect emergency hospitals every six months

(e) Reduce the number of persons to be hoisted when necessary

(f) Request the removal of coal dust in breaker where injurious to health

ARTICLE V

EMPLOYMENT OF MINE FOREMEN AND ASSISTANT MINE FOREMEN

Section 501 It shall not be lawful neither shall it be permitted for any person or persons to act as mine foremen or assistant mine foremen of any coal mine or colliery unless they are registered as holders of certificates of

qualification for service under this act or unless in the judgment of the employer he is a person possessed of qualifications which make him equally competent to act in such position

ARTICLE VI

EXAMINATION AND QUALIFICATION OF MINE FOREMEN AND ASSISTANT MINE FOREMEN

Section 601 For the purpose of examining applicants for mine foremen's and assistant mine foremen's certificates a board of examiners shall be appointed in each of the inspection districts provided for by this act The said boards shall consist of the district inspector of mines two practical miners nad one operator superintendent or mining engineer of a mine The said inspector shall act ex officio and the said operator superintendent mining engineer and miners of the several boards shall be appointed as follows

The Court of Common Pleas of Luzerne County shall appoint for the counties of Luzerne Carbon and Sullivan as many boards as there may be inspectors in the aforesaid counties.

The Court of Common Pleas of Lackawanna County shall appoint for the counties of Lackawanna Susquehanna and Wayne as many boards as there may be inspectors in the aforesaid counties

The Court of Common Pleas of Schuylkill County shall appoint for the counties of Schuylkill Dauphin Columbia and Northumberland as many boards as there may be inspectors in the aforesaid counties.

The persons serving as members of mine foremen and assistant mine foremen examining boards on the effective date of this act shall continue to serve under the provisions of this article until the terms for which they were appointed shall have expired.

Section 602 The said boards shall act as such for the period of one year from the date of their appointment Meetings of the boards may be held at any time and they may make such rules and conduct such examination as in their judgment may seem proper for the purpose of such examination The said boards shall report their action to the Secretary of Mines and at least three (3) of the members thereof shall certify to the qualifications of each candidate who has passed such examination.

Section 603 The boards for the examination of applicants for mine foremen and assistant mine foremen in the anthracite mines shall send to the Secretary of Mines all papers of the applicants together with the tally sheet a list of the questions and the solution of each question as given by the examining board which shall be filed in the department as public documents.

Section 604 The members of the several boards appointed under the provisions of this act to examine candidates for foremen's and assistant foremen's certificates shall be compensated at the rate of ten dollars ($10.00) per day for each day during which the said members shall be actually in attendance on the sessions of the board and mileage at the rate of five cents (5c) for each mile actually traveled going from the home of the member to the place of meeting of the board and returning from said place to said home.

Each of the said boards is hereby authorized to employ a clerk whose compensation and mileage shall be the same as that of a member of the board The mine inspector shall be chairman of the board.

Section 605 The members of the said boards shall on the final adjournment of their respective boards submit statements approved by the chairmen of their respective boards setting forth the number of days during which each member shall have been actually in attendance on the sessions of the board of which he is a member as well as the distance from the home of the member to the place of meeting of his board and the number of miles actually traveled by him and the clerks of said boards shall submit like statements and the Auditor General shall upon receipt of such statements draw his warrant upon the State Treasurer in favor of each of such members and clerks for such sums as shall appear to be properly due to each.

Section 606: Certificates of qualification to mine foremen and assitant mine foremen in the anthracite mines shall be issued by the Secretary of Mines to each applicant who has passed a successful examination and has given satisfactory evidence of having had at least five (5) years' practical experience in the anthracite mines of the Commonwealth of Pennsylvania and of good conduct capability and sobriety Applicants shall be citizens of the United States and residents of the Commonwealth and be at least twenty-five years of age certificates shall be in such manner and form as shall be prescribed by the Secretary of Mines and a record of all certificates granted shall be kept in the Department of Mines. Each certificate shall contain the full name, age, and place of birth of the applicant and also the length and nature of his previous service in the mines. Before the examination for certificates of qualification to mine foremen and assistant mine foremen in the anthracite mines each applicant shall pay a fee of two dollars ($2.00) and each successful applicant shall pay an additionl fee of three dollars ($3.00) before receiving a certificate. The money thus received from applicants shall be transmitted to the Secretary of Mines to be deposited in the State Treasury. In case of loss or destruction of a certificate the Secretary of Mines shall upon the presentation of satisfactory evidence of loss or destruction issue a copy of the certificate to the original possessor on the payment of the sum of one dollar ($1.00).

Section 607 The said examining boards shall before entering upon the duties of their office take and subscribe to an oath or affirmation before a duly qualified officer that they will to the best of their ability conduct such examinations according to law and that the credits given to an applicant's papers shall be according to merit only Such oaths or affirmations shall be made upon blanks furnished by the Department of Mines and they shall be returned to the department and kept on file as other records are kept Every applicant for a mine foremen's or assistant mine foremen's certificate must furnish the board with a statement of his experience in anthracite mines Such statement must show the class of work the applicant was engaged in together with the length of time at each class of work and be signed by the superintendent of the colliery or other responsible official.

Section 608 If any person or persons shall forge or counterfeit a certificate or knowingly make or cause to be made any false statement in any certificate under this act or in any official copy of the same or shall urge others to do so or shall alter or use any such forged or false certificate or unofficial copy thereof or shall make give alter produce or make use of any false declaration representation or statement in any such certificate or copy thereof or any document containing the same he or they shall be guilty of a misdemeanor and upon conviction thereof shall be fined two hundred dollars ($200.00) or imprisoned for a term not exceeding one year or both at the discretion of the court trying the case.

Section 609 No mine shall be operated for a longer period than thirty (30) days without the supervision of a mine foreman In case any mine is worked a longer period than thirty (30) days without a mine foreman the owner operator or superintendent shall upon conviction thereof be subject to a penalty of twenty dollars ($20.00) per day for each day over the said thirty (30) days during which the said mine is operated

ARTICLE VII

DUTIES OF MINE FOREMEN AND ASSISTANT MINE FOREMEN

Section 701 It shall be the duty of every mine foreman on arrival at his office every morning without delay to make inquiry from his assistants as to the condition of the mine or part thereof under their charge and if any dangerous thing is reported to him by any assistant that may affect the safety of the workmen he shall have the same remedied without delay. If any dangerous condition is discovered by any assistant, he shall take immediate steps to correct the same and report the same to the Mine Foreman without delay.

Section 702 He shall examine every day all reports made of mine inspections and mine equipment If he finds anything reported as unsafe or dangerous he shall have such unsafe or dangerous thing remedied without delay and no person shall be allowed to work at or near an unsafe or dangerous thing except for the purpose of making it safe He shall sign all said reports after reading them as evidence of having done so

Section 703 Whenever a mine foreman cannot personally carry out the provisions of this act so far as they pertain to him the owner operator or superintendent shall authorize him to employ a sufficient number of competent persons to act as his assistants who shall be subject to his orders

Section 704 The mine foreman shall have charge of all matters pertaining to ventilation and the speed of the ventilators shall be particularly under his charge and direction and any superintendent who shall cause the mine foreman to disregard the provisions of this act shall be amenable in the same manner as themine foreman The mine foreman shall designate some competent person whose duty it shall be to start and stop all auxiliary and booster fans

Section 705 All accessible parts of an abandoned portion of a mine in which explosive gases have been found shall be carefully examined by the mine foreman or his assistants at least once a week and all danger found existing therein shall be immediately removed. A report of said examination shall be recorded in a book kept at the colliery for that purpose and signed by the person making the same

Section 706 In all gaseous (B and B Classes) mines which in the opinion of the local Inspector require inspection the Mine Foreman or his assistant or a competent person to be selected by the Mine Foreman who in the opinion of the Mine Foreman is qualified to make the necessary examination of a working place or places shall make a careful examination every morning of all working places and traveling roads and all other places which might endanger the safety of the workmen before the workmen shall enter the mine and such examination shall be made with a safety lamp within three (3) hours at most before time for commencing work and a workman shall not enter the mine or his working place until the said mine or part thereof and working place are reported to be safe Every report shall be recorded without delay in a book which shall be kept at the colliery for the purpose and shall be signed by the person making the examination Provided That in cases of emergency as from sickness or other causes the mine foreman may designate a competent person to make such examinations

Section 707 The person who makes said examination shall establish proof of the same by marking plainly the date thereof at the face of each working place and all other places examined

Section 708: It shall be the duty of the Mine Foreman to establish at the entrance to each Class B and C mines or at the entrance to such separate sections of such mines as may require it, a station or stations clearly barricaded and no workman shall pass beyond such barricade until the mine or that portion beyond such a clearly barricaded station has been inspected and reported to be safe.

Section 709 If at any time it is found by the person for the time being in charge of the mine or any part thereof that by reason of noxious gases prevailing in such mine or any part thereof or of any cause whatever the mine or the said part is dangerous every precaution shall be used to ensure the safety of the workmen and every workman except such persons as may be required to remove the danger shall be withdrawn from the mine or such part thereof as is so found dangerous until the said mine or said part thereof is examined by a competent person and reported by him to be safe

Section 710: The Mine Foreman or his assistant shall visit and examine every working place in the mine every working day and if safe and practicable, this visit and examination shall be made while the men of such place are or should be at work and shall direct that each and every working place is properly secured by props or timber and that safety in all respects is assured by directing that all loose coal or rock shall be pulled down or secured and that no person shall be permitted to work in an unsafe place unless it be for the purpose of making it secure. Provided, however, that if the mine is idle (forty-eight (48) hours or more) the mine foreman or his assistant shall examine every working place three (3) hours before operations are resumed

Section 711 The mine foreman or some other competent person or persons to be designated by hi mshall examine at least once every day all slopes shafts main roads traveling ways signal apparatus pulleys and timbering to see that they are in safe and efficient working condition

Section 712 In every shaft or slope in which provision is made in this act for lowering and hoisting persons a headman or footman shall be designated by the superintendent or foreman to be at their proper places at all times while men are underground Such headman and footman shall personally attend to the signals and see that the provisions of this act in respect to lowering and hoisting persons in shafts and slopes shall be complied with

Section 713 Whenever loss of life to a miner or other employe occurs in or about a colliery notice thereof shall be given promptly to the inspector of mines for the district in which the accident occurred by the mine foreman or outside foreman or other person having immediate charge of the work at the time of the accident and when death results from personal injury such notice shall be given promptly after the knowledge of the death comes to the said foreman or person in charge

Section 714 It shall be the duty of the mine foreman or his assistants in case of injury to any employe by explosion of gas or powder or by any cause while said miners are at work in said mines to at once visit the scene of accident see that the injured is carefully wrapped in woolen blankets and removed to the "medical room" and so treated with oils or other remedies as will add to the comfort and care of the patient After being treated with all the skill known to the foreman or his assistants the injured person shall be carefully wrapped up and sent to the surface to be taken in an ambulance or to the mining hospital as may be desired without expense to the injured person

Section 715 Where an accident to any employe involves injury to limbs or causes loss of blood the foreman or his assistants shall see that the bandages splints and linen shall be applied where necessary to prevent loss of blood and relieve pain The foreman shall in all cases see that the injured person is sent to the surface without delay He shall also keep a record showing the name of the person injured the nature of the injury the treatment and by whom treated at the time of the accident

Section 716 It shall be the duty of the mine foreman or his assistant to test by means of a flame safety lamp or with some other approved device the condition of the atmosphere in each section of his mine each day while the men are at work A report of such examination shall be recorded in a book kept at the colliery for that purpose The test shall show the extent to which gas was detected whether cap or an explosive mixture

ARTICLE VIII

EXAMINATION AND QUALIFICATION OF MINERS

Section 801 Hereafter no peron whatsoever shall be employed or engaged in the anthracite coal regions of this Commonwealth as a miner in any anthracite coal mine without having obtained a certificate of competency and qualification so to do from the Miners' Examining Board of the proper district and having been duly registered as provided by existing law

ARTICLE IX

DUTIES OF MINERS AND OTHER WORKMEN

Section 901 Before commencing work and also after the firing of every blast the miner working a breast or any other place in a mine shall enter such breast or place to examine and ascertain its condition and his

laborer or assistant must not go to the face of such breast or place until the miner has examined the same and found it to be safe

Section 902 A miner or other person who is about to explode a blast by the use of patent or other squibs or matches shall not shorten the match nor saturate it with mineral oil nor turn it down when placed in the hole nor ignite it except at its extreme end nor do anything to shorten the time the match will burn

If a miner or other person uses a fuse to explode a blast such fuse shall be of sufficient length to protrude at least six (6) inches from the mouth of the hole and in no case shall the total length of the fuse be less than eighteen (18) inches

A place shall be stopped for at least thirty (30) minutes after a squib misses fire Where fuses (straight and time fuses) are used and a missed shot occurs the working place shall be stopped for at least twelve (12) hours If a misfire occurs where electric blasting caps are used an interval of at least thirty (30) minutes must elapse before workmen shall return to such working face

Section 903 A miner or other workman shall not withdraw a charge of powder or other explosive in coal slate or rock which has missed fire nor shall the hole be reopened

Section 904 When a miner or other workman is about to fire a blast he shall be careful to notify all persons who may be in danger therefrom and shall give sufficient alarm before firing any blast by any means whatsoever so that any person or persons who may be approaching shall be warned of the danger

Section 905 Any miner or other person having charge of a working place in any mine shall keep the roof and sides thereof properly secured by timber or otherwise so as to prevent such roof and sides from falling and he shall not do any work or permit any work to be done under loose or dangerous material except for the purpose of securing the same

Section 906 Any miner or other workman who shall discover anything wrong with the ventilating current or with the condition of the roof side timber or roadway or with any other part of the mine in general such as would lead him to suspect danger to himself or his fellow workmen or to the property of his employer shall immediately report the same to the mine foreman or other person for the time being in charge of that portion of the mine

Section 907 Any miner or other workman shall not be allowed to store gunpowder or any other explosive in a mine He shall not have at any one time in any one place more than one keg or box containing twenty-five (25) pounds unless more is necessary for a person to accomplish one day's work

Section 908 Any miner or other workman who has gunpowder or other explosive in a mine shall keep it in a wooden box securely locked and such box shall be kept at least ten (10) feet from the tracks in all cases

Section 909 Whenever a miner or other workman shall open a box containing explosives or while in any manner handling the same he shall first place his open lamp not less than five (5) feet from such explosives and in such position that the air current cannot convey sparks to it and a workman shall not approach nearer than five (5) feet to an open box containing powder with a lamp lighted pipe or anything containing fire

Section 910 In charging holes for blasting in coal slate or rock no miner or other workman in any mine shall use an iron or steel pointed needle The end of any metal tamping bar must be tipped with at least six (6) inches of copper or other soft metal The hole must be large enough to admit freely the cartridge containing the explosive and in no case shall a tight cartridge be rammed into a hole

Section 911 When gas is ignited by blast or otherwise the miner or other person igniting the same shall immediately extinguish it if possible and notify the mine foreman or his assistant of the fact and workmen must see that no gas blowers are left burning upon leaving their working places

Section 912 Not more than five blasts shall be fired at the working face of a low coal seam within a period of one hour except by permission from the mine foreman or his assistant and each hole when charged and fired shall constitute a blast This section shall not pertain to cracked gangways

Section 913 No miner or laborer shall run cars out of any breast or chamber or on any gravity road unless he is a suitable person designated by the mine foreman for that particular work and no person under the age of eighteen (18) years shall be designated by any mine foreman to perform such work

Section 914 No workman or other person shall ride upon or against any loaded car cage or gun-boat in any shaft slope or plane in or about a mine or colliery

Section 915 When any person is about to descend or ascend a shaft or slope the headman or footman as the sase may be shall inform the engineer by signal or otherwise of the fact and the negineer shall return a signal before moving or starting the engine In the absence of a headman or footman the person about to descend or ascend shall give and receive signals in the same manner

Section 916 No person shall couple or uncouple loaded or empty cars while the same are in motion Provided however That this shall not apply to the top or bottom men of slopes planes or shafts

Section 917 No person except the man giving the signal shall jump on a car cage or gun-boat after the signal has been given and if any person shall enter a car cage or gun-boat in excess of the lawful number the headman or footman shall notify him of the fact and request hi mto get off which request must be immediately complied with Any violation of this rule must be promptly reported to the mine foreman

Section 918 No workman shall pass a fenced off place, a fenced off traveling way, or a designated danger station unless accompanied by a colliery official or unless he has been directed by a colliery official to pass such place, fenced off traveling way, or such designated danger station, for the purpose of making such place or places safe.

ARTICLE X

MAPS AND PLANS

Section 1001 The owner operator or superintendent of every coal mine or colliery shall make or cause to be made an accurate map or plan of the working or excavations of such coal mine or colliery on a scale of one hundred feet to the inch which map or plan shall exhibit the working or excavations in each and every seam of coal and the tunnels and asspages connected with such workings or excavations It shall state in degrees the general inclination of the strata with any material deflection therein in said workings or excavations and shall also state the tidal elevations of the bottom of each and every shaft slope tunnel and gangway and any other point in the mine or on the surface where such elevation shall be deemed necessary by the inspector

The map or plan shall show the number of the last survey station and date of each survey on the gangways or the most advanced workings

It shall also accurately show the boundary lines of the lands of the said coal mine or colliery and the proximity of the workings thereto and in case any mine contains any water damned up in any part thereof it shall be the duty of the owner operator or superintendent to cause the true location of the said dam to be accurately marked on said map or plan together with the tidal elevation inclination of strata and area of said workings containing water and whenever any workings or excavations are approaching the workings where such dam or water is contained or situated the owner operator or superintendent shall notify the inspector of the same without delay

Whenever a mine fire is sealed an outline of the sealed area must be plainly shown on the mine map together with such data as the mine inspector may request pertaining to the same

Upon request of the mine inspector the location of all bore holes must be placed on the mine inspector's map and the operator or superintendent of the mine shall fur-

nish the inspector with any additional information regarding bore holes upon his request

The said owner operator or superintendent shall deposit a true copy of such map or plan with the inspector of mines for the district in which the said coal mine or colliery is situated showing the workings of each seam if so desired by the inspector on a separate sheet of tracing muslin One copy of said map or plan shall be kept at the colliery

Section 1002 The said owner operator or superintendent shall as often as once in every six months place or cause to be placed on the said inspector's map or plan of said coal mine or colliery the plan of the extensions made in such coal mine or colliery during the preceding six months The said extensions shall be placed on the inspector's map and the map returned to the inspector within two months from the date of the last survey

Section 1003 When any coal mine or colliery is worked out preparatory to being abandoned or when any lift thereof is about to be abandoned the owner operator or superintendent of such coal mine or colliery shall have the maps or plans thereof extended to include all excavations as far as practicable and such portions thereof as have been worked to the boundary lines of adjoining properties Any part or parts of the workings which are intended to be allowed to fill with water must be surveyed in duplicate and such surveys must practically agree They shall be certified to by the owner operator or superintendent and shall be filed with the inspector of the district in which the mines are situated

Section 1004 Whenever the owner operator or superintendent of any coal mine or colliery shall neglect or refuse or from any cause not satisfactory to the inspector shall fail for a period of three months to furnish to the inspector the map or plan of said colliery or of the extensions thereto as provided for in this Article the inspector is hereby authorized to cause an accurate map or plan of such coal mine or colliery to be made at the expense of the owner thereof which cost shall be recoverable from said owner as other debts are by law recoverable

Section 1005 If the inspector finds or has reason to believe that any map or plan of any coal mine or colliery furnished under the provisions of this article is materially inaccurate it shall be his duty to make application to the Court of Common Pleas of the county in which such colliery is situated for an order to have an accuratet map or plan of said colliery prepared and if such survey shall prove that the map furnished was materially inaccurate or imperfect suc howner operator or superintendent shall be liable for the expense incurred in making the same

Section 1006 If it shall be found that the map or plan furnished by the owner operator or superintendent was not materially inaccurate or imperfect the Commonwealth shall be held liable for the expense incurred in making said test survey

Section 1007 If it shall be shown that the said owner operator or superintendent has knowingly or designedly caused or allowed such map or plan when finished to be incorrect or false such owner operator or superintendent thus offending shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not exceeding five hundred dollars ($500.00) or imprisonment not exceeding three (3) months at the discretion of the court

Section 1008 The maps or plans of the several coal mines or collieries in each district and which are placed in the custody of the inspector shall be the property of the Commonwealth and shall remain in the care of inspector of the district in which the said collieries are situated to be transferred by him to his successor in office and in no case shall a copy of the same be made without the consent of the owner operator or superintendent

Section 1009 The inspector's map or plan of any particular colliery shall be open for inspection in the presence of the inspector to any miner or miners of that colliery whenever said miner or miners shall have cause to fear that his or their working place or places are becoming dangerous by reason of their proximity to other workings which may be supposed to contain water or dangerous gases Said map shall also be open to the inspection and examination of any citizen interested during business hours

Section 1010 It shall be obligatory on the owners of adjoining coal properties to leave or cause to be left a pillar of coal in each seam or vein of coal worked by them along the line of adjoining property of such width that taken in connection with the pillar to be left by the adjoining property owner will be a sufficient barrier for the safety of the employes of either mine in case the other should be abandoned and allowed to fill with water such width of pillar to be determined by the engineers of the adjoining property owners together with the inspector of the district in which the mine is situated Such width of pillar as shall have been agreed upon by the adjoining property owners and the mine inspector of the district shall be placed on the inspector's map without delay

The surveys of the face of the workings along such pillar shall be made in duplicate and must practically agree A copy of such duplicate surveys certified to must be filed with the owners of the adjoining properties and with the inspector of the district in which the mine or property is situated

Section 1011 A. the request of the mine inspector the owner operator or superintendent of any coal mine shall furnish him with a geological cross section of such coal seams in such mine as he may require

ARTICLE XI

SHAFTS SLOPES OPENINGS AND OUTLETS

Section 1101 It shall not be lawful for the owner operator or superintendent of any mine to employ any person or persons in such mine or permit any person or persons to be in such mine for the purpose of working therein unless there are in connection with every seam of coal and from every lift thereof worked in such mine not less than two openings or outlets separated by a stratum of not less than sixty (60) feet in breadth underground and one hundred and fifty (150) feet in breadth at the surface at which openings or outlets safe and distinct means of ingress or egress are at all times available for the person or persons employed in said mine This section shall not apply to opening of a new mine or to opening any new lift of a mine while being worked for the purpose of making a connection between said two outlets so long as not more than twenty (20) persons are employed at one time in such mine or new lift of a mine At least half of this number must be employed at making the second outlet Neither shall this section apply to any mine or part of a mine in which the second outlet has been rendered unavailable by reason of the final robbing of pillars previous to abandonment so long as not more than twenty (20) persons are employed therein at any one time The cage or cages and other means of egress shall at all times be available for the persons employed where there is no second outlet.

Section 1102 The owner operator or superintendent of any mine to which there is only one shaft slope or outlet may petition the Court of Common Pleas in and for the county in which said mine is situated which said court is hereby empowered to act in the premises settting forth that in consequence of intervening lands between the working of his mine and the only practicable point at which to makee or bring to the surface from the working of his mine he is unable to make an additional shaft slope or outlet in accordance with the requirements of this act whereupon the court may make an order of reference and appoint three disinterested persons residents of a county viewers one or more of whom shall be a practical mining engineer all of whom after being sworn to a faithful discharge of their duties shall view and examine the premises and determir as to whether the owner should have the provilege of making an additional outlet through or upon any intervening lands as the case may require and report in writing to the court which report shall be entered and filed of record.

Section 1103 If the finding of the viewers or any two of them is in favor of the owner of such coal mine or colliery he may make an additional shaft slope or outlet under through or upon intervening lands as may be determined upon and provided for by the award If the finding of the viewers is against the owner or if no award be made by reason of any default or neglect on the part of the owner he shall be bound to comply with the provisions of this act in the same manner as if this section had not been enacted In case the said owner operator or superintendent desires to and claims that he ought to make an additional opening under through or upon any adjoining or intervening lands to meet the requirements of this act for the ingress and egress of the men employed in his or their mine he or they shall make a statement of the facts in the petition with a survey setting forth the point of commencement and the point of termination of the proposed outlet which he or they their engineers agents or employes may enter upon said intervening lands and survey and mark as he or they shall find it proper to adopt for such additional outlet doing as little damage as possible to the property explored and the viewers shall state in their report what damage will be sustained by the owner or owners of the intervening lands by the opening construction and use of the outlet and if the report is not appealed from it shall be confirmed or rejected by said court as to right and justice shall appertain and any further and all proceedings in relation thereto shall be in conformity with like proceedings as in the case of a lateral railroad across or under intervening lands under the act in relation to lateral railroads approved the fifth day of May Anno Domini one thousand eight hundred thirty-two (Pamphlet Laws five hundred one) and the supplements thereto so far as the provisions of the same are applicable hereto and the notices to the owner of intervening lands of the intention to apply for the privilege of making an outlet and meeting of the viewers shall be given and the costs of the case shall be paid as provided in the said act of May fifth Anno Domini one thousand eight hundred thirty-two (Pamphlet Laws five hundred one) and the supplements thereto.

Section 1104 The main escapement shafts or slopes shall be fitted with safe and available appliances by which persons employed in the mine may readily escape in case an accident occurs deranging the hoisting machinery at the main outlets.

Section 1105 In all slopes where the angle of inclination is fifteen (15) degrees or less there must be provided a separate traveling way which shall be maintained in a safe condition for travel and kept free from steam and dangerous gases.

Section 1106 The top of each slope if dangerous or any intermediate lift thereof shall be securely fenced off by railing or by verticle or flat gates.

Section 1107 Every abandoned slope shaft airhole and drift shall be properly fenced around or across its entrance.

Section 1108 All underground entrances to any places not in actual course of working or extension shall be properly fenced across the whole width of such entrances so as to prevent persons from inadvertently entering the same.

Section 1109 The owner operator or superintendent of any coal mine or colliery which is worked by shaft or slope shall provide and maintain a telephone or suitable appliance by or through which conversation can be held by and between persons at the bottom and at the top of the shaft or slope and also an efficient means of signaling from the bottom of such shaft or slope to the engineer in charge of the hoisting engines The owner operator or superintendent of every coal mine or colliery shall provide and maintain a telephone by or through which conversations can be had between persons on the outside of the mines and the principal centers of operations in the mines.

Section 1110 The owner operator or superintendent of all mines shall see that the surface landing and all other landings of shafts are provided with gates so hung and adjusted that they will close automatically It shall be unlawful for any man employed as a footman at a shaft in which coal or other material is hoisted to work at this occupation unless he has provided himself with a safety headgear or helmet of a design approved by the Department of Mines which headgear or helmet must be worn by him at all times while on duty.

Section 1111 Every cage or gun-boat used for lowering or hoisting persons in any shaft or slope shall be provided with handrails safety catches and a proper protector so constructed that persons while on such cage or gun-boat shall not be struck by anything which may fall or roll down said shaft or slope

Section 1112 Over all shafts which are being sunk or shall hereafter be sunk a safe and substantial structure shall be erected to sustain the sheaves or pulleys at a height of not less than twenty (20) feet above the tipping place and the top of such shaft shall be arranged in such manner that no material can fall into the shaft while the bucket is being emptied

Section 1113 The said structure shall be erected as soon as a substantial foundation is obtained and in no case shall a shaft be sunk to a depth of more than fifty (50) feet without such structure

Section 1114 If provision is made to land the bucket upon a truck the said truck shall be constructed in such manner that the material cannot fall into the shaft All rock and coal from shafts as they are being sunk shall not be raised except in a bucket or on a cage and such bucket or cage must be connected to the rope or chain by a safety hook or clevis or other safe attachment

Section 1115 Such shafts shall be provided with such guides and guide attachments applied in such manner as to prevent the bucket from swinging while descending or ascending therein and such guides and guide attachments shall be maintained at a distance of not more than seventy-five (75) feet from the bottom of such shaft until its sinking shall have been completed but this section shall not apply to shafts one hundred (100) feet or less in depth.

Section 1116. Where the strata are not safe every shaft shall be securely cased lined or otherwise made secure

Section 1117 The following rules shall be observed as far as practicable in every shaft to which this act applies

First After each and every blast the chargeman must see that all loose material is swept down from the timbers before the workmen descend to their work.

Second After a suspension of work and also after firing a blast in a shaft where explosive gases are evolved the person in charge must have the said shaft examined and tested with a safety lamp before the workmen are allowed to descend.

Third Not more than four persons shall be lowered or hoisted in any shaft on a bucket at the same time and no person shall ride on a loaded bucket

Fourth Whenever persons are employed on platforms in shafts the person in charge must see that the said platforms are properly and safely constructed.

Fifth While shafts are being sunk all blasts therein must be exploded by an electric battery.

ARTICLE XII

VENTILATION

Section 1201 The owner operator or superintendent of every mine shall provide and maintain a constant and adequate supply of pure air for the same as hereinafter provided.

Section 1202 It shall not be lawful to use a furnace for the purpose of ventilating any mine wherein explosive gases are generated.

Section 1203 The quantities of air in circulation shall be ascertained with an anemometer or other efficient instrument Such measurements shall be made by the inside foreman or his assistant once every week at the and outlet airways also at or near the face of each gangway and at the nearest cross-heading to the face of the inside and outside chambeer or breast where men are employed Such air measurements shall be entered in the

colliery report book Cross-headings between chambers or breasts shall not be driven more than sixty (60) feet from the face of each chamber or breast A report of these air measurements shall be sent to the inspector befor the twelfth day of each month for the preceding month together with a statement of the number of persons employed in each district.

Section 1204 The minimum quantity of air produced shall not be less than two hundred (200) cubic feet per minute for each and every person employed in any mine and as much more as the circumstances may require.

Section 1205 The ventilating currents shall be conducted and circulated to and along the face of each and every working place throughout the entire mine in sufficient quantities to dilute render harmless and sweep away smoke and noxious or dangerous gases to such an extent that all working places and traveling roads shall be in a safe and fit state to work and travel therein.

Section 1206 All worked-out or abandoned parts of a mine in operation so far as practicable shall be kept free of dangerous bodies of gases or water and if found impracticable to keep the entire mine free from an accumulation of gases or water the mine imspector must be immediately notified.

All accessible parts of an abandoned portion of a mine in which explosive gases have been found shall be carefully examined by the mine foreman or his assistants at least once a week and any dangerous condition found existing therein shall be immediately removed A report of said examination shall be recorded in a book kept at the colliery for that purpose and signed by the person making the same

Section 1207 Every mine employing more than seventy-five (75) persons must be divided into two or more districts Each district shall be provided with a separate split of pure air and the ventilation shall be so arranged that not more than seventy-five (75) persons shall be employed at the same time in any one current or split of air

The inlet and return air passages for any particular district must be separated by a pillar of coal or stone if the thickness and dip of the vein wil permit except where it is necessary to cut through said dividing pillar for the purpose of ventilation traffic or drainage.

Section 1208 All air passages shall be of sufficient area to allow the free passage of not less than two hundred (200) cubic feet of air per minute for every person working the rein and in no case in mines generating explosive gases shall the velocity exceed four hundred and fifty (450) lineal feet per minute in any opening through which the air currents pass if gauze safety lamps are used except in the main inlet or outlet airways.

Section 1209 Al cross-cuts connecting the main inlet and outlet air passages of every district when it becomes necessary to close them permanently shal be substantially closed with brick or other suitable building material laid in mortar or cement whenever practicable

Section 1210 All doors used in assisting or in any way affecting the ventilation shall be so hung and adjusted that they will close automatically

Section 1211 All main doors shall have an attendant whose constant duty it shall be to open them for transportation and travel and prevent them from standing open longer than is necessary for persons or cars to pass through unless a self-acting door is used which is approved by the inspector of the district.

Section 1212 All main doors shall be so placed that when one door is open another which has the same effect upon the same current shall be and remain closed and thus prevent any temporary stoppage of the air current

Section 1213 An extra main door shall be so placed and kept standing open as to be out of reach of accident and so fixed that is can be at once closed in the event of an accident to the doors in use.

Section 1214 The frame work of such main doors shall be substantially secured in stone or brick laid in mortar or cement unless otherwise permitted in writing by the inspector.

Section 1215 All permanent air bridges shall be substantially built of fireproof material and of such strength as the circumstances may require Temporary air bridges or overcasts may be built of other suitable material upon permission from the mine inspector.

Section 1216 All ventilators used at mines shall be provided with recording instruments by which the speed of the ventilators or the ventilating pressure shall be registered for each hour and such data shall be preserved at the colliery for future references for a period of three months.

Section 1217 An accumulation of gas in mines shall not be removed by brushing When such accumulations occur they must be removed by sufficient air currents only

Section 1218: No auxiliary or booster fan shall be allowed in any Class C mine unless a request in writing be made by the superintendent of such mine to the mine inspector of the district and permission granted by him to install such fan.

Section 1219 Auxiliary fans driven by electric power shall not be used in gaseous mines (C class) unless the motors of such fans are enclosed in explosion proof casings approved by the United States Bureau of Mines All such fans must be located so that there shall be maintained at all times a positive separation of inlet and outlet air currents.

Section 1220 All main fans used to ventilate gaseous mines shall be operated continuously when necessary for the safety of the men employed therein and when the Mine Inspector so orders During any period in which repairs are being made to any such fan or fans or for any reason any such fans are stopped no person or persons shal be allowed in any gaseous part of said mine except for the purpose of making examinations and observations of gaseous conditions All such examinations shall be made with an approved safety lamp

Section 1221 Whenever a mine suspends operations temporarily and is being maintained in readiness for operation the mine shall be examined at least once a week in the same manner as if in operation and a report of such examination shall be made in the colliery report book and signed by the person making the examination.

Section 1222: When non-gaseous (Class A) mines in which mining has been suspended and fans stopped during such idle periods, before such mine or mines resume mining, all such fans shall be put in operation at least twelve (12) hours before work is resumed. An examination of all working places, haulage roads, traveling roads, etc., shall be made before the men are allowed to enter the mine.

Section 1223 When any main ventilating fans have been stopped they shall prior to the resumption of work in the mine be operated a sufficient length of time to provide a supply of air adequate enough to dilute render harmless and sweep away all smoke and noxious gases and an examination shall be made of all haulage roads traveling roads working places and other places in which accumulations of gas or smoke might endanger the safety of the workmen before the men are allowed to enter the mine.

Section 1224 All inlet and outlet airways shall be kept free from all obstructions and in fit state to be traveled and inspected at all times.

Section 1225 Any person or persons who shall neglect or fail to comply with the provisions of this article or who shall make any false report in regard to air measurements shall be guilty of an offense against this act.

ARTICLE XIII

UNDERGROUND BUILDINGS

Section 1301 All buildings inside of any anthracite coal mine in Pennsylvania including engine-houses pumphouses stables et cetera shall be constructed of incombustible material and no temporary buildings of any character in any mine shall be constructed unless they are constructed of incombustible material.

Section 1302 Any owner operator or superintendent of a coal mine failing to comply with this article shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of one hundred dollars ($100.-00) or undergo imprisonment in the county jail for a

period of ten (10) days or both at the discretion of the court.

ARTICLE XIV

CLASSIFICATION OF MINES OR SECTIONS THEREOF WITH REFERENCE TO COMBUSTIBLE GAS

Section 1401 All anthracite mines or sections thereof shall be classed as A B or C as hereinafter provided.

Section 1402 A Class A mine or section thereof shall be considered one in which seven one-hundredths (7/100) o fone per cent of combustible gas or less is found Such mine or section thereof shall be considered non-gaseous.

Section 1403 A Class B mine or section thereof shall be considered one in which more than seven one-hundredths (7/100) of one per cent and less than five-tenths (5/10) of one per cent of combustible gas is found.

Section 1404 A Class C mine or section thereof shall be considered one in which five-tenths (5/10) of one per cent or more of combustible gas is found.

Section 1405 Examinations to determine the classification of mines or sections thereof shall be made by the operator or his representative every six months at the faces of the first and last working place on a split and the average of the tests shall be the determining factor Tests shal be made by use of a methane detector approved by the United States Bureau of Mines or by chemical analyses.

Section 1406 The ventilation must have been stopped or short-circuited for at least fifteen minutes when the aforesaid examinations are made and the results recorded and a copy of the same shall be sent to the inspector of the district within ten days after such examination.

Section 1407 The classification of a section of a mine as "A" "B" or "C" does not of necessity place the whole mine in that class

Section 1408 If one-fourth (1/4) of an inch gas cap can be seen on the flame of an approved safety lamp it shall be assumed that the air contains at least one and one-half (1 1/2) per cent of combustible gas.

Section 1409 No mine or section thereof shall be considered as belonging to a less hazardous class than the one to which it formerly belonged without permission from the inspector of the district.

ARTICLE XV

USE OF ELECTRICITY

Section 1501 All electrical apparatus and conductors shall be so installed and protected as to reduce danger from shock or fire to a minimum.

Section 1502 No higher voltage than medium (650) shall be taken underground except for transmission or for application to transformers or other apparatus in which the whole of the high voltage circuit is stationery.

Section 1503 When high voltage cables are taken into the mine through bore holes shafts slopes and other traveling ways to an underground station from which point low or medium voltage may be conveyed said cables shall be so constructed as to reduce the hazards of accidental shock to a minimum.

Section 1504 In gaseous mines (C class) high voltage transmission cables shall be installed in the intake airways or in bore holes provided such bore holes are in or connected to intake airways unless specific permission to install high voltage cables has been given by the Inspector in writing and in response to a specific written request

High voltage motors and transformers if used in a mine shall be installed only in underground stations ventilated by intake air which has not passed through a gaseous district.

Section 1505 Gloves and mats of rubber or other suitable insulating material shall be provided and used by persons when making repairs to live parts of any electrical apparatus or when live parts of electrical apparatus have to be handled for the purpose of adjustment Provided That this section shall not apply to electric signal circuits.

Section 1506 Instructions shall be posted in every generating transforming and motor room containing directions as to the restoration of persons suffering from electric shock

Section 1507 In underground stations where switchboards are installed there shall be a passageway in front of the switchboard not less than three (3) feet in the clear. The rear of said switchboard must be fenced off so that there is no passageway in the rear, or if this be impracticable any such passageway must be three (3) feet in the clear.

When medium voltage is used insulating floors or mats shall be provided where live metal work is on the front of the board. When high voltage is used, unless installed in a locked room to which only authorized persons are admitted, all live metal parts on the front of the main switchboard within seven (7) feet of the floor or platform shall be guarded so as to prevent persons from coming in contact with such live parts. The floor back of the board shall be made of incombustible material. Provided, however, that this section does not apply to switchboards now in service or extensions thereof.

Section 1508 Fire buckets filled with clear dry sand or other standard extinguishers for electrical fires shall be kept in underground stations ready for immediate use in extinguishing fires.

Section 1509 Medium or low pressure conductors may be bare except in gaseous portions (C class) of the mines This rule is not to include trolley wire except where hereinafter provided.

Section 1510 At all landings and partings where men are required to work regularly or pass under trolley or other bare power wires which are placed less than six and one-half (6½) feet above the top of the rail a suitable protection shall be provided This protection may be afforded by channeling the roof placing boards along the wires which shall extend below them or the use of other approved devices that afford protection.

Section 1511 All underground power wires and cables in hoisting shafts or manway compartments shall be highly insulated and substantially fixed in position On main haulage roads all cables and other wires except trolley wires and D C feeder wires when mounted on the same supports shall be kept at least twelve (12) inches away from any part of the mine car or locomotive.

Section 1512 Trailing cables in use shall be examined daily by the machine operator for abrasions and other defects and he shall report any defect to the mine foreman or his assistant and it shall be immediately remedied or the cable put out of service.

Section 1513 All points at which a circuit other than a signal circuit has to be made or broken shall be provided with proper switches The use of hooks or other makeshifts are prohibited except that connection for gathering locomotives or locomotives and machines used in driving headings or chambers may be made to the trolley wire by means of suitable hooks.

Section 1514 In any gaseous portion of a mine (B and C class) a coal-cutting machine shall not be brought beyond the last cross-cut next the working face until the machine man shall have made an inspection for gas or until such examination shall have been made by some other competent person If any explosive gas is found in the place the machine shall not be taken in.

Section 1515 No coal-cutting machine shall be continued in operation in a gaseous portion of a mine (C class) for a longer period than half an hour without an examination being made for gas and if gas is found the current shall at once be switched off and the machine and the trailing cable shall forthwith be disconnected from the power supply.

Section 1516 The person in charge of a coal-cutting machine loading machine or drilling machine shall not leave the machine while it is working and shall before leaving the working place see that the current is cut off from the trailing cables In any gaseous portion of a mine (C class) if an electric spark or arc be produced by the cable or rails the defect shall be immediately reported to the mine foreman or his assistant and the condition remedied without delay.

Section 1517 In any gaseous portion of a mine (C class) any gangway airway or other working which is served by cars being pushed to the face of it must not have any trolley wire therein closer than one hundred and fifty (150) feet from its face No modification of this rule shall be allowed unless the mine inspector of the district be first consulted and his permission obtained to make such modification A trailing cable is permitted in all such cases.

No electric haulage motor shall be taken to the face of any working place in any gaseous portion of a mine (B or C class) in the absence of the men working in such place until it is first examined by a competent person and found to be safe.

Section 1518 In no case shall the potential used in the trolley system be higher than low voltage Provided That this section shall not apply to trolley systems now in service or extensions thereof.

Section 1519 No electrical equipment shall be operated in that part of any mine in which more than one and one-half (1½) per cent of combustible gas can be detected and all work must be stopped except such as may be necessary to reduce the percentage content to one and one-half or less

Section 1520 In gaseous mines (B class) open lights and electric lamps are permissible provided a flame safety lamp approved by the Department of Mines is used for testing purposes Such safety lamps shall be as far as practicable kept near the roof of the working face

It shal not be assumed that a mine or portion thereof is gaseous because of the partial or exclusive use of electric cap lamps

Section 1521 In each part of all gaseous mines (C class) no light other than a locked safety lamp or a locked safety lamp and electric cap lamp both of a type which shall be first approved by the Departmnet of Mines shall be allowed or used in such part Whenever safety lamps or electric cap lamps are required in any mine or part thereof they shall be the property of the owner of said mine and a competent person who shall be appointed for the purpose shall examine every safety lamp and electric cap lamp before it is taken into the workings for use and he shal ascertain that al safety lamps are clean safe and securely locked and safety lamps and electric cap lamps shall not be used until they have been so examined and found safe and in the case of safety lamps clean and securely locked

Section 1522 No one except a duly authorized person shall have in his possession a key or any other contrivance for the purpose of unlocking any safety lamp in any gaseous mine where locked safety lamps or electric cap lamps are used It shall be unlawful for any person or persons working in gaseous mines (C class) or portion of a gaseous mine (C class) which is worked by locked safety lamps or locked safety lamps and electric cap lamps to carry into the mine mtaches smakers' articles or any other material or articles which may cause fire To prevent such articles being carried into a dangerous mine or section thereof the mine foreman when he see fit shall cause a search of the men for such articles

Section 1523 In any gaseous portion of a mine (C class) except such parts as are ventilated by pure intake air incandescent lamps shall be protected by gas tight fittings of strong glass

Section 1524 All shot firing in gaseous mines or sections of mines (C class) shall be done by the use of an electric battery approved by the Secretary of Mines and furnished free of charge by the owner or operator of such mine No black powders shall be used in such mines

Section 1525 No shot firing unit shall be connected to the shot firing leads until all other connections preparatory to the firing of shots have been completed and all persons have moved to a place of safety

Section 1526 In any gaseous portion of a mine (C class) the potential used for signaling purposes shall not exceed twenty-four (24) volts and bare wires shall not be used for signal circuits except in intake air currents

Section 1527: Where electric transformers are located on the outside and mounted on steel structures there shall be provided proper walkways or platforms so that examinations or inspections of the same can be made. All transformers within eight (8) feet of the ground shall be protected by fencing, such fencing to be of a height that will prevent persons from inadvertently coming in contact with same.

Section 1528 At all surface plants of collieries and in all mines where electric power is used adequate switches shal be provided at the points where it may be necessary to turn power on or off Such switches except high voltage air break and disconnecting switches and those on D C feeder or on trolley circuits shall be so arranged that they can be operated only from and without the box when the latter is completely closed

Section 1529 Any person or persons failing to comply with the provisions of this article shall be guilty of an offense against this act and upon conviction shall be sentenced to pay a fine of not less than fifty dollars ($50.00) nor more than one hundred dollars ($100.00) or undergo imprisonment for thirty (30) days in the county jail or both at the discretion of the court

ARTICLE XVI

Inquests

Section 1601 If whenever death occurs from an accident in or about an anthracite coal mine of this Commonwealth and after an examination of such accident the mine inspector finds an inquest should be held he shall notify the coroner to hold such inquest without delay and if no inquest be held by the coroner within forty-eight (48) hours after such notice the inspector shall institute a further and fuller examination of such accident and for this purpose he shall have power to compel the attendance of witnesses at such examination and to administer oaths and affirmations to persons testifying thereat The inspector shall make a record of all such investigations and accidents which record shall be preserved in his office The cost of such investigations shall be paid by the Department of Mines in like manner as other costs are now paid

Section 1602 An inquest held by the coroner upon the body of a person killed by explosion or other accident shall be adjourned by the coroner if the inspector of mines be not present to watch the proceedings and the coroner in such case shall notify the inspector in writing of such adjournment inquest and the time and place of holding the same at least three (3) days previous thereto

Section 1603 Due notice of an intended inquest to be held by the coroner shall be given by the coroner to the inspector and at any such inquest the mine inspector and any representative of a party in interest shall have the right to examine witnesses and read the law governing thecase to the coroner's jury

Section 1604 If at any inquest over the body or bodies of persons whose death was caused by an accident in or about a mine or colliery the inspector cannot be present to watch the proceedings the coroner may proceed with such inquest and if it is shown by the evidence given at the inquest that the accident was caused by neglect or by any defect in or about the mine or colliery which in the judgment of the jury requires a remedy the coroner shall send notice in writing to said inspector of such neglect or default

Section 1605 No person who is interested personally nor a person employed in the mine or at a colliery in or at which loss of life has occurred by accident shall be qualified to serve on a jury empaneled on the inquest and a constable or other officer shall not summon such a person so disqualified as a juror but the coroner shall empanel a majority of the jury from miners who are qualified to judge the nature of the accident

ARTICLE XVII

Medical Rooms and First Aid Treatment

Section 1701 It shall be unlawful to operate any anthracite mine in the State of Pennsylvania employing more than five persons unless said mine is provided with

a sufficient quantity of medical supplies bandages linens splints woolen and waterproof blankets The mine foreman or his assistant shall keep a record showing the required articles on hand Said articles shal be stored in rooms erected at a convenient place in the mine and on the surface which rooms shall not be less than eight by twelve feet and sufficiently furnished lighted clean and ventilated so that therein medical treatment may be given injured employes in case of emergency The furnishings shall be sufficient to accommodate two or more persons in reclining and sitting posture. In the mines where five (5) men or less are employed there shall be kept at such mines first aid kits so that first aid to the injured may be rendered in case of necessity

Section 1702 The neglect or refusal to perform the duties required to be performed by this article or the violation of any of the requirements hereof shall be deemed a misdemeanor and shall upon conviction thereof in the Court of Quarter Sessions of the county wherein the misdemeanor was committed be punishable by a fine not exceeding five hundred dollars ($500.00) or imprisonment in the county jail for a period not exceeding six months (6) or both at the discretion of the court

ARTICLE XVIII

Regulating Weights of Explosives

Section 1801 On and after the passage of this act each and every keg or box of explosives used manufactured or sold in or around the anthracite coal mines of this Commonwealth shall have clearly stamped upon it the name of the person firm or corporation manufacturing said explosives the percentage strength of such explosives and also the number of pounds of explosives contained in said keg or box Said explosives must at all times be contained in a metal keg or wooden box

Section 1802 Any manufacturer or dealer in said explosives making or selling or causing to be made or sold any keg or box of said explosives containing less weight than shall be shown as stamped upon the keg or box shal be subject to a penalty of five dollars ($5.00) for each and every keg or box of said explosives manufactured or sold which does not contain the respective weights as set forth in the foregoing section

Section 1803 It shall not be lawful for any other person firm or corporation except the person firm or corporation whose name shall be stamped on said keg or box to use any such stamped keg or box for the purpose of containing explosives

Section 1804 Any person firm or corporation violating the provisions of section one thousand eight hundred three of this article shall be subject to a fine of not less than five hundred dollars ($500.00) nor more than one thousand dollars ($1,000.00)

ARTICLE XIX

RECOVERY OF BODIES OF ENTOMBED WORKMEN

Section 1901 Whenever any workman or workmen shall heretofore have been or shall hereafter be enclosed entombed or buried in any anthracite coal mine in this Commonwealth it shall be the duty of the court sitting in equity in the county wherein such workman or workmen are enclosed entombed or buried upon the petition of any of the relatives of those enclosed entombed or buried to make an order of court for the petitioner to take testimony in order that the court may ascertain whether such workman or workmen or the body or bodies of such workman or workmen can be recovered or taken out of said mine

Section 1902 If after full hearing it shall appear to the court that such undertaking is feasible or practicable said court may forthwith issue a peremptory mandamus to the owner or owners lessee or lessees operator or operators of such coal company to forthwith proceed to work for and recover and take out the body or bodies of such workman or workmen and said court shall have full authority to enforce such peremptory mandamus in the manner already provided for the enforcement of such process

ARTICLE XX

RECORDS OF COAL LOADED BY MINERS

Section 2001 At every anthracite coal mine in this Commonwealth where coal is mined and paid for by the car a record of all cars of coal mined shall be kept at the miners' chutes or at the most convenient and practical of said chutes where said coal is loaded in cars which record shall be the final basis of computing the miners' earnings per car without any deduction for any slate or other refuse that may be loaded on said car or cars in the usual and natural course of mining and loading coal and which record shall be open at all times for the inspection of all miners

Section 2002 Any individual firm or corporation violating any of the provisions of section two thousand one shall be guilty of a misdemeanor and upon conviction shall for each offense be sentenced to pay a fine of not less than fifty ($50.00) nor more than one hundred dollars ($100.00) Provided That nothing contained in this article shall affect any existing contract

Section 2003 Any person who wilfully shall from any loaded coal car in or about any mine breaker or yard in this Commonwealth take remove sever carry away obliterate or destroy any ticket card tin-slip or other device or sign used to indicate or identify the person or persons to whom credit or pay is or shall be due for the mining of the coal in said car or for the loading of said car for the purpose of depriving such person or persons from getting credit or pay for said car or for the purpose of defrauding such person in any manner shall be deemed guilty of a misdemeanor and upon conviction therefor shall be sentenced to pay a fine not exceeding one hundred dollars ($100.00) or to undergo imprisonment not exceeding one (1) year either or both at the discretion of the court and the jury trying the case may infer such intent from the fact of taking removing carrying away severing obliterating or destroying in any manner of such tickets card tin-slip or other device or sign as aforesaid

ARTICLE XXI

WASH HOUSES

Section 2101 It shall be the duty of the owner operator or superintendent of each mine or colliery at the request in writing of twenty (20) or more men employed in any of the mines to provide a suitable building not an engine or boiler house which shall be convenient to the principal entrance of such mine for the use of the persons employed therein for the purpose of washing themselves and changing their clothes when entering the mine and returning therefrom The said building shall be maintained in good order be properly lighted and heated and supplied with pure cold and warm water and shall be provided with facilities for persons to wash It shall be the duty of the owner operator or superintendent of each mine or colliery to maintain proper attendants continuously at each and every wash house in order to maintain the wash house in a clean and sanitary condition at all times If any person or persons shall neglect or fail to comply with the provisions of this article or maliciously injure or destroy or cause to be injured or destroyed the said building or any part thereof or any of the appliances or fittings used for suplying light heat and water therein or any act tending to the injury or destruction thereof he or they shall be deemed guilty of an offense against this act

ARTICLE XXII

AMBULANCES AND STRETCHERS

Section 2201 The owner operator or superintendent of every mine or colliery except as hereinafter provided shall provide and keep at such mine or colliery a motor ambulance and also at least two (2) stretchers for the purpose of conveying to their places of abode any person or persons who may be injured while in the discharge of his or their work at such mine or colliery

Section 2202 The said motor ambulance shall be constructed upon good substantial and easy springs It shall be covered and closed and shall have windows on the sides or ends It shall be of sufficient size to convey at

least two (2) injured persons with two (2) attendants at one time and shall be provided with spring mattresses or other comfortable bedding to be placed on roller frames together with sufficient covering and protection for the convenient movement of the injured It shall also be provided with seats for the attendants The stretchers shall be constructed in such manner as to afford the greatest ease and comfort in the carriage of injured persons The motor ambulance shall at all times be properly heated

Section 2203 Whenever any person or persons employed in or about a mine or colliery shall receive such injury by accident or otherwise while so employed as would render him or them unable to walk to his or their place of abode the owner operator or superintendent of such mine or colliery shall immediately cause such person or persons to be removed in said motor ambulance to his or their place of abode or to a hospital as the case may require Provided however That where two or more mines or collieries are located within four miles of each other or a motor ambulance is located within four miles of each colliery but one motor ambulance as aforesaid shall be required if said mines or collieries have ready and quick means of communication one with the other by telegraph or telephone

Section 2204 A motor ambulance as aforesaid shall not be required at any mine or colliery at which less than twenty (20) persons are employed

Section 2205 In case the distance from any mine or colliery to the place of abode of the person injured is such as to permit his conveyance to his home or to a hospital more quickly and conveniently by railway such mode of conveyance shall be permitted but in such case the conveyance must be under cover and the comfort of the injured person must be provided for

Section 2206 There shall be furnished free of charge by the State Highway Department a registration certificate and two number tags for every such motor ambulance

ARTICLE XXIII

EMPLOYMENT OF BOYS AND FEMALES

Section 2301 No woman or girl of any age shall be employed or permitted to be in any mine for the purpose of employment therein nor shall a woman or girl of any age be employed or permitted to be in or about the outside structures or workings of a mine or colliery for the purpose of employment Provided however That this prohibition shall not affect the employment of a female of not less than sixteen (16) years of age in an office or in the performance of clerical work at a colliery

Section 2302 No minor under sixteen (16) years of age shall be employed or permitted to work in about or in connection with any breaker or any outside part of any mine or colliery No minor under eighteen (18) years of age shall be employed to be permitted to work inside any coal mine No minor under eighteen (18) years of age shall be employed or permitted to work about or in connection with the outside part of any mine or colliery in the operation of hoisting machines at oiling or cleaning machinery in motion at switch-tending and gate-tending at track repairing or in any other dangerous occupation

Section 2303 Before any person under twenty-one (21) years of age shall be permitted to work in or about any mine or colliery he shall first file with the employer a statement properly sworn to before a magistrate or other proper officer setting forth the date and place of birth and post office address Such statements shall be filed in the colliery office and they shall be available at all times for inspection by the mine inspector of the district or other authorized inspectors or officers charged with the enforcement of this act

Section 2304 Any person who shall violate any of the provisions of this article shall upon conviction thereof be sentenced to pay a fine of not less than ten dollars ($10.00) nor more than two hundred dollars ($200.00) or to undergo an imprisonment of not more than ten (10) days or both at the discretion of the court

ARTICLE XXIV

SOLICITING MONEY OR OTHER VALUABLES FROM EMPLOYES

Section 2401 On and after the passage of this act and mine superintendent mine foreman or assistant foreman or any other person or persons who shall receive or solicit any sum of money or other valuable consideration from any of his or their employes for the purpose of continuing in his or their employ or for the purpose of procuring employment shall be guilty of a misdemeanor and upon conviction shall be subject to a fine of not less than fifty dollars ($50.00) nor more than three hundred dollars ($300.00) or undergo an imprisonment of not less than six (6) months or both at the discretion of the court

ARTICLE XXV

DUTIES OF OUTSIDE FOREMEN

Section 2501 The owner operator or superintendent of a colliery shall place a competent person to be called an "outside foreman" in charge of the breaker and outside work of such colliery who shall direct and see that the provisions of this act are complied with in respect to the breaker outside machinery ropes cages and all other things pertaining to the outside work unless otherwise provided for in this act

Section 2502 Whenever an outside foreman cannot personally carry out the provisions of this act so far as they pertain to him the owner operator or superintendent shall authorize him to employ a sufficient number of competent persons to act as his assistants who shall be subject to his orders

Section 2503 In all coal breakers where the coal dust is so dense as to be injurious to the health of persons employed therein the owner operator or superintendent of said breaker shall upon the request of the inspector immediately adopt measures for the removal of the dust

Section 2504 It shall be the duty of the outside foreman of a colliery or his assistant to inspect and examine personally all machinery in breakers and in all other places where machinery is used for the preparation or storage of coal He shall see that all dangerous machinery rolls pulleys screens belts walks etc are properly protected by coverings railings or fencing so as to prevent persons from inadvertently walking against or falling upon the same

Section 2505 All hoisting ropes safety catches main links and chains shall be carefully examined each day they are used by a competent person delegated by the outside foreman to make such examination A record of any defects found therein by which life or limb may be endangered shall be made in a book and signed by the person making it and said book shall be kept in the colliery office where it shall be available for inspection by the inspector of the district

Section 2506 It shall be the duty of the outside foreman to have all iron hoisting chains main links sockets and slope couplings that are used to lower men into and hoist them from the mines annealed at least once every four (4) months and as much oftener as may be found necessary A record of such annealment shall be kept in a book and signed by the person in charge of the work Provided That this shall not apply to hoisting chains main links sockets and slope couplings that are made of modern heat treated steel

Section 2507 It shall be the duty of the outside foreman to have the motor ambulance kept in good working condition and to this end he shall have it inspected by a competent mechanic once every month and any defects found shall be immediately remedied A record of such motor ambulance inspection together with its condition shall be made in a book and signed by the person making the inspection

Section 2508 It shall be the duty of the outside foreman to keep in the colliery office all employment certificates of minors at which place they shall be open for inspection by the mine inspector of the district or by any other person authorized by law to inspect such certificates

Section 2509 It shall be the duty of the outside foreman to have all cages by which persons are hoisted or lowered in shafts tested for safety as often as once every three (3) months Whenever such test shows that a cage drops nine (9) inches or more or that other dangerous defects exist such cage shall not be further used until all defects therein found have been remedied

Section 2510 If at any time it is found by an employe that any part of the machinery in any breaker or about any colliery has become dangerous he shall immediately notify the foreman whose duty it shall be to have such defect or dangerous condition remedied without delay

Section 2511 The outside foreman shall see that a suitable safety device is installed on the railroad tracks that lead to the breaker and maintained in good working order to protect the loaders who may be loading railroad cars from the coal pockets All railroad car runners shall be provided with safety belts to prevent their falling off such cars

Section 2512 The outside foreman shall before the tenth day of each month send to the mine inspector of the district for the preceding month a report of the condition of all hoisting cages safety catches ropes main links chains breaker machinery motor ambulances or other machinery designating the condition of each by using the words "good" "fair" or "bad" as the case may be This report shall be signed by the outside foreman Such reports shall be made on forms furnished by the Department of Mines

ARTICLE XXVI

BREAKERS AND MACHINERY

Section 2601 No inflammable structure shall be located over the entrance of any mine opening connecting the surface with the underground workings and no breaker or other inflammable structure for the preparation or storage of coal shall be located nearer than two hundred (200) feet to any mine opening provided that this section shall not apply to breakers and other structures that are now erected

Section 2602 The sides of stairs trestles and dangerous plank walls in and around the collieries shall be provided with hand and guard railings to prevent persons from falling over their sides This section shall not forbid the temporary removal of a fence guard rail or covering for the purpose of repairs or other operations if proper precautions are used and the fence guard rail or covering is replaced immediately thereafter

Section 2603 All persons employed to operate machinery in and about the breaker other than that used to lower and hoist persons into and out of the mines shall be sober and competent persons not less than eighteen (18) years of age

Section 2604 A signal apparatus shall be established at important points in every breaker so that in case of an accident the engineer can be promptly notified to stop the machinery

Section 2605 No person under eighteen (18) years of age shall be appointed to oil the machinery and no person shall oil dangerous parts of such machinery while it is in motion

Section 2606 No person shall play with loiter around or interfere with any machinery in or about any mine or colliery

Section 2607 The main link of the chain connecting the rope to the cage gun-boat or car in any shaft or slope shall be made of the best quality of iron or of heat treated steel Bridle chains made of the same quality of iron or heat treated steel shall be attached to the main link rope or rope socket from the cross head of the cage gun-boat or car when persons are being lowered or hoisted thereon

Section 2608 An efficient brake shall be attached to every drum that is used for lowering or hoisting persons or material in any mine

Section 2609 Flanges or horns of sufficient dimensions to prevent the rope from slipping off the said drums shall be provided and properly attached to the drum and all machines used for lowering or hoisting persons in mines shall be provided with an indicator to show the position of the cage car or gun-boat in the shaft or slope

Section 2610 It shall be the duty of the owner operator or superintendent of any or all coal breakers to have them properly heated and lighted in order to prevent injury to the health of persons employed therein

Section 2611 Failure to comply with any of the provisions of this article shall be deemed an offense against this act

ARTICLE XXVII

HOISTING ENGINEERS

Section 2701 No person engaged as hoisting engineer at or about the anthracite coal mines of this Commonwealth part of whose duties it is to lower men and boys into and hoist them and coal from the said mines shall be engaged for a longer period than eight (8) hours out of each day of twenty-four (24) hours

Section 2702 An engineer placed in charge of an engine whereby persons are hoisted or lowered in any mine shall be a sober and competent person of not less than twenty-one (21) years of age

Section 2703 Every engineer shall work his engine slowly and with great care when any person is being lowered or hoisted in a shaft or slope and no one shall interfere with him while in the performance of this duty

Section 2704 An engineer who has charge of the hoisting machinery by which persons are lowered or hoisted in a mine shall be in constant attendance for that purpose during the whole time any person or persons are below ground

Section 2705 Any person persons firm partnership corporation or their agents managers or superintendents violating any of the provisions of this article shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than twenty-five dollars ($25.00) and not more than one hundred dollars ($100.00)

ARTICLE XXVIII

BOILERS AND CONNECTIONS

Section 2801 All boilers used for generating steam in and about mines and collieries shall be kept in good order and the owner operator or superintendent shall have them examined and inspected by a qualified person as often as once in six (6) months and oftener if necessary The result of such examination under oath shall be certified in writing to the inspector for the district within thirty (30) days thereafter

Section 2802 It shall not be lawful to place any boiler or boilers for the purpose of generating steam under or nearer than one hundred (100) feet to any coal breaker or other structure in which persons are employed in the preparation of coal Provided That this section shall not apply to boilers or breakers already erected or to boilers used for heating purposes only

Section 2803 Each nest of boilers shall be provided with a safety valve of sufficient area for the steam to escape and with weights or springs properly adjusted

Section 2804 Every boiler house shall be provided with a steam gauge properly connected with the boilers to indicate the steam pressure and another steam gauge shall be attached to the steam pipe in the engine house and they shall be placed in such position that the engineer or fireman can readily examine them and see what pressure is carried Such steam gauges shall be kept in good order tested and adjusted as often as once in every six (6) months and their condition reported to the inspector in the same manner as the report of boiler inspection

Section 2805 Every fireman in charge of a boiler or boilers for the generation of steam shall keep constant watch over the same He shall see that the steam pressure does not at any time exceed the limit allowed by the outside foreman or superintendent He shall frequently try the safety valve and shall not increase the weight on the same He shall maintain a proper depth of water in each boiler and if anything should happen to prevent this he shall report the same without delay to the foreman for the time being in charge and take such other action as may under the particular circumstances be necessary for the protection of life and preservation of property.

ARTICLE XXIX

PROPS AND TIMBERS

Section 2901: It shall be the duty of the owner, operator, superintendent or mine foreman of every mine to furnish to the miners all props, ties, rails and timbers necessary for the safe mining of coal and for the protection of the lives of the workmen. Such props, ties, rails, and timbers shall be suitably prepared and shall be delivered to the workmen as near to their working places as they can be conveyed in ordinary mine cars free of charge.

Section 2902 Every workman in want of props ties rails or timbers shall notify the mine foreman or his assistant of the fact at least one day in advance giving the length of the props or timber required and in case of danger from loose roof or sides he shall not continue to cut or load coal until the said props and timber have been properly furnished and the place made secure

Section 2903 No person or persons working in any coal mine or colliery shall cut any props or timbers while the same are in position to support the roof or sides When it becomes necessary to remove any of the said props or timbers for any purpose it may be done by using prop or post pullers or by blasting

ARTICLE XXX

RETURNS AND NOTICES

Section 3001 Notices of death or serious injuries resulting from accidents in or about mines or collieries shall be made to the inspector of mines in writing and shall specify the name age occupation of the person killed or injured and also the nature and character of the accident and of the injury caused thereby

Section 3002 The owner operator or superintendent of a mine or colliery shall without delay give notice in writing to the inspector of the district in which said mine or colliery is situated in any or all of the following cases

First Where any working is commenced for the purpose of opening a new slope or mine to which this act applies

Second Where any mine is abandoned or the workings thereof discontinued

Third Where the working of any mine is recommenced after any abandonment or discontinuance for a period exceeding two (2) months

Fourth Before any new coal breaker is completed and work commenced therein for the purpose of preparing coal for market

Fifth Where the pillars of a mine are to be removed or robbed

Sixth Where a squeeze or crush or any other cause or change may seem to affect the safety of persons employed in any mine or where fire occurs or a dangerous body of gas is found in any mine

Section 3003 On or before the second day of each month the owner operator or superintendent of every mine or colliery shall send to the mine inspector of the district for the preceding month an estimate of the number of days worked tons produced and the number of men employed

Section 3004 On or before the first day of February in each year the owner operator or superintendent of every mine or colliery shall send to the inspector of the district a correct report specifying with respect to the year ending December thirty-first previously the name of the operator and officials of the mine with their postoffice addresses the quantity of coal mined the amount of powder or other explosives consumed and the number of persons employed above and below ground in or about such colliery classifying the persons so employed The report shall be in such form as may be from time to time prescribed by the Secretary of Mines Blank forms for such reports shall be furnished by the Commonwealth

ARTICLE XXXI

GENERAL RULES

Section 3101 The owner operator and superintendent of a mine or colliery shall use every precaution to insure the safety of the workmen in all cases whether provided for in this act or not and shall have supervision direction and control of the mine foreman and all other mine employes

Section 3102 Whenever a place is likely to contain a dangerous accumulation of water the working approaching such place shall not exceed twelve (12) feet in width and there shall be constantly kept at a distance of not less than twenty (20) feet in advance at least one (1) bore hole near the center of the working and sufficient flank bore holes on each side

Section 3103 Not more than ten (10) persons shall be hoisted or lowered at any one time in any shaft or slope and whenever five (5) persons shall arrive at the bottom of any shaft or slope in which persons are regularly hoisted or lowered they shall be furnished with an empty car or cage and be hoisted except however in mines where there is provided a traveling way having an average pitch of fifteen (15) degrees or less and not more than one thousand (1000) feet in length This however shall not prohibit the hoisting or lowering of twenty (20) persons at one time on slopes where two (2) or more loaded cars are regularly hoisted Provided That not less than thirty (30) workmen working therein make such a request in writing to the inspector of the district and if in his judgment the hoisting appliances in every respect are of sufficient strength he may comply with the request of the workmen And provided further That in any coal mine or colliery where the hoisting appliances are not of sufficient strength to hoist or lower the number of persons named he shall have the power to reduce the number of persons to be hoisted or lowered

Section 3104 When high explosives other than gunpowder are used in any mine the manner of storing keeping moving charging and firing or in any manner using such explosives shall be in accordance with special rules as furnished by the manufacturers of the same The said rules shall be endorsed with his or their official signatures and shall be approved by the owner operator or superintendent of the mine in which such explosives are used

Section 3105 Every passageway used by persons in any mine and also used for transportation of coal or other material shall be made of sufficient width to permit persons to pass moving cars with safety but if found impracticable to make any passageway of sufficient width then holes of ample dimensions and not more than one hundred and fifty (150) feet apart shall be made on one side of said passageway The said passageway and safety holes shall be kept free from obstructions and shall be well drained the roof and sides of the same shall be made secure

Section 3106 When locomotives are used in haulage ways in any mine their speed shall not exceed six (6) miles per hour and a red light shall be provided and attached to the front end of every train of cars pushed by the locomotive in any such haulage ways No locomotive shall be permitted to be used in any mine or colliery unless it is manned by two or more men There shall also be provided a red light to be attached to the rear of every train of cars that is pulled by a locomotive in the main haulage ways of any mine

Section 3107 Any person or persons who shall knowingly or wilfully damage or without proper authority remove or render useless any fencing means of signaling apparatus instrument or machine or shall throw open or obstruct any airway or open a ventilating door and not have the same closed or enter a place in or about a mine against caution or handle without proper authority or disturb any machinery or cars or do any other act or thing whereby the lives or health of persons or the security of the property in or about a mine or colliery is endangered shall be guilty of an offense against this act

Section 3108 When cars are run on gravity roads by brakes or sprags the runner shall ride only on the rear end of the last car and when said cars are run by sprags a space of not less than two (2) feet from the body of the car shall be made on one or both sides of the track wherever it may be necessary for the runner to pass along the side of the moving car or cars and said space or passageway shall always be kept free from obstructions

Section 3109 Safety holes shall be made at the bottom of all slopes and planese and be kept free from obstruction to enable the footman to escape readily in case of danger Such safety holes shall be properly heated in cold weather

Section 3110 Safety blocks or some other device for the purpose of preventing cars from falling into a shaft or running away on a slope plane or all other inclined tracks on which it may be necessary to block cars shall be placed at or near the head of every shaft slope plane or inclined track and said safety blocks or other device must be maintained in good working order

Section 3111 No person shall travel on any gravity plane while cars are being hoisted or lowered thereon Whenever ten (10) persons arrive at the bottom or top of any plane on which it is necessary for men to travel traffic thereon shall be suspended for a period of time long enough to permit them to reach the top or bottom of said plane

Section 3112 No mine cars shall be used in any mine unless the bumpers are of sufficient length and width to keep the bodies of said cars separated by not less than twelve (12) inches when the cars stand on a straight level road and the bumpers touch each other

Section 3113 For the purpose of making known the rules and the provisions of this act to all persons employed in or about such mine or colliery to which this act applies an abstract of the act and rules shall be posted up in legible characters in some conspicuous place or places at or near the mine or colliery where they may be conveniently read by the persons employed and so often as the same become obliterated or destroyed the owner operator or superintendent shall cause them to be renewed with all reasonable dispatch Any person who pulls down injures or defaces such abstract of the act or rules when posted up in pursuance of the provisions of this act shall be guilty of an offense against this act

Section 3114 Holes drilled for blasting purposes shall be stemmed to the mouth of the hole and in case of a misfire no stemming or charge shall be removed from such hole but another hole shall be drilled at least eighteen (18) inches from and parallel to the original hole Provided however That where an efficient sealing device is used stemming to the mouth of the hole shall not be necessary and in case of misfire in such sealed holes a second charge may be inserted to explode or destroy the original charge

Section 3115 A gangway or other working place from which chambers are driven or long wall mining is done in a law coal seam shall have a traveling way on one side of same at least three (3) feet wide and five (5) feet high Chambers or other places driven from such gangways shall not be more than two hundred and fifty (250) feet long unless provided with a traveling way at least three (3) feet wide and three and one-half (3½) feet high

Section 3116 It shall not be lawful for any mine foreman or superintendent of any mine or colliery to employ any person who is not competent to understand the regulations of any mine evolving combustible gas Provided That this rule shall not apply to a section of a mine free from combustible gas

Section 3117 Any superintendent or mine foreman who prevents the footman from giving an empty car or cage to the number of men designated in section three thousand one hundred three shall be guilty of an offense against the provisions of this article and upon conviction shall be sentenced to pay a fine of fifty dollars ($50.00) for each offense An empty trip shall be hoisted in any shaft or slope where the engine has been standing idle for one hour or more before men are hoisted or lowered in said shafts or slopes and no person or persons shall ascend any shaft or slope when working on the night turn until one trip shall first be hoisted therein

Section 3118 When compressed air lines are located in close proximity to electric currents there shall be placed in such air lines at suitable places a safety section of rubber hose of not less than twelve (12) inches in length and of sufficient strength to withstand the air pressure contained in the pipe line Such safety device must be approved by the inspector of the district

Section 3119 In all stropping work which may be in connection with other sections of a mine and in which large charges of high explosives are being used sufficient warning must be given to the mine officials so that all men in the mine may be removed from the danger zone before such blasts are fired in any such strippings

ARTICLE XXXII

DEFINITION OF TERMS

Section 3201 In this act unless the context otherwise requires the term "anthracite coal mine or colliery" includes every operation and work both under ground and above ground used or to be used for the purpose of mining and preparing coal and not included in the bituminous boundaries

Section 3202 The term "workings" includes all the excavated parts of a mine those abandoned as well as the places actually at work

Section 3203 The term "mine" includes all underground workings and excavations and shafts tunnels and other ways and openings also all such shafts slopes tunnels and other openings in course of being sunk or driven together with all roads appliances machinery and material connected with the same below the surface

Section 3204 The term "shaft" means a vertical opening through the strata and which is or may be used for the purpose of ventilation or drainage or for hoisting men or material in connection with the mining of coal

Section 3205 The term "slope" means any inclined way or opening used for the same purpose as a shaft

Section 3206 The term "breaker" means the structure containing the machinery used for the preparation of coal

Section 3207 The term "coal stripping" means an open type of mine from which the soil and all other material overlying the coal seam has been removed Any seam of coal whose thickness is less than three and one-half (3½) feet shall be considered a low coal seam

Section 3208 The terms "owner" and "operator" mean any person or body corporate who is the immediate proprietor or lessee or occupier of any coal mine or colliery or any part thereof The term "owner" does not include a person or body corporate which merely receives a royalty rent or fine from a coal mine or colliery or part thereof or is merely the proprietor of the mine subject to any lease grant or license for the working or operating thereof or is merely the owner of the soil and not interested in the minerals of the mine or any part thereof But any "contractor" for the working of a mine or colliery or part or district thereof shall be subject to this act as an operator or owner in like manner as if he were the owner

Section 3209 The term "superintendent" means the person who shall have on behalf of the owner general supervision of one or more mines or collieries

Section 3210 The term "mine foreman" means the person who shall have on behalf of the owner operator or superintendent charge of a mine with regard to the ventilation mining timbering and transportation of coal and the safety of the persons employed in the mine

Section 3211 The term "coal miner" means a person qualified by law to act as such and who cuts or blasts coal or rock at the face of a gangway airway breast or pillar or other working place in a mine and performs such other work as may be necessary in such working place for the extraction of coal

Section 3212 The term "booster fan" means a fan used to deliver the entire volume of one or more splits of air into the workings of the high resistance circuits

Section 3213 The term "auxiliary fan" means a fan used to deliver only a portion of the volume of the air in a split to the working face through tubing of some type

Section 3214 The term "non-gaseous mine or section thereof" means one in which not more than seven one-hundredths (7/100) of one percent of combustible gas can be found in the manner described in article fourteen of this act

Section 3215 The term "section of a mine" means any portion of such a mine that is being ventilated by one split of air

Section 3216 The term "person" means and includes any individual partnership association or corporation and any employe agent director or officer thereof

Definition of Electrical Terms

Section 3217 (a) Potential The terms "potential" and "voltage" are synonymous and mean electrical pressure

(b) Difference of Potential Term "difference of potential" means the difference of electrical pressure existing between any two points of an electrical system or between any piece of electrical apparatus and the earth as determined by a voltmeter

(c) Where the conditions of supply of electricity are such that normally the difference in potential between any points of the circuit cannot exceed three hundred and twenty-five (325) volts the supply shall be deemed a low voltage

(d) Where the conditions of the supply of electricity are such that the difference of potential between any two points in the circuit may at any time exceed three hundred and twenty-five (325) volts but cannot exceed six hundred and fifty (650) volts the supply shall be deemed a medium voltage

(e) Where the conditions of supply of electricity are such that the difference of potential between any two points in the circuit at any time exceeds six hundred and fifty (650) volts the supply shall be deemed a high voltage

(f) Grounding Grounding any part of an electrical system shall consist of so connecting such part to the earth as will insure at all times a proper path for the immediate discharge of electrical energy

(g) Underground stations as herein considered are places where electrical machinery including transformers are permanently installed

ARTICLE XXXIII

Arbitration

Section 3301 Whenever an inspector finds any mine or colliery or part thereof or any matter thing or practice connected with such mine which in any respect thereof is not covered or provided against by any provision of this act or by any rule to be dangerous or defective or which in his judgment tends to bodily injure a person he shall give notice thereof in writing to the owner operator or superintendent of such mine or colliery stating in such notice the particular matter or defect requiring remedy and may demand that the same be remedied but the owner operator or superintendent of said mine or colliery shall have the right to refer the demand of the inspector to a board of arbitration and the matter shall then be arbitrated within forty-eight (48) hours of the time such complaint or demand is made and the party against whom the award is given shall pay all costs attending the case The said board of arbitration shall be composed of three (3) persons one of whom shall be chosen by the inspector one by the said owner operator or superintendent and a third by the two thus selected and the decision of a majority of such board shall be final and binding in the matter

ARTICLE XXXIV

Injunctions

Section 3401 Upon application of the inspector of mines of the proper district acting in behalf of the Commonwealth any of the courts of law or equity having jurisdiction where the mine or colliery proceeded against is situated whether any proceedings have or have not been taken shall prohibit by injunction or otherwise the working of any mine or colliery in which any person is employed or is permitted to be for the purpose of working in contravention of the provisions of this act and may award such costs in the matter of the injunction or other proceedings as the court may think just but this section shall be without prejudice to any other remedy permitted by law for enforcing the provisions of this act Written notice of the intention to apply for such injunction in respect to any mine or colliery shall be made to the owner operator or superintendent of such mine or colliery not less than twenty-four (24) hours before the application is made

ARTICLE XXXV

Penalties

Section 3501 Any person or persons who shall neglect or fail to comply with any of the provisions of articles five (V) seven (VII) nine (IX) ten (X) eleven (XI) twelve (XII) fourteen (XIV) fifteen (XV) sixteen (XVI) twenty-one (XXI) twenty-two (XXII) twenty-five (XXV) twenty-six (XXVI) twenty-eight (XXVIII) twenty-nine (XXIX) thirty (XXX) or thirty-one (XXXI) of this act shall be guilty of an offense against this act

Such offenses against this act are declared to be misdemeanors

Section 3502 Any judge of the Court of Quarter Sessions of the peace of the county in which a mine or colliery at which an offense against this act as hereinafter stated has occurred is situated is hereby authorized and required upon the presentation to him of the affidavit of any citizen of the Commonwealth setting forth that the owner operator or superintendent or any other person employed in or about such mine or colliery has been negligently guilty of an offense against the provisions of this act whereby a dangerous accident has resulted or might have resulted to any person or persons employed in such mine or colliery to issue a warrant to the sheriff of said county directing him to cause such person or persons to be arrested and brought before said judge who shall hear and determine the guilt or innocence of the person or persons so charged and if convicted he or they shall be sentenced to pay a fine not exceeding five hundred dollars ($500.00) in all cases not otherwise provided for in this act or to undergo an imprisonment in the county jail for a period not exceeding three (3) months or both at the discretion of the court Provided That any defendant may waive trial before a judge as herein provided and at any time at or before the time of such trial demand a trial by a jury in the Court of Quarter Sessions in which case he may enter into a recognizance before said judge with such surety or sureties and in such sum as said judge may approve conditioned for his appearance at the next Court of Quarter Sessions to answer the charge against him and abide the orders of the court in the premises meanwhile to be of good behavior and keep the peace or in default of such recognizance to be committed to the county jail to await such trial

Section 3503 If any person shall feel himself aggrieved by such conviction and sentenced before a judge as aforesaid he may appeal therefrom subject to the following conditions namely the appellant shall within seven (7) days after the decree has been made give notice to the prosecutor of his intention to appeal and within the same time enter into a recognizance with such surety or sureties and in such sum as shall be approved by said judge conditioned to appear and try such appeal before the next Court of Quarter Sessions of the peace and to abide the judgment of the court thereon and to pay all such costs and penalties as may be there awarded and upon compliance with such conditions the judge shall release the appellant from custody pending the appeal

Section 3504 Nothing in this act shall prevent any person from being indicted or liable under any other act to any higher penalty or punishment than is herein provided and if the court before which any such proceeding is had shall be of the opinion that proceedings ought to be taken against such persons under any other act or otherwise it may adjourn the case to enable such proceedings to be taken

Section 3505 All fines imposed under this act shall be paid into the county treasury for the use of the county

Section 3506 No conviction or acquittal under this act in any complaint shall be received in evidence upon the trial of any action for damages arising from the negligence of any owner operator or superintendent or employe of any mine or colliery

Section 3507 For any violation of duty by the mine inspector prescribed by this act he shall be deemed guilty of a misdemeanor and upon conviction be sentenced to pay a fine of not more than three hundred dollars ($300.00) or be imprisoned for a period not exceeding

three (3) months either or both at the discretion of the court

Section 3508 The mine foreman and assistant mine foreman and any person placed in charge of the works or any part thereof shall be the agents of the owners and operators and such owners and operators shall employ them and discharge them at will

ARTICLE XXXVI

Effective Date

Section 3601 This act shall become effective immediately upon its final enactment Provided however That a period of six (6) months shall be allowed for mine owners operators or superintendents to adopt their mines to comply with the changes made in the existing law by this act and that this time may be extended by the Secretary of Mines for a further period not exceeding six (6) months upon sufficient cause being shown by the owners operators or superintendents of their inability to comply with the provisions of this act within the time herein specified

ARTICLE XXXVII

Repealer

Section 3701 Repeals The following acts and parts of acts of assembly are hereby repealed as respectively indicated

The act approved the ninth of May one thousand eight hundred eighty-nine (Pamphlet Laws one hundred fifty-four) entitled "An act to provide for the recovery of the bodies of workment enclosed buried or entombed in coal mines" insofar as it relates to anthracite mines

The act approved the second day of June one thousand eight hundred ninety-one (Pamphlet Laws one hundred seventy-six) entitled "An act to provide for the health and safety of persons employed in and about the anthracite coal mines of Pennsylvania and for the protection and preservation of property connected therewith" and its amendments

The act approved the fifteenth day of June one thousand eight hundred ninety-seven (Pamphlet Laws one hundred fifty-seven) entitled "An act for the better protection of employes in and about the coal mines by preventing mine superintendents mine foremen and assistants from receiving or soliciting any sums of money or other valuable consideration from men while in their employ and providing a penalty for violation of the same" insofar as it relates to anthracite mines

The act approved the twenty-ninth day of May one thousand nine hundred one (Pamphlet Laws three hundred forty-two) entitled "An act relating to anthracite mines and providing for the care and life and attention of employes injured in and about said mines" and its amendments

The act approved the twenty-eighth day of May one thousand nine hundred seven (Pamphlet Laws two hundred seventy) entitled "An act making the removing obliterating or destroying tickets cards tin-slip or other device used to indicate or to identify persons loading coal in cars from mine-cars a misdemeanor and providing penalty therefor" insofar as it relates to anthracite mines

The act approved the twenty-ninth day of April one thousand nine hundred eleven (Pamphlet Laws one hundred two) entitled "An act to provide for the safety of persons employed in and about the arnthracite coal-mines of this Commonwealth and to limit the hours of labor of hoisting-engineers emlpoyed at or about the same and fixing a penalty for the violation of this act"

The act approved the fifteenth day of June one thousand nine hundred eleven (Pamphlet Laws nine hundred seventy-nine) entitled "An act to safeguard life in the coal mines of the Commonwealth of Pennsylvania and to protect and preserve the property connected therewith by providing that al inside buildings shall be constructed of incombustible material and pr viding penalties for failure to comply with the terms of this act and making a violation thereof by mine superintendents a misdemeanor" insofar as it relates to anthracite mines

The act approved the twenty-fifth day of July one thousand nine hundred thirteen (Pamphlet Laws one thousand thirty-eight) entitled "An act requiring any invididual firm or corporation mining anthracite coal in this Commonwealth where coal is mined and paid for by the car to keep a record of all coal mined at the miners' chutes where said coal is loaded in cars providing that said record shall be the final basis in computing the miners' earnings per car without any deduction for any slate or refuse that may be loaded in said car or cars in the usual and natural course of mining coal providing further that said record shall be open for the inspection of all miners and providing penalties for failure to comply with the provisions of this act"

The act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines"

All other acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—48

Barthold,	Gelder,	Kunkel,	Rice,
Bean,	Gilson,	Lanius,	Rodgers,
Buckman,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Scarlett,
Dando,	Homsher,	McGinnis,	Shapiro,
Deitrick,	Howell,	Mundy,	Sipe,
Dent,	Huffman,	Owlett,	Sones,
DiSilvestro,	Jacobs,	Pierson,	Stiefel,
Ealy,	Jaspan,	Pytko,	Thompson,
Eroe,	Kahle,	Rankin,	Wolfenden,
Frey,	Kilgallen,	Reed,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. RICE. Mr. President, I now call up for consideration Senate Bill No. 341, on page 7 of the calendar.

Mr. CAVALCANTE. Mr. President, before that motion is put I would like to make some explanation. The last printer's numbers for these three bills are 744, 745 and 746, and they apparently are not yet on the desk, and I would ask the Senator from Adams, Mr. Rice, to withhold his motion until the last printer's number is put on the desk, so that all of the members may know just what kind of a bill they are sending back to committee.

The PRESIDENT. That is not necessary, you can recommit a bill without the bill being on the desk, that is another parliamentary usage.

Mr. THOMPSON. Mr. President, I feel that I am compelled to vote against this motion to recommit. There are three principal points in controversy over these bills at the present time, all of which can be studied by action on strike-out amendments on the floor of this Senate. They are the question of importation of beer, the question of sale of beer, with this and its two companion bills, and the question of Civil Service. Personally, I see no adequate reason for sending these bills back to committee at this date, and I will be compelled to vote against the motion.

BILLS RECOMMITTED

Mr. McGINNIS. Mr. President, I move that Senate Bill No. 341, the bill just read, be recommitted to the Committee on State Boards, for the purpose of further amendment.

Mr. CAVALCANTE. Mr. President, I second the motion.

Mr. CAVALCANTE. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz.

YEAS—41

Bean,	Henney,	Law,	Rodgers,
Buckman,	Heyburn,	Mallery,	Rupp,
Chapman,	Homsher,	McCreesh,	Ruth,
Dando,	Howell,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Mundy,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Wolfenden,
Frey,	Lanius,	Rice,	Woodward,
Haluska,			

NAYS—6

Barthold,	Gelder,	Reed,	Thompson,
Cavalcante,	Kunkel,		

So the question was determined in the affirmative.

Mr. McGINNIS. Mr. President, I move that Senate Bill No. 342, the bill just read, be recommitted to the Committee on State Boards, for the purpose of further amendment,

Mr. CAVALCANTE. Mr. President, I second the motion.

The motion was agreed to.

Mr. McGINNIS. Mr. President, I move that Senate Bill No. 343, the bill just read, be recommitted to the Committee on State Boards, for the purpose of further amendment,

Mr. CAVALCANTE. Mr. President, I second the motion.

The motion was agreed to.

Mr. RICE. Mr. President, I now call up for consideration Senate Bill No. 876, on page 14 of the calendar.

Mr. RUPP. Mr. President, I move that this bill be placed on the postponed calendar.

Mr. CAVALCANTE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. THOMPSON. Mr. President, I object.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 876, entitled:

An Act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. REED. Mr. President, I intend to vote against this bill because I firmly believe that relief should be handled by the local community. Now, under this bill in the cities of Philadelphia and Pittsburgh, this form of assistance is still to be handled through the local activities, as I understand it, through the respective departments of Welfare. Now, in the other counties it is to be handled through the County Commissioners. Under this bill the County Commissioners, could in addition to the taxes now levied by the various counties, under a law, levy an additional tax of ten mills on the dollar, and in addition to that a bonding service tax of two additional mills. I call the Senate's attention to this fact whether or not it will be utilized by the local commissioners so as to raise the county tax in the event that dependents becomes so numerous that more taxes must be levied. Under this bill the county commissioners are given the power to look after dependents as defined in this bill, and in the preliminary provision, "Article, 1", there was in the original bill a definition of "care": "Care means to care for and maintain in an institution as herein defined". Now, that was stricken out by a later Senate amendment, and the question arises whether that was taken out to permit the county commissioners to look after not only cases that might be committed to an institution, but to take care of any floating dependents who might happen to be in the county and not taken care of by the relief activities under one of the other bills. If that is true, then that situation is worse than what it is today, because under our system today, those people who are not taken care of by the relief investigators are promptly taken care of by the poor directors. Now, if that clause is taken out for the purpose of throwing back on the County Commissioners those who will not be taken care of by the relief investigators, through failure to qualify to some rule, then I say that if this provision would increase the local taxes to ten mills, this situation, as far as the taxpayers are concerned, might result in greater hardship than we have today.

Now, there is another provision that I would like to call to the Senate's attention, as found in Article, 4, under "Powers and Duties of Institution Districts", section 402. "Care of persons referred by the Department of Public

Assistance: The local authorities shall have power to care for any dependent or other indigent person in the county or city who is referred to them by the Department of Public Assistance, or by a local board under it's supervision pending the determination of such persons—." Now, if that means that the county commissioners must take care of those persons who for the time have no local settlement, then I can see how the burden upon the local authorities might become very great, and by such deeds must force the county commissioners to use this ten mill tax that is provided in this bill.

Now the question recurs, will this bill take better care of the dependents in the various counties of this State? Will it take better care of the dependents in your county? Will it take better care of the defendents in my county? Under the present system, in my county, I have no complaint to make against our poor directors. On many occasions I have known of those who were out on the street, and because they could not qualify with some artificial rule set up by the relief administration, they were forced to being taken care of by the county local authorities, and on many occasions I have seen the local poor directors go immediately on an hour's call to some home and take care of some person who was in a very serious condition due to want. Now will this situation make those conditions better?

The second proposition is the question that is near to every person's heart, that is the question of taxation. Under this bill, will burden of taxation be lifted from the people in the various counties? If, as under this bill, those who are not cared for under the relief setup are not provided for in one of the companion bills, it, therefore, becomes necessary for the county commissioners to take care of all those cases, then, I repeat, under this bill, the county commissioners will be compelled to use up that ten mill tax, an authority which is provided for in this bill, and it is no doubt true that those who drafted this bill had in mind such a contingency, and provided for that situation in giving the county commissioners, in addition to the power already given, the power to levy county taxes, this additional power to levy a ten mill tax, and that is the sole simple purpose. As I said in the beginning, I have always been in favor of local self-government. I believe that this bill will take that away from our counties and I am speaking of the rural counties, that phase of local self-government. I believe that the people in my district who are in want and need protection, under the present system will be protected even better than under this new system, and on that account, Mr. President, I propose to vote against this bill.

Mr. CAVALCANTE. Mr. President, I merely wish to add a few more of these reasons why this bill should be defeated. As you recall, on the floor of this Senate, in defense of the bills that created a new Department of Public Assistance, the Senators who arose in defense of that system stated, and used as one of their basic arguments that since the Federal Government and the State Government were to furnish the funds, that this new department of Public Assistance would administer, that it was altogether just and proper that the State should have complete supervision over the administration of these funds down in local communities. Now, I say that that is a sound and logical argument, and I now ask those same gentlemen to apply that same argument here on this bill. This bill abolishes the poor directors, but does not at all abolish the poor house, merely changes its name to county institutions but the poor house still remains. It abolishes the poor directors and places the administration of the poor houses under a different name and in the hands of the county commissioners.

Then the bill goes further and confers upon the county commissioners, as was ably stated by the Senator from Washington, the power to impose taxation in order to maintain and conduct the affairs of the poor house under a different name. Now, there is nowhere in this bill, nor anywhere provided in any other bill, where the State or Federal Government is going to provide a single red cent for the maintenance or upkeep of those county institutions, but those county institutions, as stated, and I wish to emphasize, must be maintained solely by the taxation on our homes and farms in the county. Now, I ask these gentlemen who have so loyally and ably sponsored and defended the bill that created the Department of Public Assistance, if they will not stand on that same argument tonight, and say that the State and Federal Government, which contributes no money whatsoever to the maintenance and upkeep of these county institutions, "should we, who own homes and farms and who are going to maintain them by taxation"—whether they will not yield to say that they will not need the assistance of the Administration and that they will not leave the institutions in the hands of the people down below and not pass this bill that abolishes the poor boards, but at the same time leave the administration of the institutions completely in the hands of the local authorities, the county commissioners.

I am telling you, gentlemen of the Senate, that I have no hesitation to vote for this bill, but we cannot, we who come from those counties, who have reputable poor directors and satisfactory poor board administration, and who understand our county commissioners, we cannot stand by and see our big brothers in the cities, by their voices here in these assembly halls, wipe out all this vestige of our local home rule in our rural communities, and I challenge my friends, the sponsors of these bills, or any one who wishes to defend them, to deny the fact that this bill provides that the county commissioners must administer these county institutions under the rules and regulations and standards established by the Department of Welfare. I challenge them, I challenge any member of this Senate, to point to this bill and say that it does not, and in these specific words, it provides, on page 8 under "Powers and Duties as to County Institutions Districts, Property, as a function of the institution district and with its funds, the commissioners of each county shall have the power, it shall be their duty, with the approval of the Department of Welfare, to acquire by purchase or the right of eminent domain, lands and buildings for the care of dependents and for farms taking title in the name of the county institution district"

Now, my friends, are we going to stand for that? The funds to buy and maintain these institutions are going to be levied in taxes by the county commissioners, yet this bill subjects them to the rules and regulations of the Department of Welfare here in Harrisburg. Not only in that particular section, but the bill farther on interlocks

with this Poor Board bill, or with the bill that, as it was stated to the members of the Senate when passed here last week, the bills creating the Public Assistance Board, that if we passed those bills, the other bills that were to come out were so interlocked with the first bill that it would cause chaos on the other legislation, and here it is pointed out by the Senator from Washington, that we have these provisions in this bill that refer to the Department of Public Assistance, that we in the counties we must raise these funds by taxation, and then we must accept in the county institutions the people referred to it by the board in this Public Assistance Department; not only that, but the county commissioners are also subject to the supervision of the Department of Internal Affairs.

Mr. President, I trust that the members of this Senate will hearken unto us who come from these rural districts, and who have yielded more than once on the floor of this Senate to the members of this Senate who come from the city districts, and that they tonight yield to the wishes of the rural Senators and help us retain our home rule in this matter.

There is another provision here that I wish to call your attention; this bill is intended to economize, yes, on page 7, section 303,—I do not know why they single out the counties of the sixth and seventh classes, probably there may be senators here, members of this body who represent counties of the sixth, seventh and eighth classes and who want their county commissioners' salaries increased, and this bill increases their salaries, and that salary must be paid out of the funds from taxes levied upon the homes and the farms, not of the city dweller, but of the people who live in those poor communities.

Mr. President, I want also to call the attention of this honorable body to the fact that there are people outside of this assembly hall who are taking cognizance of the road which we are traveling on the matter of this subject. We have heard on the floors of the Federal Congress, where Representative Joseph Gray referred to racketeering in relief, as he told the House of a scheme in Pennsylvania to take relief out of control of local authorities and centralize it in Harrisburg. "This relief business is getting to be a racket," Gray asserted. He explained he did not place all relief work in that category, but asserted that he knew of cases in Pennsylvania where the people on relief were inducing persons to stay out of work and keep on relief, or to go on relief in preference to working on Government projects or industries. This subject has been discussed on the floor of the United States Congress, and I plead with the members of the Senate to defeat this bill in order to comply with your arguments, the arguments of the sponsors of the public assistance bill, that where the State and Federal Government furnishes the money, then we will submit to State and Federal supervision, and where the local communities raise the fund with taxes on our homes and on our farms, for God's sake let us administer our own institutions and spend our own money.

Mr. SHAPIRO. Mr. President, the Senator from Fayette, Mr. Cavalcante, should be complimented for his sincerity of purpose and the work which he has put into the study of this problem, and it is with no intent to challenge his motive that I suggest to the Senate that there are some important factors in this situation which requires refuel in order that we may properly understand the subject. Now I should be very glad to help these smaller rural communities in any way that I can with my vote, but at the same time I must approach this properly with the information of those who have made a careful study of this subject in a disinterested way, and with the thought in mind that what we are doing here is planting something for the future which may save a considerable amount of money, and which in my opinion is only incidental, and yet at the same time make better conditions for those dependent upon others for their existance, but we cannot ignore certain facts that have come to our attention. In the first place, with the development of federal aid to the states, not only in relief, but in other forms of assistance..pensions for the blind, mother's assistance, and old age assistance....activities of every other states, the amount for their assistance has increased signally, to the number of persons who have lived by those activities.

The public poor houses, where the functions of the poor houses cover a number of the added functions which the State has taken over by way of assistance, for instance, old age pensions, which enable a great many people to stay in their own homes if they want to support themselves by means of state-aid in their homes or the homes of others, this was taken over by the state-aid and by the Federal Government and relieved the poor houses of another function.

I am not thoroughly familiar with the prerogative of the poor house system and the poor districts, but it is my general impression that they levy taxes to support their activities, and I was amazed in the study of one of these bills, the poor house bill, to find that a poor board which is supposed to levy taxes merely for the purpose of covering actual expenses, has had in its possession funds aggregating $300,000. I am not unfamiliar with the great City of Philadelphia in the management of its poor house, but the information that developed in a committee which was investigating other activities shows scandalous abuses o- the powers conferred upon them, and when I understand that the creation of this new assistance department and the reaching out of the functions in taking care of those who have heretofore been taken care of in poor houses, I realize that the taxes levied upon every poor district must of necessity be decreased because of the fact that its activities will be decreased, as shown on the report of the Goodrich Committee on page 13, with the outdoor relief persons covered by poor boards to the number of 97,000, which does not include the 13,500 persons in alms houses. If you will refer to page 19 of that report, you will find this significant statement: that specific appropriations made to the State Department of Assistance, and an additional appropriation be made to the reserved funds by the State Department of Assistance which can be allocated to anyone of these funds, if necessary, for additional services, or to the Boards of Assistance in accordance with the law, and, that is, at the present time to the poor boards in the counties which are spending approximately $18,000,000 annually that is raised by a state tax primarily. In addition, the counties are paying approximately one-third of the total expense spent for the mothers' assistance and old age assistance, and up to 6% of the cost of administering old age assistance funds. Participation of the counties in these two state aided pro-

grams, which cost the counties approximately two and a half million dollars during the past year, and in view of the burdens of the tax and of the tax collections, the committee believes that it is wise and just for the state to assume the full financial responsibility of public assistance and services in which the state participates. This will represent a saving of approximately $10,000,000 in local taxation.

Now, many of us here still remember that in the last Session of the Legislature there were at least seven counties that were unable to participate in the mother's assistance, because of their inability to make this one-third contribution required of them by law, and you will also remember the difficulty which arose from the necessity of passing legislation making our laws to conform with the Federal laws so that we could be able to get assistance, and one of the requisites is that contributions should be state-wide, and that every locality should contribute its proportionate share, and because of the fact that many of the counties were unable to contribute at that time enough money to perform their functions in the assistance, we must consider that in connection with the suggestion that there might be some burden placed upon the other counties and we must remember that in a general statement there will be a saving throughout the state of $10,000,000, in local taxation, but that is merely a generality, that is, the privilege to tax $10,000,000 for the purposes of supporting these decreased activities of the county commissioners, and it will enable them to assist these poor house institutions without an increase of local taxes. If the local county boards cannot control their county commissioners to the extent of confining their taxation to the actual necessities, then, of course, the legislature can take care of it through a unified program such as we have inaugurated.

We have passed here Senate Bills 873 and 877, which established the Board of Assistance, and the establishment of this board amends the administration code of 1929 so that there may be included in our code a procedure for administrative boards, and it seems to me absolutely essential that we should make this one effort to do away with the administration of the certain functions which are to be taken over by the State as a whole. I agree with the Senator from Fayette that there should be local control more than is contemplated by the bill presented to us, and I suggest to the Senator that if he will look at the bill which deals with the functions of the State Assistance Board and the local boards in the counties, he will find that the Welfare Committee, in spite of the great deal of pressure that has been and is being brought against them, I suggest that the local boards shall have some authority and shall be more than a mere rubber stamp. I am not so sure that the method of appointing this committee is the best method, it is an experiment, but it is necessary and it is well worth trying. When we have control of the local boards and make our local boards be more than a rubber stamp, as I think these bills have accomplished, I think we can afford to take a chance and allow these poor boards to be managed, and in that respect I disagree with my friend from Fayette, Mr. Cavalcante, in the measure of some of the poor directors and officers in the localities themselves.

As I read this bill, it takes nothing away from the localities, it merely transfers the management from one branch to another in the county. The county commissioner gets the institution in the county instead of the poor boards, and are given the management and control of the institution, and their functions, according to this bill, is to attempt to restore people who require institutional care, that is, who are sick mentally and physically. I understand it will be difficult in some cases to get these old people who have been accustomed to being in poor houses for a large part of their lives, to be put in new surroundings, and to adjust themselves to the conditions created by this act. That may be true in individual cases, but as a general proposition, these people in a large majority of the cases, who are approaching old age, when they will be assured of an income for the rest of their lives, will prefer to find themselves in a home with other members of their families, or in other homes, and not in the poor house; and I agree with the Governor of this Commonwealth when he says in his platform that this administration will abolish the poor house. I never liked the term,—it seemed to me to be the last step before the final day, and it seemed to me that persons being supported through life in those places, though living, felt that they were dead; and when we take these people out of the poor houses and put them in homes, and let them associate with friends and neighbors, instead of placing them altogether in one category in uniforms, I think we will be doing something for them mentally as well as physically.

I am not concerned much about the control in the local communities, and I think the framers of this bill should be commended for the fairness with which it deals with this problem, and I think we ought to make this effort to try out this system. Some of us will be back here in two years from now, and certainly if this situation may be unpleasant and undesirable in some locality, it certainly will not be in all localities—and then the funds that come from the state-wide and uniform control and management that you get under this bill, are due to efforts of these people involved in this program and with all due respect to the gentleman from Fayette, and to his opinion of this bill, I feel we ought to vote for its passage.

Mr. WOODWARD. Mr. President, I ask for one minute and a half. This is an appropriation bill, the bill is Senate Bill No. 876. I simply want to remind the Senate that they do not appropriate lump sums of money to the Department of Welfare, and I hope that we have retained our birthright to specify our appropriations to our state institutions. Therefore, I object to this method of doing business because I do not believe in giving them $137,000,000 in a lump sum.

Mr. BUCKMAN. Mr. President, I am surprised somewhat as to the discussion of not only the proponents but the opponents of this bill, that they should talk so much tonight about poor houses. I think it is a term that should be avoided, in the first place, and in another place, I want to say, Mr. President, and members of this Senate, that we have not had a poor house in Bucks County since the beginning of this century. We have a county home and dispensary and it is a place where these people go to reside and they are well taken care of there. They are to be complimented on the care given these people and it has never been intended as a poor house, but to run it as a county home. My public do not hear that term poor house, it is always referred to as a home.

I intend to vote against this bill for the reason that it takes away every vestige of home rule in reference to the care of our unfortunates or indigent people, and I shall also vote against the bill because it brings all control to Harrisburg, and takes away our home rule, taken in taxes from our own people in our own districts.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. OWLETT. Mr. President, I rise to a question of parliamentary inquiry.

Mr. PRESIDENT. The Senator from Tioga, Mr. Owlett will state his question of parliamentary inquiry.

Mr. OWLETT. Mr. President, as a matter of information to the Senate, as the members of this Senate have expressed their desire to have an opportunity to study the list of salaries of the State Emergency Relief Board, I rise to the question of parliamentary inquiry to ask whether or not the mimeographed copies of the list of salaries of the State Emergency Relief Board, that has been promised to us last Tuesday has not yet been furnished?

POINT OF ORDER

Mr. LAW. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Mercer, Mr. Law, will state his point of order.

Mr. LAW. Mr. President, my point of order is this that the discussion is not on the merits of this bill.

The PRESIDENT. The Chair rules that the point of order is not being well taken, it does relate to the bill, and the copies are available, the mimeographed copies are now available.

Mr. OWLETT. Mr. President, in view of the statements just made, that the copies are available, and since they have not yet been placed on the desks of the Senators, nor have the Senators had an opportunity to examine this list, I ask that this bill go over in its order until we have had a chance to examine the list of salaries.

Mr. RICE. Mr. President, I object.

The PRESIDENT. Objection is made

Mr. EALY. Mr. President, last week when the other bills of the Goodrich Committee were before us, a request was made that these mimeographed copies be submitted by the Department of Relief, and it was then said that before the bill that would abolish the poor boards would be called up for passage, that these copies would be furnished to each member of this Senate. I think it is unfair for them to call this bill up out of its order and force it through for passage before these lists are submitted.

The PRESIDENT. The Chair has no recollection of any remarks being made that copies would be furnished to the Senators before this bill was taken up. The Chair has no recollection of any such remarks.

Mr. EALY. Mr. President, I do not recall who made the statement, but I recall it being made.

The PRESIDENT. Individual Senators may have made the statement.

Mr. DENT. Mr. President, I would like to interrogate one of the sponsors of this bill.

The PRESIDENT. Will the Senator from Center, Mr. Thompson, permit himself to be interrogated?

Mr. THOMPSON. Mr. President, I will.

Mr. DENT. Mr. President, the statement has been made by the Senator from Washington County, that an additional ten-mill tax could be assessed by the county commissioners under this act. Is that correct?

Mr. THOMPSON. Mr. President, this bill has no connection with the taxing power conferred upon the institutional directors. It parallels exactly the power of the present poor directors with the respect to levying taxation. The taxing power of the poor districts today is limited to a tax rate of ten mills. The maximum limit of taxation in this Act, Mr. President is ten mills, and that limit must be held by the county commissioners.

Naturally enough, the bill must provide for debt service, in the event that the institutional district created purchases property or builds an institution. That power is identical of the power of the poor boards today, namely, that if the necessity arises for erecting a building or providing for a capital investment, the county commissioners, under this bill, have that power within their constitutional limitations now, to fix the millage and which will not be altered by this bill, and to incur a bonded indebtedness and levy taxes for debt reduction purposes. Does that answer your question?

Mr. DENT. Mr. President, then what I would like to know is this, the whole purpose of the Act is to eliminate the poor directors and the provisions of this bill now give the county commissioners the same taxing powers that the poor director now hold. Is that true?

Mr. THOMPSON. Mr. President, the purpose of the Act is a little broader than that, and naturally, the question of the Senator from Westmoreland prompts its own answer. Under this Act, the power of levying taxes is the same that is now enjoyed by our present poor directors.

Mr. DENT. Mr. President, then if the County Commissioners so desire, the expense of levying is the same under this act as it is at the present time under the poor directors.

Mr. THOMPSON. Mr. President, that does not necessarily follow. What does follow is that the expenses of the poor district as compared with the expenses of the districts of the newly created constitutional districts, under the terms of this Act, will be what the county commissioners make them, within the limits provided by the Act.

Mr. DENT. Mr. President, is it also true that there is to be a consolidation of the poor districts?

Mr. THOMPSON. Mr. President, in some seven or eight counties we have innumerable poor districts. These counties follow the plan of assessing for the poor districts. I know of at least one county with a population of 150,000 that has in the neighborhood of forty-five poor districts. These poor districts in that area will be consolidated into one county unit.

Mr. DENT. Mr. President, in a county such as mine, which has three poor districts, where the poor directors are elected for terms of four years at $1,500 per year, the expense of their salaries would be $4,500 per year for four years. Is there anything in this act that will provide that the running of the poor districts will not cost more than $4,500 a year?

Mr. THOMPSON. Mr. President, as provided by this Act, during the incumbency of the present poor directors, for the balance of their terms the county commissioners must pay these gentlemen for services to be rendered to

th county commissioners, under the theory that they should help the county commissioners in taking over this work. That, naturally, as far as their terms are concerned, at the present time will incur an expense of $1,500 a year or $4,500 for the term of the present incumbents.

Mr. DENT. Mr. President, I ask the Senator if it is not true that under the provisions of this Act the County Commissioners may be ordered by the Department of Assistance, which is to be created by the Department of Welfare, is it not true that they may order the County Commissioners to their men and women in charge of the poor districts?

Mr. THOMPSON. Mr. President, I would ask that the gentleman read the Act.

Mr. DENT. Mr. President, is there anything in the Act that prohibits such action by the Department of Welfare or the Department of Assistance?

Mr. THOMPSON. Mr. President, under this act the county Commissioners will be in control of the administration of the affairs of this district, and will be under no obligation to employ any person that they do not so desire.

Mr. DENT. Mr. President, is it not true that under the regulations they may recall any appointments of any person in the personnel that the county commissioners may see fit to employ?

Mr. THOMPSON. Mr. President, I think that the gentleman from Westmoreland is taking the wrong interpretation of the rules and regulations as referred to by the previous speaker. One of the previous speakers spoke of the rules and regulations provided for in the act, which referred to the purchase of lands for the use of the district and the erection of buildings, and that the same must be with the permission of the Department of Welfare. I call the attention of the Senate, Mr. President, to the fact that these regulations are exactly the same as now hold true in existing laws, and that our present poor directors are practically under the same identical regulations.

Mr. DENT. Mr. President, I thank the Senator, and I am perfectly satisfied to see any system that is going to reduce local taxation on the homes and farms of our people and provide for this necessary evil in our United States; however, during the past year, we have seen so many times where some local person has been taken off the job and some person sent in by the so called relief agencies at a salary that is so much greater than what we have been paying. Now, I am not so sure that they are not going to saddle on the local communities these well trained, efficiently trained persons whose job it is to see that there are sufficient number of persons on relief in order that their jobs may be maintained.

I am perfectly satisfied, however, to vote for this bill or any other bill that is going to cut down this expense to the local taxing public. However, I can readily see now where some persons may come in with a new set-up that takes the place of the poor directors in our counties, and while they start keeping efficient records, and so forth, I do not see in this bill where it says that the regulation only covers the buying of land, and so forth, for the districts, but if the gentleman who sponsored this Act says that is all it does, I will take his word for it, but if it does not turn out that way, I want to say this, if God allows me to come back here at the next Session of this Senate, I will institute a bill to regulate all this work that we are doing here now, that is, if it turns out that they are going to foist upon the people in my county the putting on of an additional group of payrollers that are going to take money from our local residents.

Mr. REED. Mr. President, for the benefit of the Senator from Westmoreland, Mr. Dent, who said he has not not studied this bill, and also directing the attention of the other Senators to pages 8 and 9 of the bill, I want to read Section 307, under the subject of "Taxation". "Taxation for the purposes of the institution districts and for the payment of the obligation of the predecessor poor districts, the commissioners of each county will have the power to levy and collect on real estate, trades, occupations and professions, in the same manner and at the same time as county taxes, an annual tax to pay the current expense of the institution district not exceeding 10 mills on the dollar of the last adjusted assessed valuation for county purposes. The commissioners may also levy such annual special taxes as may be needed to pay interest and sinking fund charges on bond issues, to pay for the purchase of land or buildings or for the erection and equipment of buildings, or for the payment of such for the institution districts. Such taxes shall be levied at the same time as the county tax and shall be collected in the same manner and subject to the same discount and penalties as the county tax."

Now, in addition to that, in Section 308, there is a proviso that gives the county commissioners power to issue and negotiate bonds of the institution district to raise funds for the acquisition of real estate and for the erection and equipment of buildings, etc.

Now, Mr. President, and for the benefit of the Senator from Westmoreland, Mr. Dent, as I read this section there are four taxes that are provided to be levied on real estate in institution districts: First, a county tax which is now provided under the law; in addition to that we have a ten-mill tax on the dollar of the last adjusted assessed valuation for county purposes; then in addition to that, they may levy such annual special taxes as may be needed to pay the interest on sinking fund charges, and then, lastly, the taxation in the form of borrowing on bonds. Now, there are four items of taxation that will be created under this bill. The question is whether under this system here you will have more taxation on local real estate than you have now. I maintain, and I believe that the future will bear me out, that under this system there will be more taxes created on local real estate in our districts than we have today.

Mr. EROE. Mr. President, sometime ago my county consolidated the poor districts by a vote of the people, and they placed the poor district and county unit in the hands of the county commissioners, and I notice, in looking through the manual, that the Senator from Bucks County, Mr. Buckman, comes from a county that has a total population of approximately 96,000 people, and it has three poor directors, each of whom receive a salary of $500.00 a year, and, in addition to that, if he will look at the audit of Bucks County, he will find that any one of these men spent for his expenses anywhere from $800.00 to $1500.00 apiece, and the same thing applies to Somerset County, Senator Ealy's county, with a population of

80,000. In my county, the county commissioners receive a salary of $3000.00, the same as they do in Bucks County, and they look after the poor district, and we save in that county, on that basis, approximately $4000 or $5000 a year. Now, if this bill does not do anything else, it certainly will save Senator Buckman's County at least $5000 a year in that one item.

Mr. THOMPSON. Mr. President, I do not like to unduly protract this discussion, I just want to make a few brief remarks in connection with this question of taxation and the selection of employees of the districts supposed to be created by this Act. Section 306 in this Act, and by referring to it, anyone in the Senate to find it readily—the entire power of appointment or removal, and of compensation is entirely with the county commissioners. If we would just stop to think of the taxing privilege of this Act, and just stop to think of the taxing situation as it is today, we can comprehend readily that it makes no change in the system, no matter whether you have a local unit or whether you have a county unit, or where you have separate poor directors in the county unit, we will have the same tax limitation of ten mills. Now, if you take the section it says, it is to apply to the payment of the obligation of the predecessors poor districts. If the predecessor poor district continue you will still have the same ten mills tax levied, from which its obligations must be liquidated, and if the same poor district is to continue you would still have them in power with a maximum of tax limitation of ten mills, from which they must liquidate future obligations. If the present poor districts continues, it must continue to levy whatever taxes that are now necessary for its present debt service, and if it increases future capital indebtedness, it again must levy additional taxes to answer the necessities of this service purposes in the future. So you see as far as tax limitations go, the bill substantially, is not in fact exactly identical with the present existing law.

Someone in speaking about this bill has forced some difficulties in their own conception as to the powers of the districts to be created relative to the problem of what we know generally. If we will again refer to the Act, we will find that these are powers to be created. If we will refer to the next Act, to the County Supplement Act, we will find that the provisions relative to settlement of property of transients or all other persons in that class, are exactly the same as they are under the existing laws, so that they cannot force on the newly created districts a class of people for whom they must care if they are not already charged with the care of those people at the present time, and we find at the same time that those county commissioners will be the sole judges of whom they will care for and whom they will not care for.

These Acts are calculated, Mr. President, to reduce our institution primarily to the homes for the mentally and physically infirmed. That has been the ambition of the Democratic Party, that still remains the ambition of the Party. We submit perhaps these bills may not be perfect in all respects, naturally not. There is bound to be some provision of the bill which may not be ideal. We submit the bill is as good perhaps as possible, we do not believe—we feel confident that the obligations of counties would be lessened if any thing, and certainly not to be increased.

Mr. EALY. Mr. President, the Senator from Lawrence has advanced a strange argument that by centralizing this relief system, you can save money. Anyone who knows anything about bureaucracy knows that that is not true, and especially is it not true with this State Emergency Relief Board. Under the first Talbot Act, when the administration of relief was in the hands of the local poor boards, there was spent in the last month in which they operated the sum of $1,062,000. In this administration relief was centralized and put into the hands of the State Emergency Relief Board. In one month, the month of April, 1935, there was spent of state and federal funds the sum of $18,000,000 and no one knows now how much is being spent at the present time. These papers which were handed to us just now indicate by their bulk the vast number of employees that are now in the State Emergency Relief system. When you build up a bureau here in Harrisburg and give it additional power, you are not saving any money. Now it has been said that the poor boards have been guilty of misconduct, of graft, and of certain faults, and that has been true in some cases, but those faults were usually found promptly and were corrected and there is something that must be said for a system where you can point out faults and correct them. Under this undercover relief system that we have now, you cannot do that, they will not even permit themselves to be investigated, and to take this little remaining power away from the local communities where it can be observed and corrected is to simply make more flagrant the violations which have occurred. I cannot understand why this administration would want to under this district, assume the responsibility for administration of relief. Instead of centralize, if the plans were to be decentralized and put back into the local poor boards with their one function for administering relief with a board combined with the poor boards to exercise jointly the two provisionally for Mother's Relief and Mother's Assistance and the other functions of those boards, you would have a system of which every citizen of the Commonwealth would have some responsibility. I cannot for the life of me see why the administration would want to take unto itself this additional responsibility.

Mr. CAVALCANTE. Mr. President, I want to bring another phase of this problem to the attention of the Members of this Senate and that problem is this: I agree fully with my colleague to the left here that it was the Democratic Campaign Slogan that we were going to eliminate what we refer to as the poor houses, that we were going to consolidate in many of these districts and I say that pledge did not go so far as to consolidate functions of the districts. We have in our State, in all sixty-seven counties, but because Philadelphia County has joined with the City of Philadelphia, there is no Philadelphia County, and that is taken up into the City Government and the sixty-six other counties. In Allegheny County they will take two poor districts, the one administered in the City, a city of the second class, and one in the county. Now I say if this Democratic Administration had merely gone as far as to consolidate and wipe out a lot of these little districts we would have done sufficient at this Session. In other words, if it would have created merely sixty-seven poor districts in our counties, or institutional districts, we would have fulfilled

our pledge to our constituents back home. In counties where the poor districts is coterminus with the counties those poor districts would remain at that size, and in other counties where there is more than one poor district we could have passed this Act here consolidating those districts, and saving the people of those counties the duplicate administration costs, but no, we have attached to that idea another idea and that is the idea of centralization here at Harrisburg. The administration of those poor districts, we have gone beyond our duty to consolidate and eliminate these unnecessary poor districts, and this centralizing here in Harrisburg goes a step farther, it is a yielding to a new provisional of our Commonwealth, and that is the Social Welfare Worker, that not only are we going to consolidate, not only are we going to centralize in Harrisburg, but we are going to turn over, as I said last week, to a house of petite debutantes, who go about with fur coats and powdered faces and painted lips, the care of our indigent people in those rural counties, and I say it is absolutely wrong. I did not as a Democrat pledge myself to any such thing, but my pledge did go far enough that we would consolidate necessary districts and if this bill had done that, had consolidated the small districts in some of the counties to one district, and we have only 67 districts in this State, I say that the people of this county would have been repaid the pledge that we have made to them and not turned over all this state to this new professional group that is daily being augmented and created in our midst.

Mr. OWLETT. Mr. President, the argument has been made that this new method about to be established, in which more centralization will occur in Harrisburg is in the interest of the Commonwealth. I cannot help but call the Senate's attention to this data that has just been placed on the desk within the hour, to show how reckless that argument is. This record shows that there are employed in the State Emergency Relief Office today 3,848 people. Why, the list of employees of this State Emergency Relief Board looks life the relief roll itself. There are 335 employees in the regional offices around this State, and 350 employees right here in Harrisburg in this office. Then they talk about economy in more centralization here in Harrisburg. Let me read a few of these salaries in Harrisburg: $225 a month; $416 a month; $135 a month; $300 a month; $275 a month; $550 a month. These are not annual salaries, they are monthly salaries, $180 a month; $265 a month; and so the list goes, $300 a month. Is this money that we are appropriating that we are taking out of the taxpayers of Pennsylvania, that is derived from industry, is that money going to be continued to be paid to give the big salaries of these office holders, or are we going to give it to the people that need relief? That is the question here, that has been the question for the last few years, since this relief system was established in Pennsylvania. We hear two years ago, realizing the fact that the money was not going to the people that needed relief, but was going to these office holders that want to perpetuate this system. Put a limitation on the salaries and what happens? Why they cried, they yelled, until they had a special session and removed that limitation so that they could give them all the salaries they wanted. And so it goes on, and they furnish us a list after fighting for six weeks to get it, they bring it in the last week of the Session and it is so big you can hardly carry it, the list of the employees in these offices, and now that is to be continued and we are to pay the money that they raise from the taxpayers of Pennsylvania instead of giving it to the poor people of this Commonwealth, we are to perpetuate that system, we are to set up that system in our own counties. we are to take the money paid by the taxpayers the real estate owners and farmers and turn that over for administrative response and pay these fat salaries. Mr. President, this list is not all the employees of the State Emergency Relief Board, but in order to cover up they had a WPA project that furnishes some employees, it is known as project No. SSW107, and that is a WPA gives them some more employees that they use in this system. For instance, I understand that there is a regional comptroller who has a special accounting representative, an assisting disbursing officer, and is listed on here at $1,000 a year, and he is getting $4,000 a year from some other agency and the taxpayers are footing the bill. Now that is the system that these bills want to perpetuate this Commonwealth and I do not suppose what I say here on this floor will change one vote of this Senate, but I do say this, that every man in this Senate that votes on this bill ought to understand that this is a system that he proposes to perpetuate when he puts this system in force and forces it on the counties of this Commonwealth.

Mr. BUCKMAN. Mr. President, I have done very little talking, I crave the privilege of defending myself, I would like to interrogate the Senator from Lawrence, Mr. Eroe.

The PRESIDENT. Will the Senator from Lawrence, Mr. Eroe, permit himself to be interrogated?

Mr. EROE. Mr. President, I will.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Lawrence, in what class county, the counties that he represents are?

Mr. EROE. Mr. President, sixth class county, the one I referred to as 97,000 population.

Mr. BUCKMAN. Mr. President, may I ask the Senator from Lawrence what the tax is in that county?

Mr. EROE. Mr. President, five mills poor tax .

Mr. BUCKMAN. Mr. President, I am speaking about tax for all party purposes, do they have a five mill tax?

Mr. EROE. Mr. President, yes.

Mr. BUCKMAN. Mr. President, the county I represent is a sixth class county likewise, and for all our county purposes we have a tax rate of four mills only, and I do not believe the Senator from Lawrence would say that those men are over paid when they are getting $500 a year, or when they extend as much as $800 a year for expenses. I want to say again and to this Senate, that these men travel all over the county and have done this outdoor relief themselves. They do not have a whole big list of employees, such as we have had submitted here to us tonight, they did the work themselves, and I venture to say that there is not an employee who travels all over this state that does not spend more than $800 a year's expenses.

Mr. President, I was looking after the Court from Dr. De Schweinitz I see we have 381 families on relief as of May 15th, and I want to say to you, Mr. President, and to this whole Senate, as far as this relief problem is con-

cerned in our county we do not need any state relief, we can take care of our own unfortunates, and no one has ever starved yet in my county, and I do not believe anyone ever will starve or suffer in any way for eats, shelter, clothing or any of the other things that go for relief, and all of this has been done, Mr. President for the past five yeas on the entire tax rate four mills, and there is not another sixth class county in the State of Pennsylvania that can equal the Government of that county.

I was interested in what the Senator from Tioga said about the WPA. We have some of those projects in our county, and taking up that sewing circle, I was told by, a good woman who visited there to become familiar with the work only last week, but she asked a colored woman who was knitting a dress how long it would take her to finish the work, and she said that she thought she would be through in about three weeks and she also said that the dress is for me. This woman was going to work three or four weeks on that dress at $15 a week and then after she had finished it was to be her dress.

Mr. THOMPSON. Mr. President, I am delighted that the Senator from Tioga talks that way, that there are 3500 people on the payroll of the State Emergency Relief Board at the present time during the Earle Administration and I just want to call the attention of this Senate to the fact that when the Earle administration took over the administration of relief and in January 1935, there was an excess of 12,000 employees on the Pinchot payroll of the State Emergency Relief Board, and if, Mr. President, Governor Pinchot had ever attached a list of his State Emergency Relief employees. I don't believe our desks would be big enough to take care of a package of that size.

Mr. President, there has been definite progress made in this matter of relief and social security in the Earle administration, there has been definite progress made in the economy of its administration, there has been amazing progress made in the efficiency of the administration, and I say to you, Mr. President, when anybody makes a comparison between this administration and the preceding administration, it is amazing to me how anyone can stand up and make such a comparison when this administration has cut the payroll more than half in the cost of administration in the handling of this relief problem.

Mr. WOLFENDEN. Mr. President, the thing that puzzles me about this bill is why it exceeds the recommendation of the Goodrich Committee. I have in my hands the book published by that committee and with reference to Poor Directors it reads as follows "The Poor Boards may be abolished and powers, duties, rights, and privileges with respect to outdoor relief and the care of dependent children be transferred to the County Board and their powers, duties, rights and privileges with respect to alms houses and other institutional care be transferred to the County Commissioners of the several counties" and so forth.

There is nothing said that the Poor Boards shall make reports to the Board of Welfare, there is nothing said about reports to different state departments here. As the Senator from Fayette has so well put it, they ask for consolidation in the interest of economy. You have gone further, you have consolidated and now you are going to reigment and that, like the Senator from Fayette, is what I object to. I do not object to economies in these Poor Boards but I do object to those Poor Boards being regimented under any State Bureau. I think this bill should go over and the recommendation in accordance with the suggestion of the gentlemman who has spent a year putting it before us.

Mr. CAVALCANTE. I merely want to note from the record that I take from this mimeograph booklet of the relief divisions, that I see on this list the name of John B. George, of Uniontown, Pa., at eighty dollars a month. That boy has been in the WPA and working in the WPA for the last two years.

And the question recurring.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Barthold,	Haluska,	Law,	Rodgers,
Dando,	Henney,	McCreesh,	Ruth,
Dent,	Huffman,	McGinnis,	Shapiro,
DiSilvestro,	Jaspan,	Mundy,	Sipe,
Eroe,	Kahle,	Pytko,	Stiefel,
Frey,	Kilgallen,	Rankin,	Thompson
Gilson,	Kunkel,	Rice,	

NAYS—22

Bean,	Gelder,	Mallery,	Salus,
Buckman,	Heyburn,	Owlett,	Scarlet,
Cavalcante,	Homsher,	Pierson,	Sones,
Chapman,	Howell,	Reed,	Wolfenden,
Deitrick,	Jacobs,	Rupp,	Woodward,
Ealy,	Lanius,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

BILLS ON THIRD READING AND FINAL PASSAGE

Mr. RICE. Mr. President, I call up at this time Senate Bill No. 878, on third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 878, entitled:

An Act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such person providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Barthold,	Henney,	Lanius,	Rice,
Dando,	Huffman,	Law,	Rodgers,
Dent,	Jacobs,	McCreesh,	Ruth,
DiSilvestro,	Jaspan,	McGinnis,	Shapiro,
Eroe,	Kahle,	Mundy,	Sipe,
Frey,	Kilgallen,	Pytko,	Stiefel,
Gilson,	Kunkel,	Rankin,	Thompson,
Haluska,			

NAYS—20

Bean,	Ealy,	Mallery,	Salus,
Buckman,	Gelder,	Owlett,	Scarlett,
Cavalcante,	Heyburn,	Pierson,	Sones,
Chapman,	Homsher,	Reed,	Wolfenden,
Deitrick,	Howell,	Rupp,	Woodward,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Mr. RICE. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 1072 on third reading.

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The motion was agreed to.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1072. entitled:

An Act to fix the number of Senators in the General Assembly of the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. McCREESH. Mr. President, I ask unanimous consent to amend page 2, line 8, section 1, by inserting after the word "twenty-seventh" and before the word "fortieth" the following: thirty-fourth; amend page 2, section 1, line 15, by striking out after the word "twenty-ninth" the following: thirty-; amend page 2, section 1, line 16, by striking out the first word "fourth"

The PRESIDENT. Is there objection?

Mr. PYTKO. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

And the question recurring,

Will the Senate agree to the bill?

Mr. WOODWARD. Mr. President I ask unanimous consent to amend sec. 1, page 2, line 3, by strking out the following: "twenty-first" and inserting in lieu thereof: forty-ninth; amend sec. 1, page 2, line 13, by striking out the following "forty-ninth" and inserting in lieu thereof: twenty-first

The PRESIDENT. Is there objection?

Mr. FREY. Mr. President, I object.

And the question recurring.

Will the Senate agree to the bill?

Mr. McCREESH. Mr. President, I move to reconsider the vote by which this bill passed second reading.

Mr. RUPP. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The motion was not agreed to.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. McCREESH. Mr. President, I rise to a question of parliamentary inquiry.

The PRESIDENT. The Senator from Philadelphia, Mr. McCREESH, will state his question of parliamentary inquiry.

Mr. McCREESH. Mr. President, last week when this bill appeared on the calendar I intended to vote for it as it was then but since that time our good Senator from Philadelphia has made some amendments which changed the bill completely all around. Now, the consensus of opinion was that all amendments were to be voted down and I am inquiring why one Senator has the right to offer amendments and all other amendments are voted down.

The PRESIDENT. The Chair informs the senator from Philadelphia that any Senator has the right to offer amendments, but all Senators do not have to vote for them, but evidently they did.

Mr. McCREESH. Mr. President, I would also like to know what will happen in this district where it is now left without a State Senator for the next three years.

The PRESIDENT. The Senator from Philadelphia is asking the Chair? The Chair cannot answer the question.

Mr. McCREESH. Mr. President, it might be a good thing to ask the very wise Senator from Philadelphia what he intends to do with the district for the next three years and where will the people of that district go when they need help.

Mr. BUCKMAN. Mr. President, this bill, Senate Bill No. 1072, is what is known as the Senatorial Reapportionment Bill. I am not interested especially in the different wards of the City of Philadelphia, but I am interested in the Tenth Senatorial District, which I have had the honor to represent in this body for the past twenty-eight years. I have represented a County which is one of the very original counties in this State and always, up to this time it has had the privilege of being represented in the Senate of Pennsylvania by a Senator. By this bill it is now thought to wed us with Lehigh County. I have nothing against Lehigh County, we rather like Lehigh County but we are unwilling to have the Senate of Pennsylvania compel us to enter into a military wedding. This bill has been originated, probably more than for any other purpose, in order to take away from me my Senatorial District. I say to the men who had any such thought that they are about twenty-eight years too late, for I have represented that district during that time and do not intend to be a candidate for re-election, but I am, Mr. President, interested in the district and I feel that the motive behind this bill is entirely political. I know of no reason why we should not be a Senatorial District, nor do I know of any reason why Lehigh County should be deprived of its representation in this body. It is true that there are in this Senate some counties who have increased the population to such an extent that according to the Constitution they may be entitled to another Senator, but I say to you, Mr. President, and to this Senate, that if you will consider the caliber of the citizens of my County and of Lehigh County, you will find them second to none in the whole State, and I ask the members of this Senate to stand by me and help me to preserve this district, not for myself, but for my successor.

And the question recurring,

Shall the bill pass finally?

Mr. McCREESH. Mr. President, due to the fact that this bill is not on the desks and perhaps not printed yet, and perhaps maybe lost, I move that this bill go over in order until we find the printed bill.

The PRESIDENT. The Chair is advised that loose copies were placed on the desks of the Senators by the

Sergeant-at-Arms and the implication is that the bills have been removed. If the bills are not on the desks of the Senators it should go over in order.

Mr. SHAPIRO. Mr. President, I am informed that the bills are now on the desks of the Senators.

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, my point of order is that the bill under consideration is not on my desk, nor on any of the desks of the Senators within the immediate vicinity of my desk and I insist that under the Constitution and rules of this Senate that the bill go over in its order.

The PRESIDENT. The point of order is sustained.

BILL OVER IN ORDER

Mr. RICE. Mr. President, I ask, in view of the fact that the bills are being distributed at present, I ask that this bill go over in order for the present.

The PRESIDENT. Is there objection? The Chair hears none and the bill will go over temporarily.

Mr. BUCKMAN. Mr. President, may I suggest that the statement made by the Chair, possibly by someone else, that there was an implication that the bills had been taken from the desks of the Senators be removed from the records, in view of the fact that the bills are now being placed on the desks.

The PRESIDENT. The Chair is advised that the Sergeant-at-Arms reiterated that the bills were distributed.

Some of the Senators, I am advised, have read the bill on their desks.

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks, Mr. Buckman, will state his point of order.

Mr. BUCKMAN. Mr. President, my point of order is that this bill should be stricken from the calendar for the reason that the bill was not on the Senators' desks when we started to consider the calendar.

The PRESIDENT. The point of order is not well taken. The bill has gone over in order temporarily. There was no objection to its going over and the point of order is not sustained.

Mr. RICE. Mr. President, the bill now being on the desks of the Senators, I call up Senate Bill No. 1072.

Mr. McCREESH. Mr. President, I object.

Mr. BUCKMAN. Mr. President, I object.

The PRESIDENT. The Senator will state his reason for his objection.

Mr. McCREESH. Mr. President, this bill is not so necessary.

The PRESIDENT. It is not a question whether the bill is necessary, it is a question of whether the bill is on the desks.

Mr. BUCKMAN. Mr. President, my reason for objection is that the rules provide that the calendar should be taken up in its order and when the Senator calls up this bill out of order, it is really, in effect, a motion that we proceed with the consideration of a Senate bill and it cannot be done except by unanimous consent of the Senate.

The PRESIDENT. The Chair thinks the point of order is not well taken. The bill was under consideration and went over temporarily in order without objection and is now called up.

Mr. RICE. Mr. President, I move that the Senate do now proceed to the consideration of Senate Bill No. 1072.

Mr. FREY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. BUCKMAN and Mr. GELDER, and were as follows, viz:

YEAS—30

Barthold,	Henney,	Lanius,	Rice,
Dando,	Howell,	Law,	Rodgers,
Dent,	Huffman,	McGinnis,	Ruth,
DiSilvestro,	Jacobs,	Mundy,	Shapiro,
Eroe,	Jaspan,	Pytko,	Sipe,
Frey,	Kahle,	Rankin,	Stiefel,
Gilson,	Kilgallen,	Reed,	Thompson
Haluska,	Kunkel,		

NAYS—19

Bean,	Ealy,	McCreesh,	Scarlett,
Buckman,	Gelder,	Owlett,	Sones,
Cavalcante,	Heyburn,	Pierson,	Wolfenden,
Chapman,	Homsher,	Rupp,	Woodward,
Deitrick,	Mallery,	Salus,	

So the question was determined in the affirmative.

POINT OF ORDER

Mr. BUCKMAN. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Bucks will state his point of order.

Mr. BUCKMAN. Mr. President, this is a suspension of the rules and requires a two-thirds vote of all the Senators present.

The PRESIDENT. The Chair does not understand that it is a suspension of the rules and the point of order is not sustained.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1072, entitled:

An Act to fix the number of Senators in the General Assembly of the State; to apportion the State into senatorial districts, as provided by the Constitution; and to regulate the election of, and the terms of office of, the present and future elected Senators.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Barthold,	Haluska,	Kunkel,	Rice,
Dando,	Henney,	Law,	Rodgers,
Dent,	Howell,	McCreesh,	Ruth,
DiSilvestro	Huffman,	McGinnis,	Shapiro,
Eroe,	Jacobs,	Mundy,	Sipe,
Frey	Jaspan,	Pytko,	Stiefel,
Gelder,	Kahle,	Rankin,	Thompson,
Gilson,	Kilgallen,	Reed,	Wolfenden,

NAYS—17

Bean,	Ealy,	Mallery,	Salus,
Buckman,	Heyburn,	Owlett,	Scarlett,
Cavalcante,	Homsher,	Pierson,	Sones,
Chapman,	Lanius,	Rupp,	Woodward,
Kattick,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrance.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 1075, as follows:

An Act to protect the public health and welfare by regulating employment in this Commonwealth with respect to hours and conditions of employment providing for certain exceptions imposing duties liabilities and conditions on employers defining the powers and duties of the Department of Labor and Industry and its officers and representatives and providing penalties

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 DEFINITIONS Whenever used in this act

(a) "Employ" includes permit or suffer to work

(b) "Employer" includes every person firm corporation partnership stock association agent manager representative or foreman or other person having control or custody of any employment place of employment or of any employee

(c) "Day" includes any period of twenty-four consecutive hours

Section 2 Hours of Work Except as hereinafter provided no employer shall employ any person for more than forty-four hours in any one week or eight hours in any one day or on more than five and one-half days in any period of seven consecutive days

(a) A person may be employed in more than one place of employment provided the aggregate number of hours such person is employed does not exceed eight in any one day or forty-four in any one week provided that one day of rest may be sub-divided into two days of twelve hours each for employes in hotels boarding houses and in charitable educational and religious institutions at the discretion of the Department of Labor and Industry with the approval of the Industrial Board

(b) Where the strict application of the schedule of hours provided for by this section imposes an unnecessary hardship and violates the intent and purpose of this Act the Department of Labor and Industry with the approval of the Industrial Board may make alter amend and repeal general rules and regulations prescribing variations from said schedule of hours Provided that with respect to any industry whose schedule of hours is established by Federal regulation the schedule to be fixed by the Department of Labor and Industry with the approval of the Industrial Board shall conform to the schedule established by any such Federal regulatory body

(c) Nothing in this section or any other provisions of this act shall apply to employment in agricultural occupations or in domestic service in private homes or to the work of persons over twenty-one years of age earning at least twenty-five dollars a week in bona fide executive positions or learned professions

Section 3 Meal Period No employer shall employ any person for a period of more than five hours of continuous labor unless such period is broken by a meal period of at least one-half hour and for the purpose of this section no period of less than thirty minutes shall be deemed to interrupt a continuous period of work

Section 4 Posting of Law Every employer shall post and keep conspicuously posted in or about the premises wherein any person is employed a printed abstract of this act to be furnished by the Department of Labor and Industry

Section 5 Posting of Schedule of Hours (a) Every employer shall post and keep conspicuously posted in or about the premises wherein any person is employed a schedule of hours of employment which shall contain the maximum number of hours each person shall be employed during each day of the week with the total hours per week the time of commencing and stopping work and the time of commencing and stopping the meal periods If more than one schedule of hours is in operation at a particular place of employment the posted schedule shall also contain the names of the employees working on the different shifts and shall clearly indicate the hours required of each person or group of persons An employer may permit a person to begin work after the time for beginning and to cease work before the time for ending stated in such schedule but he shall not otherwise employ him except as stated in such schedule Said schedule shall be on a form provided by the Department of Labor and Industry and shall remain the property of said department

(b) In any place of employment wherein owing to the character of the work it is difficult to fix the hours of employment weekly in advance the Department of Labor and Industry on application accompanied by evidence which satisfies it of the necessity therefor may grant a permit dispensing with the schedule required in this section Any employer to whom such a permit is granted shall post such information as to hours required of employees as the department may require

Section 6 Enforcement It shall be the duty of the Department of Labor and Industry to enforce the provisions of this Act Any authorized representative of said department shall have the power and authority to enter any place of employment and in the enforcement of this act shall enter and inspect as often as practicable all such places of employment Such representatives shall investigate complaints of violations of this act received by them and shall have power to institute prosecutions as hereinafter provided for violations of this act

Section 7 Power as to Witnesses The Secretary of Labor and Industry or his authorized representative in the performance of any duty or execution of any power prescribed by this act shall have the power to administer oaths take and cause to be taken depositions of witnesses issue subpoenas compel the attendance of witnesses and the production of papers books accounts payrolls documents records and testimony In case of failure of any person to comply with any such order of the Secretary of Labor and Industry or any subpoena lawfully issued or on the refusal of any witness to produce evidence or to testify to any matter regarding which he may be lawfully interrogated it shall be the duty of any Court of Common Pleas of the Commonwealth or any judge thereof upon application of the Secretary of Labor and Industry or of his authorized representative to compel obedience by issuing its subpoena and any refusal to obey the subpoena of the court shall be punished as for contempt

Section 8 Interference With Enforcement No person shall hinder or delay any authorized representative of the Department of Labor and Industry in the performance of his duties nor shall any person refuse to admit to or lock out from any place of employment any such authorized representative or refuse to give such authorized representative information required for the proper enforcement of this act

Section 9 Penalties Whoever violates any provision of this act shall upon conviction thereof in a summary proceeding be punished by a fine of not less than twenty-five dollars ($25) or more than two hundred dollars ($200) and upon nonpayment thereof by imprisonment for not more than sixty days and whenever any person shall have

been notified by the department or its authorized representatives or by the service of a summons in a prosecution that he is violating such provision he shall upon conviction as aforesaid be punished by like penalties in addition for each and every day that such violation shall have continued after such notification Provided further That the employment of any person in violation of such provisions with respect to each person so employed shall constitute a separate and distinct offense

Section 10 Intimidating Witnesses Whoever shall by force intimidation threat or procuring dismissal from employment or by any other manner whatsoever induce or attempt to induce an employee to refrain from giving testimony in any investigation or proceeding relating to or arising under this act or whoever discharges or penalizes any employee for so testifying shall upon conviction in a summary proceeding be punished by a fine of not less than twenty-five dollars ($25) or more than two hundred dollars ($200)

Section 11 Constitutionality of Act Except as to subsection (b) of section two the provisions of this act shall be severable and if any provision thereof shall be held unconstitutional the decision so holding shall not be construed to affect or impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein Provided however That the provisions of subsection (b) of section two are hereby declared not to be severable from the other provisions of this act and in the event the provisions of such subsection are held to be unconstitutional it is hereby declared that the legislative intent is that the entire provisions of this act shall not be in force or effect

Section 12 This act shall become effective on December first one thousand nine hundred thirty-seven

And said bill having been read at length the third time,

And amendments made thereto having been printed as required by the Constitution,

On the question,

Will the Senate agree to the bill?

Mr. FREY. Mr. President, I ask unanimous consent to Amend section 2, page 2, line 12 by inserting at the beginning of the line the following, as the beginning of a new paragraph (indent) (a); amend section 2, page 2, line 17 by striking out after the word "for" and before the word "employes" the word: (women); amend section 2, page 2, line 20 by striking out at the end of the line the word: (where); amend section 2, page 2, line 21 by inserting at the beginning of the line the following as the beginning of a new paragraph (indent) (b) Where; amend section 2, page 2, line 27 by striking out at the end of the line the following: (Provided that if it should be held); amend section 2, page 2, by striking out lines 28 and 29; amend section 2, page 3, by striking out lines 1 to 3, inclusive; amend section 2, page 3, line 4 by inserting at the beginning of the line the following, as the beginning of a new paragraph (indent): (c); amend section 2, page 3, line 8 by striking out after the word "least" and before the word "dollars" the word: (thirty-five) and inserting in lieu thereof the word: twenty-five; amend section 2, page 2, line 12 by inserting at the beginning of the line the following, as the beginning of a new paragraph (indent) (a); amend section 2, page 2, line 17 by striking out after the word "for" and before the word "employes" the word: (women); amend section 2, page 2, line 20 by striking out at the end of the line the word: (where); amend section 2, page 2, line 21 by inserting at the beginning of the line the following, as the beginning of a new paragraph (indent) (b) where; amend section 2 page 2 line 27 by striking out at the end of the line the following: (Provided that if it should be held); amend section 2, page 2, by striking out lines 28 and 29; amend section 2, page 3, by striking out lines 1 to 3, inclusive; amend section 2, page 3, line 4 by inserting at the beginning of the line the following, as the beginning of a new paragraph (indent): (c); amend section 2, page 3, line 8 by striking out after the word "least" and before the word "dollars" the word: (thirty-five) and inserting in lieu thereof the word: twenty-five; amend section 13, page 8, line 19 by striking out after the word "ACT" and before "provi-" the word: (The) and inserting in lieu thereof the following: Except as to subsection (b) of Section two the; amend section 13, page 8, line 25 by inserting at the end of the line the following: provided however That the provisions of subsection (b) of section two are hereby declared not to be severable from the other provisions of this act and in the event the provisions of such subsection are held to be unconstitutional it is hereby declared that the legislative intent is that the entire provisions of this act shall not be in force or effect; amend section 13, page 8, line 19 by striking out after the word "ACT" and before "provi-" the word: (The) and inserting in lieu thereof the following: Except as to subsection (b) of Section two the; amend section 13, page 8, line 25 by inserting at the end of the line the following: Provided however That the provisions of subsection (b) of section two are hereby declared not to be severable from the other provisions of this act and in the event the provisions of such subsection are held to be unconstitutional it is hereby declared that the legislative intent is that the entire provisions of this act shall not be in force or effect.

The PRESIDENT. Is there objection?

Mr. BUCKMAN. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

Mr. FREY. Mr. President, I move to reconsider the vote by which Senate Bill No. 1075 passed second reading.

Mr. LAW. Mr President, I second the motion.

The motion was agreed to.

The first section of the bill was read as follows and agreed to:

Section 1 Definitions Whenever used in this act

(a) "Employ" includes permit or suffer to work

(b) "Employer" includes every person firm corporation partnership stock association agent manager representative or foreman or other person having control or custody of any employment place of employment or of any employee

(c) "Day" includes any period of twenty-four consecutive hours

The second section of the bill was read as follows:

Section 2 Hours of Work Except as hereinafter provided no employer shall employ any person for more than forty-four hours in any one week or eight hours in any one day or on more than five and one-half days in any period of seven consecutive days

A person may be employed in more than one place of employment provided the aggregate number of hours such person is employed does not exceed eight in any one day or forty-four in any one week provided that one day of rest may be sub-divided into two days of twelve hours each for women employes in hotels boarding houses and in charitable educational and religious institutions at the discretion of the Department of Labor and Industry with the approval of the Industrial Board where the strict application of the schedule of hours provided for by this Section imposes an unnecessary hardship and violates the intent and purpose of this Act the Department of

Labor and Industry with the approval of the Industrial Board may make alter amend and repeal general rules and regulations prescribing variations from said schedule of hours Provided that if it should be held hereafter by the courts of this Commonwealth that the power herein sought to begranted to the said Department of Labor and Industry is for any reason invalid such holding shall not be taken in any case to affect or impair the remaining provisions of this section

Nothing in this section or any other provisions of this act shall apply to employment in agricultural field occupations or in domestic service in private homes or to the work of persons over twenty-one years of age earning at least thirty-five dollars a week in bona fide executive positions or learned professions.

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend section 2, page 2, line 12 by inserting at the beginning of the line the following, as the biginning of a new paragraph (indent) (a); amend section 2, page 2, line 17 by striking out after the word "for" and before the word "employes" the word: (women); amend section 2, page 2, line 20 by striking out at the end of the line the word: (where); amend section 2, page 2, line 21 by inserting at the beginning of the line the following as the beginning of a new paragraph (indent) (b) Where; amend section 2, page 2, line 27 by striking out at the end of the line the following: (Provided that if it should be held); amend section 2, page 2, by striking out lines 28 and 29; amend section 2, page 3, by striking out lines 1 to 3, inclusive; amend section 2, page 3, line 4 by inserting at the beginning of the line the following, as the beginning of a new paragraph (indent): (c); amend section 2, page 3, line 8 by striking out after the word "least" and before the word "dollars" the word: (thirty-five) and inserting in lieu thereof the word: twenty-five.

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The third to the twelfth sections of the bill were read as follows and agreed to.

Section 3 Meal Period No employer shall employ any person for a person for a period of more than five hours of continuous labor unless such period is broken by a meal period of at least one-half hour and for the purpose of this section no period of less than thirty minutes shall be deemed to interrupt a continuous period of work

Section 4 Posting of Law Every employer shall post and keep conspicuously posted in or about the premises wherein any person is employed a printed abstract of this act to be furnished by the Department of Labor and Industry

Section 5 Posting of Schedule of Hours (a) Every employer shall post and keep conspicuously posted in or about the premises wherein any person is employed a schedule of hours of employment which shall contain the maximum number of hours each person shall be employed during each day of the week with the total hours per week the time of commencing and stopping work and the time of commencing and stopping the meal periods If more than one schedule of hours is in operation at a particular place of employment the posted schedule shall also contain the names of the employees working on the different shifts and shall clearly indicate the hours required of each person or group of persons An employer may permit a person to begin work after the time for beginning and to cease work before the time for ending stated in such schedule but he shall not otherwise employ him except as stated in such schedule Said schedule of hours shall not be changed except upon written application of the employer and on the approval of the Department of Labor and Industry Said schedule shall be on a form provided by the Department of Labor and Industry and shall remain the property of said department

(b) The presence of any employee at the place of employment at any other hours than those stated in the schedule applying to him shall constitute prima facie evidence of violation of this act

(c) In any place of employment wherein owing to the character of the work it is difficult to fix the hours of employment weekly in advance the Department of Labor and Industry on application accompanied by evidence which satisfies it of the necessity therefor may grant a permit dispensing with the schedule required in this section Any employer to whom such a permit is granted shall post such information as to hours required of employees as the department may require

Section 6 Time Records Every employer shall keep in or about the premises wherein any person is employed a time book or record which shall state the name address and occupation of each person employed the number of hours worked by him on each day of the week the hours of beginning and ending such work the hours of beginning and ending meal periods and the amount of wages paid each day period to each such person Such time book or record shall be kept on file for at least one year after the entry of the record Any duly authorized representative of the Department of Labor and Industry shall for the purpose of examination have access to and the right to copy from such time book or record Any employer who fails to keep such a time book or record or knowingly makes any false statement therein or refuses to make such time book or record accessible upon request to any such duly authorized representative shall be deemed to have violated this section

Section 7 Enforcement It shall be the duty of the Department of Labor and Industry to enforce the provisions of this Act Any authorized representative of said department shall have the power and authority to enter any place of employment and in the enforcement of this act shall enter and inspect as often as practicable all such places of employment Such representatives shall investigate complaints of violations of this act received by them and shall have power to institute prosecutions as hereinafter provided for violations of this act

Section 8 Power As to Witnesses The Secretary of Labor and Industry or his authorized representative in the performance of any duty or execution of any power prescribed by this act shall have the power to administer oaths take and cause to be taken depositions of witnesses issue subpoenas compel the attendance of witnesses and the production of papers books accounts payrolls documents records and testimony In case of failure of any person to comply with any such order of the Secretary of Labor and Industry or any subpoena lawfully issued or on the refusal of any witness to produce evidence or to testify to any matter regarding which he may be lawfully interrogated it shall be the duty of any Court of Common Pleas of the Commonwealth or any judge thereof upon application of the Secretary of Labor and Industry or of his authorized representative to compel obedience by issuing its subpoena and any refusal to obey the subpoena of the court shall be punished as for contempt

Section 9 Interference With Enforcement No person shall hinder or delay any authorized representative of the Department of Labor and Industry in the performance of his duties nor shall any person refuse to admit to or lock out from any place of employment any such authorized representative or refuse to giv such authorized representative information required for the proper enforcement of this act

Section 10 Violation of Act Except as hereinafter otherwise provided any person who whether on his own behalf or for another or through an agent manager representative foreman or other person shall violate any pro-

vision of this act shall be guilty of a misdemeanor And upon conviction thereof shall be sentenced to pay a fine of ($1,000.00) one thousand dollars or undergo imprisonment of one year or both at the discretion of the Court

Section 11 Penalties Whoever violates any provision of sections one or two of this act shall be punished by a fine of not less than twenty-five dollars ($25) or more than two hundred dollars ($200) or by imprisonment for not more than sixty days or by both at the discretion of the court and whenever any person shall have been notified by the department or its authorized representative or by the service of a summons in a prosecution that he is violating such provision he shall be punished by like penalties in addition for each and every day that such violation shall have continued after such notification Provided further That the employment of any person in violation of such provisions with respect to each person so employed shall constitute a separate and distinct offense

Whoever violates any of the provisions of sections four five six or nine of this act shall be punished for the first offense by a fine of not less than twenty-five dollars ($25) or more than two hundred dollars ($200) or imprisonment for not more than sixty days or both at the discretion of the court and whenever any person shall have been notified by the Department of Labor and Industry or its duly authorized representative that he is violating such provisions and shall have been given a reasonable time in which to remedy the conditions which shall constitute such violations he shall be punished in addition to the penalties aforesaid by like penalties for each and every day that such violation shall have continued after the expiration of the time allowed by the Department of Labor and Industry or its duly authorized representative for remedying the aforesaid conditions Provided That no person shall be sentenced to imprisonment for more than one year at one time for violation of this act

Section 12 Intimidating Witnesses Whoever shall by force intimidation threat or procuring dismissal from employment or by any other manner whatsoever induce or attempt to induce an employee to refrain from giving testimony in any investigation or proceeding relating to or arising under this act or whoever discharges or penalizes any employee for so testifying shall upon conviction in a summary proceeding be punished by a fine of not less than twenty-five dollars ($25) or more than two hundred dollars ($200)

The thirteenth section of the bill was read as follows:

Section 13 Constitutionality of Act The provisions of this act shall be severable and if any provision thereof shall be held unconstitutional the decision so holding shall not be construed to affect ar impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 14 Repeal All acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend section 13, page 8, line 19 by striking out after the word "ACT" and before "provi-" the word: (The) and inserting in lieu thereof the following: Except as to subsection (b) of Section two the; amend section 13, page 8, line 25 by inserting at the end of the line the following: Provided however That the provisions of subsection (b) of section two are hereby declared not to be severable from the other provisions of this act and in the event the provisions of such subsection are held to be unconstitutional it is hereby declared that the legislative intent is that the entire provisions of this act shall not be in force or effect

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to protect the public health and welfare by regulating employment in this Commonwealth with respect to hours and conditions of employment providing for certain exceptions imposing duties liabilities and conditions on employers defining the powers and duties of the Department of Labor and Industry and its officers and representatives and providing penalties

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by authority of the same That.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1078, (House Bill No. 1200), entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for expenditure in the various second-class townships of the Commonwealth for the maintenance of township roads and bridges during the calendar years one thousand nine hundred thirty-eight and one thousand nine hundred thirty-nine; permitting the use of any surplus funds for construction and reconstruction of township roads and bridges, requiring townships to exclude provisions for maintenance of roads and bridges from their annual budget and tax levy for road and street purposes for said years, authorizing the Department of Highways to rent road building machinery and equipment belonging to such townships in carrying out the purposes of this act and lapsing the unexpended or unencumbered balance of the appropriation remaining on January first, one thousand nine hundred forty.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. OWLETT. Mr. President, I ask unanimous consent to amend title, page 1, line 2 of title, by striking out the words "expenditure in" and inserting in lieu thereof: "allocation to"; amend title, page 1, line 3 of title, by striking out the words: "second-class" and inserting in lieu thereof: "cities, boroughs, incorporated towns and"; amend title, page 1, lines 7 to 12 of title, both inclusive, by striking out: "all of said lines"; amend title, page 2, lines 1 to 8 of title, both inclusive, by striking out: "all of said lines, and inserting in lieu thereof: "and requiring such political sub-divisions to reduce their budgets and tax levies for road, street and bridge purposes"; amend sec. 1, page 2, lines 8 and 9, by striking out the following: "expenditure in the various townships of the second class" and inserting in lieu thereof: "allocation to the various cities, boroughs, incorporated towns, and townships"; amend sec. 1, page 2, lines 9 to 11, by striking out the following: "in the" in line 9 and all of lines 10 and 11, and inserting in lieu thereof: "in proportion that the number of miles of roads and streets under the jurisdiction of any of said political subdivisions and not maintained

by the Department of Highways under the provisions of any law, bears to the total number of miles of such roads and streets within the limits of all political subdivisions"; amend sec. 2, page 2, lines 12 to 19, both inclusive, by striking out all of said lines; amend sec. 2, page 3, lines 1 to 3 both inclusive, by striking out all of said lines; amend sec. 2, page 3, lines 4 to 6, by striking out all of lines 4 and 5 and the following: "partment of Highways shall expend" in line 6, and inserting in lieu thereof: "Section 2. The moneys so appropriated and allocated shall be expended by the corporate authorities"; amend sec. 2, page 3, lines 6 and 7, by striking out the following: "townships of the second class" and inserting in lieu thereof: "political subdivisions"; amend sec. 2, page 3, lines 10 to 14, by striking out: "such portion of the [total] in line 10 and all of lines 11 to 14 both inclusive; amend secs. 3 and 4, page 3, lines 15 to 29, both inclusive, by striking out all of said lines; amend sec. 4, page 4, lines 1 to 3 both inclusive, by striking out all of said lines; amend sec. 5, page 4, line 4, by striking out the figure "5" and inserting in lieu thereof: "3"; amend sec. 5, page 4, lines 4 and 5, by striking out the following: "board of supervisors of townships of the second class" and inserting in lieu thereof: "corporate authorities"; amend sec. 5, page 4, lines 8 and 9, by striking out the following: "exclude from the said" and inserting in lieu thereof: "reduce the"; amend sec. 5, page 4, lines 10 and 11, by striking out the following: "any provision for the maintenance and repair of the roads and bridges. Nothing" and inserting in lieu thereof: "as compared with the budget and tax levy for road, street and bridge purposes for the year one thousand nine hundred and thirty-three by an amount equal to the allocation received from the Commonwealth for said year: Provided, however, That nothing"; amend sec. 6, page 4, lines 18 to 28 both inclusive, by striking out all of said lines; amend secs. 6 and 7, page 5, lines 1 to 7 both inclusive, by striking out all of said lines.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the amendments?

The PRESIDENT. Is there objection?

Mr. LAW. Mr. President, I object.

The PRESIDENT. The Chair hears objections.

Mr. OWLETT. Mr. President, I move to reconsider the vote by which this bill passed second reading.

Mr. GELDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. OWLETT. Mr. President, I would like to ask for a roll call of this motion. Before the roll call is taken I desire to explain what these amendments do. This bill, House Bill No. 1200, (Senate Bill No. 1078), appropriates $8,500,000 to the State Highway Department for the maintenance of township roads. The amount of the appropriation is less than has heretofore been appropriated for the same purpose. Secretary Van Dyke, in a hearing in 1934 in reference to the appropriation, which was $3,000,000 more than this appropriation, stated as follows: "As this turned out, the appropriation was not enough to build new roads, or was not enough to maintain them properly. There was no provision for shoveling snow and this work fell on the supervisors."

Mr. President, this bill as it now reads. allocates this fund on a county basis. It makes no provision for the allocation of this fund to townships or boroughs on the basis of the mileage in those respective localities. It is allocated solely on the basis of the amount of money spent in 1932. In other words, Mr. President, in that year of depression any township, which was frugal, who saved its money on account of the economic conditions, did not spend money on its highways. This act as it now reads provides for the State control of township roads. It attempts to continue township responsibilities. Mr. President, I think you and the members of this Senate will agree that if we are to have any such thing in this State as home rule, this bill in its present form cannot pass and should not pass. It leaves the responsibility on the townships.

POINT OF ORDER

Mr. LAW. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Mercer, Mr. Law, will state his point of order.

Mr. LAW. Mr. President, my point of order is that the gentleman from Tioga is not confining himself to an explanation of the amendment.

The PRESIDENT. Technically speaking, the point is well taken. The Senator will confine himself to the question.

Mr. OWLETT. Mr. President, I am explaining this bill in order to explain the amendment that I have offered to the bill.

The PRESIDENT. You are putting it in reverse English.

Mr. OWLETT. Mr. President, if this bill in its present form would permit road tax levy for everything except maintenance, and I would like to ask this Senate what lawyer, or what engineer, can define where maintenance stops and road construction or reconstruction begins. Now the amendment that I offered, Mr. President, provides that this money shall be divided between the different boroughs and townships in accordance with their mileage. It provides, Mr. President, that those different localities must reduce their real estate tax by the amount of money so distributed among them. Mr. President, take the allocation of this money to the township and boroughs and cities on the basis of mileage, it does not leave it to the Highway Department to say whether they would spend in one township all the money allocated to that county and let all the others go without any improved roads or any road making. These amendments will restore home rule in this bill. It will give the citizens of boroughs and townships their proportionate share of this money, to be spent by the local authorities. Now I would like to ask this Senate why the boroughs, the cities and townships are not entitled to have the money go to the upkeep of these roads distributed so we know we are going to get it. In other words, as I said before, these amendments restore home rule. Under this act I decreed it is entirely in the discretion of the Superintendent of Highways whether they spend a nickel in any townships or in any of this State. I want to call the attention of the members of this Senate that if you believe in home rule, if you believe that in your own district this money should be allocated on the basis of the roads in those communities, and if you believe that the cities, boroughs and townships should share in that money from the State Highway funds that is appropriated under this act for maintenance of the State roads, you will vote for these amendments. Your vote on these amendments will determine whether you

believe in home rule and whether you believe in the allocation of these funds under these conditions.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. OWLETT and Mr. BUCKMAN.

YEAS—15

Bean,	Ealy,	Mallery,	Scarlett,
Buckman,	Gelder,	Owlett,	Wolfenden,
Chapman,	Homsher,	Pierson,	Woodward,
Deitrick,	Howell,	Salus,	

NAYS—32

Barthold,	Henney,	Law,	Rupp,
Cavalcante,	Huffman,	McCreesh,	Ruth,
Dando,	Jacobs,	McGinnis,	Shapiro,
Dent,	Jaspan,	Mundy,	Sipe,
Eroe,	Kahle,	Pytko,	Sones,
Frey,	Kilgallen,	Rankin,	Stiefel,
Gilson	Kunkel,	Rice,	Thompson,
Haluska,	Lanius,	Rodgers,	

So the question was determined in the negative.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Gilson,	Kunkel,	Rice,
Bean,	Haluska,	Lanius,	Rodgers,
Buckman,	Henney,	Law,	Ruth,
Cavalcante,	Homsher,	Mallery,	Scarlett,
Deitrick,	Howell,	McCreesh,	Shapiro,
DiSilvestro,	Huffman,	McGinnis,	Sipe,
Ealy,	Jacobs,	Owlett,	Sones,
Eroe,	Jaspan,	Pierson,	Stiefel,
Frey,	Kahle,	Pytko,	Thompson,
Gelder,	Kilgallen,	Rankin,	

NAYS—5

Chapman,	Dent,	Rupp,	Wolfenden,
Dando,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 815, as follows:

An Act relating to motor vehicles new and used creating a motor vehicle dealers' commission establishing its jurisdiction powers and duties and creating and providing for approved motor vehicle appraisers establishing their powers and duties Regulating the sale trade-in allowance appraisals and information furnished the Commonwealth on motor vehicles new and used and establishing regulations concerning speedometers authorizing the Commission to establish periodical prices for used motor vehicles either sold or traded in establishing the appraisal value of motor vehicles new or used either for sale or used trade-in allowances providing for the licensing of motor vehicle dealers and salesmen and approved motor vehicle appraisers and the payment of fees therefor authorizing examination of the business papers and affairs of and requiring the filing of reports by licensees authorizing and empowering the Commission to hold hearings and to issue rules and orders and the issuance of subpoena by the Commission or its agents and conferring jurisdiction upon the Courts to punish contempts or to prohibit violations of orders of the Commission providing for appeals to the Courts from decisions of the Commission imposing penalties and making appropriation.

PREAMBLE

Whereas Unsafe unfair unjust destructive demoralizing and uneconomic trade practices have been and are now carried on in the sale and resale of motor vehicles new and used in this Commonwealth whereby the motor vehicle industry in the Commonwealth and the safety of motor vehicles on the highways and the safety of the inhabitants of the Commonwealth using the various highways are imperiled and

Whereas Such conditions constitute a danger to the health industry safety and welfare of the inhabitants of the Commonwealth and

Whereas It is necessary to protect the well being of the inhabitants of the Commonwealth to promote the public welfare and

Whereas The motor vehicle industry is one of the paramount industries upon which the prosperity of the Commonwealth to a large extent depends and is an industry affected by a public interest and

Whereas the present acute economic conditions being in part the consequence of a severe and increased disparity between the prices allowed and paid for used motor vehicles by different dealers has broken down the orderly sale trade-in and market of used motor vehicles has tended to lower wages lengthen working hours and encourage misrepresentation and has seriously impaired the assets supporing the motor vehicle industry and places the inhabitants particularly those in the small income brackets in the Commonwealth in jeopardy both as to safety of the vehicle and as to the value of the vehicle and

Whereas Legislation is necessary to remove unsafe motor vehicles from the highways prevent fraud and prevent padding of finance charges and insurances charges.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in the exercise of the police power of the Commonwealth and to protect public safety health and welfare it is hereby declared that the sale and trade-in allowances and appraisals of new and used motor vehicles in the Commonwealth is a business affected with the public interest and affecting the public health and safety and it is hereby declared to be the legislative intent that this act shall be a measure for the purpose of regulating and controlling the sale and re-sale of motor vehicles new and used for the protection of health safety and welfare of the inhabitants thereof

Section 2 Short Title This act shall be known and may be cited as the "Motor Vehicle Dealers" Commission Law".

Section 3 Definitions The following terms shall be construed in this act to have the following meanings except in those instances where the context clearly indicates otherwise.

"Board or Commission" means the State agency created by this act to be known as the "Motor Vehicle Dealers' Commission".

"Licensee" means a licensed motor vehicle dealer salesman or State approved appraiser.

"Motor Vehicle" means any conveyance propelled by kerosene oil or gasoline motor or engine for highway transportation including passenger automobiles and trucks up to and including one and one-half tons rated capacity excluding busses and motor cycles.

"Motor Vehicle Dealer" means an individual corporation or co-partnership purchasing or handling for an individual corporation or co-partnership motor vehicles used or new for sale.

"Person" includes any individual corporation partnership limited partnership or any other unincorporated enterprise owned by two or more individuals.

"Salesman" means any person who works for or sells or buys motor vehicles for a motor vehicle dealer.

"Appraiser" means any person who is authorized by the Commonwealth to appraise used motor vehicles.

"Demonstrator" means any motor vehicle which has been in use for a period of not less than sixty (60) days and which has been driven thirty-five hundred (3,500) road miles or more.

Section 4 Creation of Motor Vehicle Dealers' Commission Membership Applicability of Administrative Code (a) And there is hereby created an independent administrative commission to be known as the Motor Vehicle Dealers Commission The Commission shall consist of five (5) members who shall be nominated and appointed by the Governor by and with the advice and consent of the Senate appointed by the Governor this Commission shall be a part time commission and for which each day they shall serve the members thereof shall receive twenty-five dollars ($25.00) and expenses.

(b) Each member of the Commission at the time of his appointment and qualification shall be a citizen of the United States and a resident of the Commonwealth and shall have been a qualified elector of the Commonwealth for one year next preceding his appointment.

One member shall be exclusively a used motor vehicle dealer at present with at least five years' experience in the automobile industry and two shall be new motor vehicle dealers at present with at least five years' experience in the automobile industry and one shall be a salesmen of new motor vehicles at present with at least five years experience in the automobile industry and a fifth shall be neither a used motor vehicle or a new motor vehicle dealer or a new motor vehicle or used motor vehicle salesman No member of the Commission during his period of service as such shall hold any other office under the laws of the Commonwealth or of the United States.

Commissioners shall be appointed for the following terms One used motor vehicle dealer and one new motor vehicle dealer shall be appointed for a period of two (2) years Two (2) other Commissioners shall be appointed for a period of four (4) years and the fifth shall be appointed for six (6) years At the expiration of these various terms their successors shall be appointed for a period of six (6) years.

The Governor shall designate one of the members of the Commission as Chairman The Chairman shall when present preside at all meetings and in his absence a member designated by the Chairman shall preside Three (3) members of the commission shall constitute a quorum and any action or order of the Commission shall require the approval of at least three (3) members.

The Board may appoint a secretary to hold office at its pleasure The Secretary if appointed shall have such power and perform such duties not contrary to law as the Commission shall prescribe and shall receive such compensation as the Commission with the approval of the Governor shall determine The Secretary shall have power and authority to designate from time to time one of the clerks appointed by the Commission to perform the duties of the Secretary during his absence and the clerk so appointed shall exercise for the time so designated the powers of the Secretary of the Commission.

The Secretary shall call all meetings of the Board designating the time and place upon request in writing addressed to the Secretary of two (2) or more members of the Commission.

Except as otherwise specifically provided in this act the Commission and its employees shall be subject to all the provisions of the Administrative Code of one thousand nine hundred and twenty-nine approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) its amendments and supplements which apply generally to independent boards or commissions.

Section 5 General Powers and Duties of the Commission The Commission is hereby declared to be the instrumentality of the Commonwealth for the purpose of administering the provisions of this act and to execute the legislative intent herein expressed and it is hereby vested with power.

1 To supervise and regulate the entire sales industry of motor vehicles in so far as it includes the licensing of all motor vehicle dealers and salesmen and to examine and issue certificates of appointment to appraisers of used motor vehicles and establish standards to determine the maximum appraisal price of all used motor vehicles that are sold or traded in and the Commission shall notify all appraisers of the basic value of all such vehicles periodically The maximum appraisal prices are to be determined by the Commission as provided for in this act.

2 The operation and effect of any provision of this act conferring a general power upon the Commission shall not be impared or qualified by the granting to the Commission by this act of a specific power or powers.

3 The Commission either itself or through its duly authorized agent shall hold such hearings either at the Capitol or elsewhere as it deems necessary to carry out the provisions of this act.

4 The Commission shall meet upon a day determined by the members of the Commission at least once every thirty (30) days.

5 The Commission shall prescribe the form of certificates of appraisal and shall have the orignial printed on white paper the duplicate to be sent to the Commission by the certified appraiser on pink paper and the second duplicate to be kept in the office of the certified appraisers on blue paper and shall sell these to all certified appraisers at the rate of twenty-five cents ($.25) a certificate including the two duplicates.

6 The Commission shall prepare and adopt all forms to be used by certified appraisers and all licensees for forwarding to the Commission information required.

7 The Commission shall daily from the Department of Revenue secure a list of all motor vehicles licensed and shall check this list with the reports of the sales made by all licensees.

Section 6 Power of the Commission to Subpoena Penalties In order to enable the Commission to carry out the provisions of this act it shall have the power to issue subpoenas requiring the attendance of or the production of pertinent books or papers by motor vehicle dealers salesmen and appraisers whom the Commission believes to have information of importance to it in carrying out the purposes and intent of this act The Commission may likewise issue commissions letters rogatory or other appropriate processes outside the Commonwealth.

(a) The Commission shall likewise have the power to question such witnesses under oath or affirmation and to examine such books and papers.

The Commission may delegate to any member thereof or any employee designated by it the power granted to it under this section.

(b) Any witness who refuses to obey a subpoena issued hereunder or to be sworn or affirmed or to testify or who is guilty of any contempt after summons to appear may be punished as for contempt of court For this purpose an application may be made by the Commission to the Court of Common Pleas within the territorial jurisdiction in which the offense was committed for which purpose such court is hereby given jurisdiction.

(c) Each witness required to attend before the Commission or any member thereof under the provisions of this section shall be entitled to the fees and mileage custom paid to witnesses in the Courts of Dauphin County

Section 7 Rules Regulations and Orders (a) The Commission may adopt and enforce all rules regulations and orders necessary or desirable to carry out the provisions of this act not inconsistent with law Every general rule regulation or order of the Commission shall be posted for public inspection in the main office of the Commission at least seven (7) days before it shall become effective and at least five (5) days before it shall become effective it shal lbe mailed to all licensees thereby affected It shall be given such further publicity or advertisement in newspapers or otherwise as the Commission shall deem it advisable An order applying only to a particular

person or persons named therein shall be served on the person or persons affected.

Section 8 Entry and Inspection Pursuant to carrying out the purpose of this act any member of the Commission or any employee designated for the purpose shall have access to and may enter at all reasonable hours all places where motor vehicles new or used are being sold Any members of the Commission or any designated employee thereof shall also have power at all reasonable hours to inspect all books papers records or documents in any place within the Commonwealth for the purpose of ascertaining facts to enable the Commission to administer this act.

The information obtained by any such inspection or by reports required by this act shall be for the confidential use of the Commission and the various departments of the State government and shall not be disclosed by any person except as may be required in the enforcement of the law or by order of the Court The Commission however may use such information together with other similar information for compilation and publication of statistics of the industry in this Commonwealth.

Section 9 Violations (a) Except as otherwise specifically provided in this act any person violating any provision of this act or any rule regulation or order of the Commission lawfully made shall upon conviction thereof in a summary proceeding be sentenced to pay a fine of not less than fifty dollars ($50.00 nor more than two hundred dollars ($200.00).

(b) The Commission or any person or association composed of persons affected by the Commission's orders rules or regulations may institute such action at law or in equity as may appear necessary to enforce compliance with any provision of this act to enforce compliance with any rule regulation or order of the Commission made pursuant to the provisions of this act or to obtain judicial interpretation of any of the foregoing and in addition to any other remedy may apply to the Court of Common Pleas of Dauphin County for relief by injunction.

Section 10 Licenses (a) No motor vehicle dealer as defined in this act shall deal in handle sell or trade in motor vehicles without first obtaining a license as herein provided.

(b) No salesman shall sell handle or trade any motor vehicle without first being duly licensed.

(c) The Commission shall prescribe the necessary forms requiring the desired information and such forms shall be filled out by the applicants for licenses and shall accompany the application for license with the fee as is provided for in this act.

(d) Motor vehicle appraisers shall not appraise motor vehicles for the purpose of sale or trade-in to licensed motor vehicle dealers or salesmen unless first duly obtaining a certificate of authority from the Commission so to do and the Commission shall prescribe the forms setting forth the required information which forms shall be filled out and sent to the Commission by applicants for an appraiser's certificate and the Commission shall further set a time and place when an examination shall be given to such applicants for the purpose of determining their qualifications The examination questions shall be composed by the Commission and the answers shall be graded by the Commission or an employee of the Commission designated for that purpose and only those passing shall be entitled to a certificate authorizing them to act as an approved appraiser.

(e) In all the applications for motor vehicle dealer's licenses for saleman's licenses or for appraisers' certificate among other things the forms shall require the applicant to set forth his experience in the automobile industry length of time nature of work type of business he proposes to conduct and in the case of dealers or salesmen they shall set forth with whom they have a contract for selling motor vehicles The Commission shall be satisfied that these applicants for motor vehicle dealer's license in so far as it applies to new motor vehicles shall have a bona fide contract with some motor vehicle manufacturer distributor or agent and with some motor vehicle dealer in the case of an applicant for a motor vehicle salesman's license.

These licensing provisions are applicable to both new and used motor vehicles except as otherwise specified in this act The financial responsibility shall be set forth on license application forms of motor vehicle dealers.

All appraisers and licensees shall be full time appraisers or dealers or salesmen no remuneration of any kind shall be permitted for persons informing any licensees as to where a possible sale can be made.

Section 11 Rejection Revocation or Suspension of licenses The Commission before refusing to issue or reissue a license or before revoking or suspending a license already issued shall hold an application for a license should be rejected or whether a license issued should be suspended or revoked for any violation on the part of the applicant or a licensee of this law or any rules regulations or orders of the Commission or to determine if for any other reason a license should be denied revoked or suspended and shall give the applicant or licensee five (5) days' notice that there will be such a hearing and set forth in writing the matters complained of the applicant or licensee may appear at the hearing and show cause if any he has why such license should not be refused suspended or revoked after such hearing the Commission shall file at its office a copy of its order and a statement in writing of the findings of fact in support of and the reasons for said order.

Section 12 Bonds All applicants for licenses or for certificates of appraisal shall furnish to the Commonwealth a penal bond in the sum of five hundred dollars ($500.00) for the purpose of guaranteeing that the licensee or certified appraiser will comply with this law and all rules regulations and orders promulgated by the Commission pursuant to the law and such bond shall be forfeited if the licensee or appraiser shall be determined guilty of any violation Provided however nothing in this section shall apply to applicants for a salesman's license.

Section 13 Appeal If any application for a license or a certificate of appraiser is rejected by the Commission or if any licensee or certificate of appraiser is revoked or suspended by the Commission the applicant or licensee or appraiser as the case may be may appeal within twenty (20) days to the Common Pleas Court of the County in which he has his principal place of business and the case shall be heard de novo.

Section 14 Fees for Dealers Salesmen and Appraisers (a) A license fee of two dolars ($2.00) shall be paid by all licensed salesmen annually.

(b) A fee of twenty-five dollars ($25.00) annually shall be paid by all approved appraisers Ten dallars ($10.00) shall be paid at the time application is made and the additional fifteen dollars ($15.00) shall be paid in the event the applicant is certified.

(c) Licensed dealers shall pay the following fees.

If the gross total sales of new and used motor vehicles does not exceed $75,000 annually the annual fee shall be $25.00.

If the gross total sales of new and used motor vehicles exceeds $75,000 but does not exceed $250,000 the annual fee shall be $50.00.

If the gross total sales of new and used motor vehicles exceeds $250,000 but does not exceed $500,000 the annual fee shall be $75.00.

If the gross total sales of new and used motor vehicles exceeds $500,000 but does not exceed $750,000 the annual fee shall be $100.00.

If the gross total sales of new and used motor vehicles exceeds $750,000 but does not exceed $1,000.000 the annual fee shall be $125.00.

If the gross total sales of new and used motor vehicles exceeds $1,000.000 the fee shall be $150.00.

Section 15 Orders Fixing Prices for Used Motor vehicles and Establishing Standard Charges Which Shall be Deducted for Various Repairs or Replacement on the Used Motor Vehicle (a) The Commission shall within thirty (30) days from the time it is established determine by a survey what the average sale price for used motor vehicles was for each make model body type and year and shall

issue orders that for the ensuing thirty (30) days no appraiser shall appraise a used motor vehicle for a greater amount and shall deduct from that amount the list price necessary for repairing the used motor vehicle in order to make it safe to be on the highways and saleable These deduction in so far as possible shall be set forth by a general order of the Commission which may accept the list general orders shall be printed in a form determined by the Commission and mailed to al certified approved appraisers at least seven (7) days before they are to be effective.

(b) All subsequent orders affecting the prices to be allowed for used motor vehicles and the necessary deductions to make the motor vehicle safe and saleable are to be established in the following manner.

1 In the case of the maximum basic price to be allowed information sent it by the various licensed dealers and for used motor vehicles the Commission shall take the salesmen and arrive at an average price from this information of the sale of such type model year and make of motor vehicle for the thirty (30) days immediately prior to the determination of the general order and these average prices shall establish the new allowance or prices which shall be the maximum allowed by the various approved appraisers.

2 As to the deductible items necessary to make the motor vehicle safe and saleable the Commission shall revise the schedule from time to time as new motor vehicle list price flat rate schedule for this type of work are established and shall within a reasonable time issue a new order.

3 These prices shall apply only to motor vehicles manufactured within eight (8) years All motor vehicles that are more than eight (8) years old shall have a maximum price to be allowed for the purchase of used motor vevalue of fifty dollars ($50.00).

(c) The Commission shall in arriving at the average hicles consider only those that were purchased or traded in by the licensed dealers or salesmen from residents of this Commonwealth.

(d) If less than twenty-five (25) motor vehicles of any particular type model year or make are sold within the thirty (30) day period then the Commission shall fix the maximum basic price to be allowed for this type of motor vehicle for the ensuing thirty (30) days without arriving at the average selling price.

Section 16 Appraisers (a) No appraiser shall appraise a used motor vehicle for an amount greater than the basic price established by the general orders of the Commission and shall make a careful inspection of the used motor vehicle and deduct from the basic price allowed the list price established by the Commission for the necessary repairs to make the used motor vehicle safe and saleable and shall also deduct a fair and reasonable amount necessary for replacement or repairs of any items not set forth by the orders of the Commission .

(b) The appraiser shall then issue to the owner of the used motor vehicle a certificate setting forth the basic price determined by the appraiser the amount of repairs or replacements necessary and the price thereof itemized and the net price or allowance that may be allowed or paid by a licensed dealer or salesman as a maximum.

(c) The approved appraiser shall charge the used motor vehicle owner for appraisal a fee of one dollar and a half ($1.50) and shall set forth on the certificate of appraisal that the fee had been paid.

(d) The appraiser shall keep two (2) duplicate copies of all certificates of appraisal issued and at the end of each day shall mail one duplicate to the Commission and shall retain the other in his office for a period of sixty (60) days.

(e) The appraisers shall use only certificates of apprisal prepared by the Commission and shall purchase them from the Commission at the rate of twenty-five cents ($.25) per certificate All certificates are to include the two duplicates.

Section 17 Prices to be Paid Allowances (a) A licensed dealer or salesman shall not allow more for a used motor vehicle than is set forth as the net value of the used motor vehicle on the certificate of appraisal and a licensed dealer or salesman shall require the used motor vehicle to be rechecked by an approved appraiser if the certificate of appraisal is more than seven days old The dealer who buys or takes in trade a used motor vehicle may return to the used motor vehicle owner one fee paid by the used motor vehicle owner to an approved appraiser who has issued the certificate of appraisal.

(b) Nor shall any licensed dealer or salesman allow as a rebate or an inducement to purchase a new motor vehicle any additional equipment or accessories or any other thing of value Nor shall he sel the new motor vehicle for less than the manufacturer's advertised price plus transportation Except he may sell to members of his immediate family or to a member of his organization when for the personal use of such buyer but he shall immediately notify the Commission that he has done so and setting forth the name address and the relationship between himself and the buyer and describing the car fully including the make model body type motor and serial numbers Except that in the case of a clean up of new motor vehicles that are about to become obsolete or about to become discontinued or replaced by new models in which event the licensee may apply to the Motor Vehicle Dealers' Commission for permission to sell the motor vehicles he has on hand for less than the price heretofore established setting forth in his application all the facts surrounding the motor vehicles he has on hand and the reasons why they will become obsolete and set forth fully when the motor vehicles on hand will be replaced or discontinued and shall state at what price he wishes to sell them The Commission shall act within ten (10) days from the receipt of the application either rejecting or granting the permission requested These new models however shall only be considered so if there is a substantial change in the motor vehicle A mere change of appointments or incidental equipment will not be considered a new model The new model to be so considered must be the new and current model and so advertised.

(c) Rules and regulations governing the sale price of motor vehicles shall not apply to vehicles purchased by the Federal government or by the State government municipal government or any sub-division thereof.

(d) If any licensee shall take in trade anything other than used motor vehicles which shall apply on the purchase of another motor vehicle the licensee shall set forth what was taken in trade the price allowed and what disposition was made or intended to be made of it.

(e) If any licensee takes a motor vehicle on consignment and later sells the consigned vehicle and applies the selling price on another motor vehicle which he has either sold previously or subsequently such consigned motor vehicle shall be governed by the law rules regulations or orders applicable to used motor vehicles.

(f) If a licensee purchases from out of the Commonwealth used motor vehicles he shall immediately forward to the Commission detailed information concerning these motor vehicles singly setting forth among other things required by the Commission the make model and type the miles indicated by the speedometer the condition and what purpose the motor vehicles had been put to previously and what disposition he proposes to make of such used motor vehicles.

Section 18 Duties of Licensed Dealers and Salesmen as to Forms (a) The licensed dealer or salesman upon buying or taking as trade allowance any used motor vehicle shall upon doing so lift the certificate of appraisal issued to the owner of the motor vehicle and shall keep it so long as he has possession of the used motor vehicle And shall upon the sale of used motor vehicles set forth among other information that may be required by the Commission the basic price allowed by the appraiser the items of repair the maximum net allowance established by the appraiser and what the licensed dealer or salesman actually allowed for the used motor vehicle and the repairs or replacements that were made and the price received for the motor vehicle when sold by such licensed dealer or salesman and shall then forward to the Commission the appraisal certificate.

(b) And shall set forth in the case of the sale of a used motor vehicle the itemized list prices of repairs and replacements actually made by dealer at list price basis the cash received and if sold on time basis or credit basis the number of payments and the amounts to be made and if a motor vehicle is taken in trade to set forth the information concerning that motor vehicle the same as is provided by this act where a used motor vehicle is taken in trade for a new motor vehicle sale.

(c) In the case of the sale of a new motor vehicle the dealer or salesman shall set forth the manufacturer's advertised selling price the list selling price of the additional accessories or equipment itemized the transporation amount and shall state that all these items have been paid for by the purchaser without rebate or reduction And in the event that any new or used motor vehicle sold is financed the name of the finance company the amount of finance charges and the number and amounts of payments to be made and shall set forth the amount and specific kind of insurance coverage the premium and name of the insurance company and shall state that all these items were charged to the purchaser without discrimination rebate or reduction.

(d) All licensed dealers and salesmen must trade in or sell a demonstrator under the same provisions as govern a used motor vehicle.

(e) All dealers and salesmen must have the speedometers of all new or used motor vehicles connected at all times when the motor vehicles are in use and shall not turn back or in any way falsify the reading on a speedometer.

(f) A dealer or salesman may junk a used motor vehicle but when doing so must forward the certificate of appraisal to the Commission together with a statement that a certificate of junk has been forwarded to the Department of Revenue and shall set forth what junk price he received.

(g) A licensed motor vehicle dealer shall daily forward to the Commission a list of all the motor vehicles sold and in the case of used motor vehicles forward to the Commission the certificate of appraisal accompanying the used motor vehicle when the dealer took possession of it and give in detail all the other information required by this act or that may be required by the Commission

Section 19 Payments of Fees into the State Treasury "Motor Vehicle Dealers' Fund" Appropriation Expenses of Commission

(a) All moneys collected or received by the Commission arising from license fees penalties or any other source shall be paid by the Commission into the State Treasury through the Department of Revenue and shall by the State Treasurer be placed in a separate fund to be known as the "Motor Vehicle Dealers' Fund"

(b) As much of the money from time to time in the Motor Vehicle Dealers' Fund as may be necessary is hereby specifically appropriated to the Motor Vehicle Dealers' Commission to be used to pay its expenses including the following

1 Salaries of the Commission of its employees and of any deputy attorney general special deputy attorney general assistant deputy attorney general or other counsel as may be assigned by the Department of Justice to the Commission for the handling of any legal work pertaining to its business

2 Rental and other expenses for offices rooms garage space and other accommodations outside of the Capitol Buildings either in or outside of the capital city occupied by the Commission

3 Premiums for workmen's compensation insurance covering the officers and employees of the Commission

4 Premiums for surety bonds for such officers or employes of the Commission as may be required by law to furnish such bonds

5 Purchase and operating costs of motor vehicles required by the Commission for full-time use including premiums for liability insurance covering such motor vehicles and the members of the Commission and employes operating them also the amount payable to the Department of Property and Supplies for the use of automobiles supplied by it for temporary use by the Commission

6 Furniture stationery materials supplies and all other overhead expenses of the Commission

7 All other expenses of every kind and description necessary for the performance by the Commission of its work

All such purchases and leases shall be made and all such contracts of insurance and surety bonds shall be placed through the Department of Property and Supplies as agent

(c) As much of the money from time to time in the Motor Vehicle Dealers' Fund as may be necessary is hereby appropriated to the eBoard of Finance and Revenue for the payment of approved claims for refund made to the Board of Finance and Revenue for moneys heretofore or hereafter paid into the Motor Vehicle Dealers' Fund to which the Commonwealth is not rightfully entitled

(d) Estimates of the amounts to be expended under this act by the Motor Vehicle Dealers' Commission either itself or through the Department of Property and Supplies as agent or by the Board of Finance and Revenue in the payment of claims for refund shall be submitted to the Governor from time to time for his approval or disapproval as in the case of other appropriations made to administrative departments boards and commissions and it shall be unlawful for the Auditor General to honor and requisition for the expenditure of any moneys out of this appropriation by the Motor Vehicle Dealers' Commission or by the Department of Property and Supplies as its agent or by the Board of Finance and Revenue in excess of the estimates approved by the Governor Subject to this provision the Auditor General shall from time to time draw warrants upon the State Treasury for the amounts specified in such requisitions not exceeding however the amount in the Motor Vehicle Dealers' Fund at the time of the making of any such requisition

Section 20 Legislative Intent It is hereby declared to be the legislative intent that this law shall apply to all persons in the use and new motor vehicle sales industry both but shall not be deemed to apply in the case of an individual who is not engaged in the business of selling and purchasing motor vehicles from selling to another individual not in the motor vehicle business his own personal motor vehicle at any price agreed upon

Section 21 Constitutional Construction It is hereby declared to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions of the act shall be given full force and effect as completely as if the part held unconstitutional had not been included herein Provided however that if any part or parts of this act relating to fixing the value for used motor vehicles or the amount to be allowed by motor vehicle dealers for used motor vehicles is held unconstitutional then the remainder of the act shall be given no effect

Section 22 Saving Clause No provisions of this act shall apply or be construed to apply to foreign or interstate commerce except in so far as the same may be effective in accordance with the Constitution of the United States and the laws of the United States enacted pursuant thereto

Section 23 The expenses for administering this act shall be paid entirey from the various fees colected by the Commission

Section 24 This act shall take effect immediately upon its approval by the Governor and shall expire mid-night May thirty one thousand nine hundred thirty-nine

Mr. KAHLE. Mr. President, This Bill, Senate Bill No. 815, was up for passage last week and defeated. It is a bill of vital importance, it is a bill asked for by the dealers, the second hand motor vehicle dealers of Pennsylvania, and the bill was drawn up for their benefit. Now, there are two sides to this bill; there are purchasers who were never given any consideration in the

drawing up of this bill, they have had no say whatever. I come from a rural district in which this will affect the dealers of my district vitally. It will also affect the purchasers vitally and I feel that it is my duty to speak here in behalf of the people of my district whom I represent.

Now, when this bill was introduced there was a public hearing given. There were many second-hand automobile dealers there from all over the State, and they came here before the Committee expressing their desire for the bill and confessing to the Committee that they were not competent to transact their own business they came before this Committee and a bill is brought before the Legislature asking that we pass special legislation in behalf of these second-hand dealers. There were some in favor and some against it. I remember one man from Philadelphia at the close of that hearing making a statement like this: He said, "I am a second-hand dealer from Philadelphia, with three salesmen. Last year I sold over 1600 second-hand cars and," he said, "we do not need a bill of this kind;" he said, "I object to it." He said, "if a man is competent to run his own business, he does not want the industry tied up, as it will be under this bill." Just think of it! Today in the up-state districts, the people have established, and the dealers have established an industry whereby they can trade in horses, cattle etc., and the farmer that has an old car can barter and trade and he can get what he thinks is the best price and they will make a deal. This bill will prohibit them from trading in cattle, horses, or what not, if he wishes to do so, and the dealer wishes to do it. The manufacturers in the automobile industry want this bill because this is what it will do: If this bill passes, then the dealers can say, after the price is fixed, and the farmer goes to a dealer and says, "I would like to trade my car in," he looks at the car and he says I do not want your car, the price is too high, I will sell you a new car. The farmer goes to another dealer and says, "I would like to trade my car in on a new car." The next dealer also tells him that the price is too high, "I do not want your car." What is going to happen? It is going to compel the farmer to go back and run his old car, fix it up and run it longer—either that or run it back of the barn and lose what little value there is in that car.

If this bill passes, you will see many men along the border line going over into the different states where they can deal and barter and trade without any trouble, and without any restriction. Last week the Senate voted down the price-fixing of a haircut and so on, that the barbers had requested. Now they come along and want to fix the price of second-hand automobiles, and they want the dealers protected because they are not competent and are not able to go out into the competitive world and run their own business. I know what it is to be in the automobile business. I got my fingers burnt once, and when I looked over the thing, it was due to my own carelessness. I trusted the man who was running my business and he, in slang phrases, he gypped me, and when I found out that I was being "gypped" I got out of the business. If a man finds that his business is not being run as it should be, he had better look for another manager. Are we going to permit a bill of this kind to be passed? And not only that, it will require the dealer to take out a license. A board will be created, five men will be upon that board, who will be paid $25 a day for their services, and they will set up such restrictions as they see fit. That will require a dealer and it will require a salesman to take an examination. Now, this bill does not state what that examination will be. but it states they must take an examination that is set up by the board. They can have a lot of power when you grant them the privilege of setting up requirements without this Senate knowing what those requirements will be. Not only that, but the penalty that is placed upon them in the bill and to go further, a man, if they found that they do not like him, they can revoke his license and they can bring charges against him if he has made one trade that they find is not just as they say it should be. I think that we should protect the producers of our country. The up-state people,—give them the privilege to carry on the industry as they have, give them the privilege, if they have a market, to continue that market as they have in the past.

I would like to see the Senators from the up-state districts. or from the up-state counties, give this due consideration and realize what we are voting on. Are you going to take away all those rights? Are you going to build a fence around a few second-hand dealers without the producers having any say whatever in this contract, and let them go ahead and run the industry of a second-hand automobile dealers?

Mr. McGINNIS. Mr. President, I understood that the Senator from Clarion did not object to a price fixing bill when it came to milk. It was allright to fix the price of milk, when the farmers are now making double what they did before we had a milk bill. I heard the Senator say the other day that the NRA had saved the oil industry in this country, that the oil industry was going to smash, that it was sick, and the NRA came along and fixed the price of oil, and from that day until this the oil business has improved. This is a temporary measure; the amendment provides that it shall expire in two years. These automobile dealers come down here, not for a subsidy, like the farmers did to the Federal Government under the AAA, to help them out of their sickness and distress, but these dealers have lived for a year under NRA, and now all of these dire results that Senator Kahle talks about did not happen under the NRA. These dealers come down here and say to us they do not want any subsidy, we do not ask the State of Pennsylvania to pay out a cent, we know what we want, we are in distress." The average earnings of a salesman last year was only a $1000. in Pennsylvania. Twenty-five percent of the dealers failed. There were dealers who had sold as high as $300,000 worth of cars last year, and they only made a couple thousand dollars for themselves. Now, they come here and say, "here is a bill that we want to try out for two years; we tried it once under NRA for a year, and we want to try it for two years more, and it will not cost the State of Pennsylvania one penny; we are willing to pay for that." I say to you that the dealers of Pennsylvania that have sold cars to owners of Pennsylvania, and those owners now pay the Federal Government and the State over one hundred million dollars a year in taxes, that the men who have sold those cars and made that industry, come here and ask this legislature, as I said before, not for a subsidy, not for any favors, not for any taxes, but they say that "we

want this and are willing to pay for it," and I think we owe it to them.

Mr. BUCKMAN. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. McGinnis, who has just spoken.

The PRESIDENT. Will the Senator from Allegheny, Mr. McGinnis, permit himself to be interrogated?

Mr. McGINNIS. Mr. President, I will.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Allegheny, Mr. McGinnis if this is an administration measure?

Mr. McGINNIS. Mr. President, it is not, it is not a political measure, there is no politics whatever in it, This is a bill that 90% of the dealers of Pennsylvania have asked for.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Allegheny, Mr. McGinnis, if the dealers who came down here are the lobbyists that the Governor was speaking about tonight?

Mr. McGINNIS. Mr. President, these gentlemen came here to a hearing in this Chamber, and I want to say to you, Mr. President, that it was the best hearing, the largest hearing that I have ever listened to or have seen in this Senate. There was only one dealer who stood up here—two dealers, one from Philadelphia, and one from Tioga County, to oppose this bill.

Mr. MALLERY. Mr. President, I would like to interrogate the sponsor of this bill.

The PRESIDENT. Will the Senator from Allegheny, Mr. McGinnis permit himself to be interrogated?

Mr. McGINNIS. Mr. President, I will.

Mr. MALLERY. Mr. President, I do not quite understand the Senator from Allegheny, whether or not he said we are in distress or were in distress.

Mr. McGINNIS. Mr. President, the automobile dealers?

Mr. MALLERY. Mr. President, yes.

Mr. McGINNIS. Mr. President, they are in distress and have been in distress.

Mr. MALLERY. Mr. President, I can hardly comprehend that, because even I have been almost pursuaded to believe that " happy days are here again," and basing my opinion on the party in power to the left, there would not be any need of any special inducement. I just wanted to make certain however, as to whether we are or were in distress.

Mr. McGINNIS. Mr. President, the automobile dealers are.

Mr. KAHLE. Mr. President, I am surprised at our good Senator from Allegheny, Mr. McGinnis. I agree with him that when we were in distress when our nation was at a stand-still, the smoke from the furnaces were no longer gushing forth, everything was down, something had to be done, and the NRA was established, and today the Government has lifted that ban, they no longer think that it is necessary that we should have an NRA, and they abolished the same. Today our factories are running, every man has money and every man should have a job along the line of industry. True we have relief, but do we want to go back? Are we going to take a step backwards or are we going to go ahead according to the good judgment of our government officials? To pass a law of this kind is going to compel the dealers to give a bond and hold them under certain restrictions to curb them? I have talked to many dealers since this bill came up, especially during last week, and their business is so great today that they claim they are doing a greater business in the automobile industry than they have in several years. Now after all if they cannot get new cars enough to carry on the business successfully, while the people are waiting they are buying second-hand cars when they cannot get a new car.

As far as the safety measure is concerned, that they preach about in this bill, we have in our state a safety measure set up. Our state requires every automobile that goes on the road, travels the road, to pass inspection every so often. I cannot see why this is going to be a safety measure. It is going to be a safety measure as far as the dealers pocket-books are concerned and no further. I think it is a wrong thing that we should go back, a step backwards; in other words if we pass this bill (the NRA was set up when everybody was in distress) and grant the second-hand dealers in this State of Pennsylvania the right to be protected by class legislation, which this is, and will drive many, many dealers along the border lines from the State of Pennsylvania, and who will benefit by it? The surrounding states. It will not be our state, we will be the losers.

And the question recurring,

Shall the bill pass finally?

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Barthold,	Frey,	Lanius,	Rodgers,
Cavalcante,	Gilson,	Law,	Rupp,
Chapman,	Haluska,	McCreesh,	Ruth,
Dando,	Henney,	McGinnis,	Scarlett,
Deitrick,	Jacobs,	Mundy,	Sipe,
Dent,	Jaspan,	Pytko,	Stiefel,
DiSilvestro,	Kilgallen,	Rankin,	Wolfenden,

NAYS—12

Bean,	Eroe,	Kahle,	Rice,
Buckman,	Gelder,	Mallery,	Salus,
Ealy,	Homsher,	Owlett,	Sones,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

MOTION TO CONSIDER SENATE BILLS ONLY

Mr. RICE. Mr. President, I move that the Senate do now proceed to the consideration only of Senate Bills on second reading, third reading, and final passage.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 744, entitled:

An Act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the

authority of the same That this act shall be known and may be cited as the "Workmen's Compensation Security Fund Act"

Section 2 As hereafter used in this act unless the context or subject matter otherwise require

"Stock Fund" means the stock workmen's compensation security fund

"Mutual Fund" means the mutual carrier and reciprocal exchange workmen's compensation security fund created by this act

"Funds" means the stock workmen's compensation security fund and the mutual carrier and reciprocal exchange workmen's compensation security fund

"Fund" means either the stock fund or the mutual carrier and reciprocal exchange fund as the context may require

"Fund year" means the calendar year

"Stock Company" means any stock corporation authorized to transact the business of workmen's compensation insurance in this Commonwealth except an insolvent stock company

"Mutual carrier" means any corporation or association organized and operating on the mutual plan including the State Workmen's Insurance Fund authorized to transact the business of workmen's compensation insurance in this Commonwealth except an insolvent mutual carrier

"Reciprocal exchange" means any association or group of persons exchanging contracts of insurance or indemnity on the reciprocal or inter-insurance plan authorized to transact the business of workmen's compensation insurance in this Commonwealth except an insolvent reciprocal exchange

"Carrier" means either a stock company a mutual company a reciprocal exchange or the State Workmen's Insurance Fund as the context may require

"Insolvent stock company" "insolvent mutual carrier" or "insolvent reciprocal exchange" means a stock company a mutual company a reciprocal exchange or the State Workmen's Insurance Fund as the case may be which has been determined to be insolvent or for which or for the assets of which a receiver or liquidator howsoever entitled has been appointed by a court or public officer of competent jurisdiction and authority after the effective date of this act

"Commissioner" means the Insurance Commissioner of this Commonwealth

"Workmen's Compensation Law" means the Workmen's Compensation Act of 1915 or any supplement and amendment thereto or revision thereof

Section 3 There is hereby created a fund to be known as "The Stock Workmen's Compensation Security Fund" for the purpose of assuring to persons entitled thereto the compensation provided by the workmen's compensation law for employments insured in insolvent stock companies Such fund shall be applicable to the payment of valid claims for compensation heretofore or hereafter made pursuant to the workmen's compensation act and remaining unpaid in whole or in part by reason of the default after the effective date of this act of an insolvent stock company Expenses of administration also shall be paid from the fund as herein provided Such fund shall consist of all contributions received and paid into the fund by stock companies as herein defined all property and securities acquired by and through the use of moneys belonging to the fund and of interest earned upon moneys deposited or invested as herein provided The fund shall be administered by the Commissioner in accordance with the provisions of this act

Section 4 Every stock company shall on or before the first day of September one thousand nine hundred and thirty-eight file with the Treasurer of the Commonwealth and with the Commissioner identical returns under oath on a form to be prescribed and furnished by the Commissioner stating the amount of net written premiums for the year's period ending June thirtieth one thousand nine hundred adn thirty-eight on policies issued renewed or extended by such company to insure payment of compensation pursuant to the Workmen's Compensation Law For the purposes of this act "net written premiums" shall mean gross written premiums less return premiums on policies returned not taken and on policies cancelled Thereafter on or before the first day of September of each year each such company shall file similar identical returns stating the amount of such net written premiums for the year's period ending on the preceding June thirtieth on policies issued renewed or extended by such company

Section 5 For the privilege of carrying on the business of workmen's compensation insurance in this Commonwealth every stock company shall pay into the stock fund on the first day of September one thousand nine hundred and thirty-eight a sum equal to one per centum of its net written premiums as shown by the return hereinbefore prescribed for the period ending June thirtieth one thousand nine hundred and thirty-eight and thereafter each such stock company upon filing each annual return shall pay a sum equal to one per centum of its net written premiums for the period covered by such return When the aggregate amount of all such payments into the stock fund together with accumulated interest thereon less all its expenditures and known liabilities becomes equal to five per centum of the loss reserves of all stock companies for the payment of benefits under the Workmen's Compensation Act as of June thirtieth next preceding no further contributions to said fund shall be required to be made provided however that whenever thereafter the amount of said fund shall be reduced below five per centum of such loss reserves as of said date by reason of payments from and known liabilities of said stock fund or by reasons of an increase of the loss reserves of all stock companies then such contribution to said fund shall be resumed from such date as the commissioner shall prescribe and shall continue until such fund over and above its known liabilities shall be equal to five per centum of such reserves

Section 6 There is hereby created a fund to be known as "The Mutual Carrier and Reciprocal Exchange Workmen's Compensation Sesurity Fund" for the purpose of assuring to persons entitled thereto the compensation provided by the Workmen's Compensation Law for employments insured in insolvent mutual carriers or insolvent reciprocal exchanges Such fund shall be applicable to the payment of valid claims for compensation heretofore or hereafter made pursuant to law and remaining unpaid in whole or in part by reason of the default after the effective date of this act of an insolvent mutual carrier or of an insolvent reciprocal exchange Expenses of administration also shall be paid from the fund as herein provided Such fund shall consist of all contributions received and paid into the fund by mutual carriers and reciprocal exchanges as herein defined all property and securities acquired by and through the use of moneys belonging to the fund and of interest earned upon moneys deposited or invested as herein provided The fund shall be administered by the Commissioner in accordance with the provisions of this act

Section 7 Every mutual carrier and reciprocal exchange shall on or before the first day of September one thousand nine hundred and thirty-eight file with the Treasurer of the Commonwealth and with the Commissioner identical returns under oath or a form to be prescribed and furnished by the Commissioner stating the amount of net written premiums for the year's period ending June thirtieth one thousand nine hundred and thirty-eight on policies issued renewed or extended by such carrier and such reciprocal exchange to insure payment of compensation pursuant to the Workmen's Compensation Law during said period For the purposes of this act "net written premiums" shall mean gross written premiums less return premiums on policies returned not taken and on policies cancelled Thereafter on or before the first day of September of each year each such carrier and each such reciprocal exchange shall file similar identical returns stating the amount of such net written premiums for the year's period ending on the preceding June thirtieth on such policies issued renewed or extended by such carrier and by such reciprocal exchange

Section 8 For the privilege of carrying on the business of workmen's compensation insurance in this Commonwealth every mutual carrier and reciprocal exchange shall pay into the mutual fund on the first day of Septem-

ber one thousand nine hundred and thirty-eight a sum equal to one per centum of its net written premiums as shown by the return hereinbefore prescribed for the period ending June thirtieth one thousand nine hundred and thirty-seven and thereafter each such mutual carrier and each such reciprocal exchange upon filing each annual return shall pay a sum equal to one per centum of its net written premiums as shown for the period covered by such return When the aggregate amount of all such payments into the mutual fund together with accumulated interest thereon less all its expenditures and known liabilities becomes equal to five per centum of the loss reserves of all mutual carriers and reciprocal exchanges for the payment of benefits under the Workmen's Compensation Act as of June thirtieth next preceding no further contributions to said fund shall be required to be made provided however that whenever thereafter the amount of said fund shall be reduced below five per centum of such loss reserves as of said date by reason of payments from and known liabilities of said mutual fund or by reason of an increase of the loss reserves of all mutual carriers and reciprocal exchanges then such contributions to said fund shall be resumed from such date as the Commissioner shall prescribe and shall continue until such fund over and above its known liabilities shall be equal to five per centum of such reserves

Section 9 The Commissioner may adopt amend and enforce rules and regulations necessary for the proper administration of such funds In the event any carrier shall fail to file any return or make any payment required by this act or in case the Commissioner shall have cause to believe that any return or other statement filed is false or inaccurate in any particular or that any payment made is incorrect he shall have full authority to examine all the books and records of the carrier for the purpose of ascertaining the facts and shall determine the correct amount to be paid and may proceed in any court of competent jurisdiction to recover for the benefit of the funds any sums shown to be due upon such examination and determination Any carrier which fails to make any statement as required by this act or to pay any contribution when due shall thereby forfeit to the fund entitled to its contribution a penalty of five per centum of the amount of unpaid contribution determined to be due as provided by this act plus one per centum of such amount for each month of delay or fraction thereof after the expiration of the first month of such delay The Commissioner shall revoke the certificate of authority to do business in this Commonwealth of any carrier which shall fail to comply with the provisions of this act or to pay any penalty imposed in accordance with this act

Section 10 Each fund created by this act shall be separate and apart from any other fund so created and from all other Commonwealth moneys The State Treasurer shall be the custodian of said funds and all disbursements from said funds shall be made by the State Treasurer upon vouchers signed by the Commissioner as hereinafter provided The moneys of said funds may be invested by the State Treasury and Commissioner only in bonds and securities which are the direct obligations of or which are guaranteed as to principal and interest by the United States or of this Commonwealth The State Treasurer and Commissioner may sell any of the securities in which said funds are invested if advisable for their proper administration or in the best interest of such funds and all earnings from the investment of such funds shall be credited to such funds If at any time any contributing stock or mutual carrier as herein defined shall upon due notice to the Insurance Commissioner cease to transact the business of Workmen's compensation insurance the contributions of such carrier at the time such carrier ceases to transact the business of workmen's compensation insurance shall be refunded provided that all its outstanding liability on workmen's compensation insurance shall have terminated

Section 11 A valid claim for compensation or installments thereof heretofore or hereafter made pursuant to the Workmen's Compensation Law which has remained or shall remain due and unpaid for sixty days by reason of default after the effective date of this act by an insolvent carrier shall be paid from the proper fund in the manner provided in this act Any person in interest may file with the Commissioner an application for payment of compensation from the proper fund on a form to be prescribed and furnished by the Commissioner A certified copy of the award must accompany the application The Commissioner shall thereupon certify to the State Treasurer such award for payment according to the terms of the same whereupon payment shall be made by the State Treasurer on warrant of the Auditor General and on requisition of the Commissioner

The Commissioner shall be entitled to recover the sum of all liabilities of such insolvent carrier assumed by such stock or mutual fund from such carrier its receiver liquidator rehabilitator conservator or trustee in bankruptcy employer and all others liable under any of the terms of the Workmen's Compensation Law and may prosecute an action or other proceedings therefor All moneys recovered in any such action or proceedings shall forthwith be placed to the credit of the stock or mutual fund which has assumed such liability by the State Treasurer to reimburse the stock or mutual fund which has assumed such liability to the extent of the moneys so recovered and paid If and when all liabilities of all stock or of all mutual carriers for workmen's compensation losses in this Commonwealth shall have fully liquidated distribution shall be made to all contributing stock companies or to all contributing mutual carriers of the remaining balance of such funds in the proportion in which each carrier made contribution to its respective fund provided however that an insolvent carrier shall be entitled to share in the said distribution of its respective fund only to the extent that its distributive share of said fund is in excess of any losses paid out of said fund for its account by the Treasurer in accordance with the terms of this act

Section 12 After the effective date of this act upon any carrier becoming an insolvent stock company an insolvent mutual carrier or an insolvent reciprocal exchange as the case may be the Commissioner shall so notify the Workmen's Compensation Board which shall immediately advise the Commissioner (a) of all claims for compensation pending or thereafter made against every employer insured by such insolvent carrier or against such insolvent carrier (b) of all unpaid or continuing awards made upon claims for compensation prior to or after the date of such notice from the Commissioner and (c) of all appeals from or applications for modification recision or review of such awards

Section 13 The Commissioner or a representative committee of interested carriers which the Commissioner may from time ot time appoint or both may investigate and defend before the Workmen's Compensation Board or any court any and all claims for compensation against an employer insured by an insolvent carrier or against an insolvent carrier and may prosecute any pending appeal from or may appeal from or make application for modification recision or review of any agreement award or decision against any such employer or carrier Until all such claims for compensation are closed and all awards are paid the Commissioner as administrator of the funds shall be a party in interest in respect to all such claims agreements and awards For the purposes of this section the Commissioner shall have exclusive power to select and employ such clerks and assistants as may be deemed necessary and to fix and determine their powers and duties

Section 14 The expenses of administering each fund shall be paid out of such fund The Commissioner shall serve as administrator of each fund without additional remuneration but may be allowed and paid from either of the funds expenses incurred in the performance of his duties in connection with each fund The compensation of persons employed by the Commissioner for the purposes of this act in connection with either of the funds shall be deemed arministration expenses payable out of each such fund in the manner provided in Section ten of this act The Commissioner shall include in his regular report to the Governor a statement of the expenses of administering each of such funds during the period covered by such report

Section 15 Other than the obligation to contribute to a fund as provided in this act no deposit bond or other

security shall be required of any carrier as a condition to authorization to transact the business of workmen's compensation insurance in this Commonwealth

Contributions to the funds created by this act at the rates fixed by this act shall be allowed in full as expenses of the business of workmen's compensation insurance by the Commissioner in fixing and approving rates for such insurance

Section 16 If any part of this act be adjudged unconstitutional it shall not invalidate the remainder of the act All acts or parts of acts inconsistent with the provisions of this act are hereby repealed

Section 17 This act shall take effect on the first day of June one thousand nine hundred and thirty-seven

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—36

Cavalcante,	Henney,	Mallery,	Rodgers,
Dando,	Heyburn,	McCreesh,	Rupp,
DiSilvestro,	Huffman,	McGinnis,	Ruth,
Ealy,	Jacobs,	Mundy,	Scarlett,
Eroe,	Jaspan,	Owlett,	Shapiro,
Frey,	Kahle,	Pierson,	Sipe,
Gelder,	Kilgallen,	Pytko,	Sones,
Gilson,	Lanius,	Rankin,	Stiefel,
Haluska,	Law,	Rice,	Wolfenden,

NAYS—6

Barthold,	Buckman,	Deitrick,	Homsher,
Bean,	Chapman,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. HALUSKA. Mr. President, I call up for consideration the report of the Committee of Conference on Senate Bill 177.

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barthold,	Gilson,	Law,	Rice,
Bean,	Haluska,	Mallery,	Rodgers,
Buckman,	Henney,	McCreesh,	Rupp,
Cavalcante,	Heyburn,	McGinnis,	Ruth,
Dando,	Huffman,	Mundy,	Scarlett,
Deitrick,	Jacobs,	Owlett,	Shapiro,
Dent,	Jaspan,	Pierson,	Sipe,
DiSilvestro,	Kahle,	Pytko,	Sones,
Ealy,	Kilgallen,	Rankin,	Stiefel,
Eroe,	Kunkel,	Reed,	Thompson,
Frey,	Lanius,		

NAYS—4

Chapman,	Gelder,	Homsher,	Wolfenden,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

REPORT OF THE COMMITTEE OF CONFERENCE ON SENATE BILL NO. 177

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 177, entitled "An act prohibiting persons and officers from hiring, requesting and inducing minors to purchase spirituous vinous or brewed and malt liquors," respectfully submit the following bill as our report:

CLARENCE J. BUCKMAN,
JOHN J. HALUSKA,
ANTHONY CAVALCANTE,
(Committee on the part of the Senate.)

PAUL C. MOOMAW,
CHAS. W. ALLEN,
RAYMOND C. WEBSTER,
(Committee on the part of the House of Representatives.)

An Act prohibiting persons and officers from hiring requesting and inducing minors to purchase spirituous vinous or brewed and malt liquors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That It shall be unlawful for any person or officer to hire or request or induce any minor to purchase or offer to purchase spirituous vinous or brewed and malt liquors from a duly licensed dealer for any purpose whatsoever Any person violating this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of five hundred dollars ($500) or to suffer imprisonment not exceeding one year or both at the discretion of the court

Section 2 This act shall become effective immediately upon final enactment

BILL ON FINAL PASSAGE

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 955, as follows:

An Act authorizing and empowering cities of the first class with the consent of the Water and Power Resources Board of the Commonwealth of Pennsylvania to erect and construct waterworks as herein defined within and without their corporate limits to acquire property within and without their corporate limits by purchase lease gift and the power of eminent domain for such purposes to generate power and erect power plants stations and lines in connection therewith and to use sell and purchase water water power and electric energy within and without their corporate limits prescribing the powers and duties of such cities providing for the assessment of damages and repealing inconsistent laws

Be is enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 The word "property" as used in this act shall be construed to mean and include lands buildings earth sand clay gravel rock stone wood materials streams rivers lakes easements and rights of way together with any facilities constructed thereon except property used in rendering service to the public

The term "water-works" as used in this act shall be construed to mean reservoirs dams storing lakes power plants viaducts canals tanks cisterns water mains and pipes pumping stations filtration plants buildings machinery and any other works connected with a public water supply system and necessary for the collection reception storage purification conveyance and distribution of water for domestic and industrial consumption

The word "city" means a city of the first class

Section 2 Any city shall have power and authority with the consent of the Water and Power Resources Board of the Commonwealth of Pennsylvania to acquire by purchase lease gift or the exercise of the power of eminent domain any property whether situate within or without the corporate limits of such city and to erect or construct thereon water-works for the purpose of supplying water to such city and the inhabitants thereof Any such city shall have power to lay its water mains and pipes over or under any creek stream river bridge highway railroad or railway

Section 3 Whenever any city shall exercise the power of eminent domain for any of the purposes of this act it shall not be necessary for such city to give or tender security for the taking injury or destruction of property but the funds raised or proper and lawful to be raised by the power of taxation in such city shall be pledged and are hereby made security to the owner or owners of property so taken injured or destroyed for all damages which they may sustain on account of such taking injury or destruction and such city shall not be required to give or tender any further security or to give or tender any bond or bonds whatsoever

Section 4 Whenever any city has condemned property for water-works purposes under the provisions of this act in any county of this Commonwealth other than the one in which such city is located it shall record a copy of the ordinance making such condemnation in the office of the recorder of deeds of each county where any of such property is located together with any subsequent amendments or supplements to such ordinance

Section 5 Upon the recording of the ordinance of condemnation in the county where any property is located it shall be lawful for the city by its officers agents or contractors to enter upon and take possession of any property so condemned and to erect and construct thereon water-works and to do all things necessary for the purpose of fully carrying out the purposes of this act

Section 6 If the owner lessee or occupier shall refuse to remove his personal property or give up possession of any property taken by the city in the excerie of its power of eminent domain the city may serve written notice upon such owner lessee or his agent or the occupier to remove his personal property and give up possession of such property within sixty days from the date of the service of such notice

If the owner lessee or occupier shall refuse to remove his personal property and give possesion upon proof of the service of the notice a writ of habere facias possessionem shall forthwith issue directing the sheriff to give to the city possession

Section 7 If any city in erecting and constructing water-works shall find it necessary in storing water to occupy and overflow with water any portion of any public road the city shall cause such road to be reconstructed at its own expense on a favorable location and in as perfect a manner as the orignal road and for such purposes is authorized to condemn lands Whenever an agreement as to the price cannot be had with the owners the damages for land so taken shall be assessed as herein provided in the case of property taken for water-works purposes

Section 8 The city shall attempt to agree with the owner of any property taken or to be taken injured or destroyed as to the amount of damage done or likely to be done to him in the taking of such property and in the erection and construction of such water-works and if no agreement can be reached or if the owner cannot be found or is not sui juris the city or the owner or any person interested may apply by petition to the Court of Common Pleas of the county where the property is located or to any law judge thereof in vacation whereupon the court or judge shall appoint three viewers from the county board of viewers to view and ascertain the damages done by reason of said taking use occupancy injury or destruction and appoint a time not less than twenty nor more than thirty days thereafter when the viewers shall meet at or upon the premises affected Thereupon the same proceedings shall be had for the assessment of damages and the costs and expenee in connection therewith with the same right of appeal and trial by jury as is provided by the act approved the sixteenth day of May one thousand eight hundred and ninety-one (P. L. 75) entitled "An act in relation to the laying out opening widening straightening extending or vacating streets and alleys and the construction of bridges in the several municipalities of this Commonwealth the grading paving macadamizing or otherwise improving streets and alleys providing for ascertaining the damages to private property resulting therefrom the assessment of the damages costs and expense thereof upon the property benefited and the construction of sewers and payment of the damages costs and expenses thereof including damages to private property resulting therefrom" and the amendments and supplements thereto

Section 9 Any such city shall have power with the consent of the Water and Power Resources Board of the Commonwealth of Pennsylvania to use the reservoirs dams and water-works erected for water supply purposes for the generation of electric power and to erect the necessary power plants distribution systems substations and inter-tie or transmission lines to enable it to use purchase sell and dispose of electric energy inside and outside its corporate limits and with the consent of the Water and Power Resources Board of the Commonwealth of Pennsylvania with the consent of the owner thereof to connect its water-works or power plants and lines with any other water-works or electric distribution systems within and without its corporate limits and to use purchase sell and dispose of water for water supply and power purposes and also to sell and distribute water in territory not supplied with water

Section 10 All acts and parts of acts general local or special inconsistent with this act are hereby repealed but this act shall not be construed to repeal or modify the act approved the eighth day of April one thousand nine hundred thirty-seven (Act No. 64) entitled "An act providing for the appropriation of certain waters of the Commonwealth to the Commonwealth for the benefit of the people thereof declaring void certain condemnations and appropriations of waters by municipalities corporations copartnerships or persons providing for ascertainment of the validity and the filing of the records of certain condemnations and appropriations of water by municipalities corporations copartnerships or persons and appeals therefrom conferring jurisdiction on the Court of Common Pleas of Dauphin County in relation thereto providing for future condemnations and appropriations of waters by and allocation of waters to municipalities corporations copartnerships or persons and for compensation for waters hereafter to be taken for public water supply purposes and conferring powers and imposing duties upon the Water and Power Resources Board" and it is the legislative intent that the power herein given so far as it relates to condemnation of streams rivers and lakes shall be exercised in subordination thereto

Section 11 This act shall become effective immediately upon final enactment

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. BUCKMAN. Mr. President, I do not care to speak on this bill, but I desire to call the attention of the Chair and the officers at the desks to the fact that a great many Senators are not voting, and are being marked up and recorded as voting "aye." I do not want to ask for a verification of the roll, but I do insist that unless Senators vote, that they shall not be recorded by the Clerk.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—34

Barthold,	Heyburn,	McCreesh,	Rupp,
Dando,	Huffman,	McGinnis,	Ruth,
Dent,	Jacobs,	Mundy,	Salus,
DiSilvestro,	Jaspan,	Pytko,	Shapiro,
Eroe,	Kahle,	Rankin,	Sipe,
Frey,	Kilgallen,	Reed,	Sones,
Gilson,	Kunkel,	Rice,	Stiefel,

Haluska	Lanius,	Rodgers,	Thompson,
Henney,	Law,		

NAYS—13

Bean,	Deitrick,	Homsher,	Pierson,
Buckman,	Ealy,	Mallery,	Scarlett,
Cavalcante,	Gelder,	Owlett,	Wolfenden,
Chapman,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 117, entitled:

An Act to amend section one thousand three hundred and one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended establishing a compulsory tax levy for fire protection

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, Senate Bill No. 117 and the following bill, No. 118, are bills taking away from the boroughs and townships home rule. This bill provides for the levying of taxes for the protection, whether or not the supervisors of the townships or the councilmen of the boroughs see fit to do so. I submit that this is very poor legislation, and both this bill and the following bills should be voted down.

Mr. RUTH. Mr. President, and gentlemen of the Senate, we have 130,000 men in Pennsylvania, volunteer firemen, who have banded themselves together and so far have been compelled to raise money, to furnish protection for every taxpayer in the State, by slot machines and things of that kind. There is not a taxpayer in the township or borough who does not demand the protection of the firemen. Whenever there is any occasion, the fireman has gone out in every instance, leaving his work, his bed at night, in time of storm, risking his life to save property, and in order to maintain the apparatus to do that they are required to, they put in slot machines, which are against the law, or use questionable means for raising funds. Under the present law, the council in the boroughs, and in the townships, or class of supervisors are permitted to levy a millage of two mills. Under this bill they are required to levy an additional one-half mill for that purpose. One-half mill in the average township or borough will furnish just sufficient money to maintain the apparatus in gasoline and tires and necessary equipment for fighting fires. Now, the question is simply this, whether we want to continue to force these volunteers to give their services and raise that money by gambling devices, or whether we are willing to require every taxpayer to pay at least something towards the services that he expects of these men. That is the single question, there is no matter of home rule feeling whatever.

Mr. LAW. Mr. President, I would like to interrogate the Senator from Berks, Mr. Ruth.

The PRESIDENT. Will the Senator from Berks, Mr. Ruth, permit himself to be interrogated?

Mr. RUTH. Mr. President, I will.

Mr. LAW. Mr. President, I would like to ask the Senator from Berks, Mr. Ruth, whether the levy is to be made though adequate fire protection is given in a borough for less than one-half a mill?

Mr. RUTH. Mr. President, the present township and borough code provides exactly how this money is to be spent. That is the only answer I can give. I do not think there is any borough or township where the fire protection costs less than a one-half mill tax.

Mr. BUCKMAN. Mr. President, I would like to interrogate the Reverend gentlemen from Berks.

The PRESIDENT. Will the Senator from Berks, Mr. Ruth, permit himself to be interrogated?

Mr. RUTH. Mr. President, I will.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Berks, if this tax is not compulsory?

Mr. RUTH. Mr. President, one-half mill is compulsory and a two-mill tax is permissible.

Mr. BUCKMAN. Mr. President, I would like to ask if the township supervisors and borough councils are not now permitted to levy those taxes?

Mr. RUTH. Mr. President, the two-mills tax.

Mr. BUCKMAN. Mr. President, what is the need then for making this Act compulsory?

Mr. RUTH. Mr. President, simply because many of the supervisors and borough councilmen do not see fit to levy this tax. There are some boroughs and some townships that do, others do not, yet they expect the services of these men.

Mr. EALY. Mr. President, I desire to interrogate the sponsor of the bill.

The PRESIDENT. Will the Senator from Berks, Mr. Ruth, permit himself to be interrogated?

Mr. RUTH. Mr. President, I will.

Mr. EALY. Mr. President, I desire to ask the sponsor whether the amount that the borough may levy for fire protection is at present limited to two mills?

Mr. RUTH. Mr. President, they may levy a tax up to two mills, they can appropriate whatever the borough council may see fit.

Mr. EALY. Mr. President, may not the borough do that now?

Mr. RUTH. Mr. President, they may not, not for fire purposes, that is in your borough code.

Mr. EALY. Mr. President, this bill limits the levy to not more than two mills. That seems to me a new part of the bill.

Mr. RUTH. Mr. President, the present borough code and township code permits the borough council and supervisors to levy two mills; this bill would make one-half mill compulsory and give them permission to levy two mills.

Mr. OWLETT. Mr. President, I would like to ask the sponsor just one question on these bills.

The PRESIDENT. Will the Senator from Berks, Mr. Ruth, permit himself to be interrogated?

Mr. RUTH. Mr. President, I will.

Mr. OWLETT. Mr. President, I would like to ask if this requires second-class townships to levy this tax?

Mr. RUTH. Mr. President, it does, one-half of one mill.

Mr. OWLETT. Mr. President, second class townships?

Mr. RUTH. Mr. President, yes.

Mr. OWLETT. Mr. President, and members of the Senate, I do not konw of a second-class township in my district that has any fire fighting force or any fire fighting equipment at all. Now this bill would compel those townships to levy one-half mill tax, and they have no organizations, they have no fire fighting equipment at all. As to boroughs, I think there is hardly a borough in the Commonwealth that does not spend at least one-half a mill on fire fighting equipment. Why we should compel, a township, when we are trying to relieve real estate from taxation, to levy a tax for a purpose for which they have no organization at all? I venture to say a majority of second-class townships in Pennsylvania have no fire fighting equipment at all.

Mr. RUTH. Mr. President, the second bill is the one with respect to townships, wherever in any township they have fire equipment they have assured protection; where they have no fire protection we feel they should have it.

Mr. LAW. Mr. President, may I interrogate the Senator from Berks, Mr. Ruth?

The PRESIDENT. Will the Senator from Berks, Mr. Ruth, permit himself to be interrogated?

Mr. RUTH. Mr. President, I will.

Mr. LAW. Mr. President, will the Senator from Berks, Mr. Ruth state whether under the provisions of this bill it would be possible for a township to spend this money and make payments for fire protection to some adjacent borough that had a fire department?

Mr. RUTH. Mr. President, that is the present law of 1935, where a borough or township might make a contact with an adjacent borough for a fire company to take care of their property.

And the question recurring,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, I ask for a verification of the roll.

The roll was verified and was as follows:

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Barthold,	Haluska,	McGinnis,	Rodgers,
Cavalcante,	Henney,	Mundy,	Rupp,
Dando,	Jacobs,	Pytko,	Ruth,
DiSilvestro,	Jaspan,	Rankin,	Shapiro,
Eroe,	Kahle,	Reed,	Sipe,
Frey,	Kilgallen,	Rice,	Stiefel,
Gilson.	Kunkel,		

NAYS—14

Bean,	Ealy,	Lanius,	Pierson,
Buckman,	Gelder,	Mallery,	Scarlett,
Chapman,	Heyburn,	Owlett,	Wolfenden,
Deitrick,	Homsher.		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said sill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 118, entitled:

An Act to amend clause five of section nine hundred five of the act approved the first day of May one thousand nine hundred and thirty-three (Pamphlet Laws one hundred three) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" requiring the levy of a tax for fire protection.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution.

Mr. BUCKMAN. Mr. President, I ask for a verification of the roll.

The roll was verified and was as follows:

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—22

Barthold,	Haluska,	McGinnis,	Rice,
Cavalcante,	Henney,	Mundy,	Rupp,
Dando,	Jaspan,	Pytko,	Ruth,
Dent,	Kahle,	Rankin,	Shapiro,
Eroe,	Kilgallen,	Reed,	Stiefel,
Gilson,	Kunkel,		

NAYS—19

Bean,	Ealy,	Jacobs,	Salus,
Buckman,	Frey,	Lanius,	Scarlett,
Chapman,	Gelder,	Mallery,	Sones,
Deitrick,	Heyburn,	Owlett,	Wolfenden,
DiSilvestro,	Homsher,	Pierson,	

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 201, entitled:

An Act to amend clause (c) of section three hundred fifteen of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-nine) entitled "An act relating to nonprofit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign nonprofit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing the rule for the investment of certain funds by burial and cemetery companies

And said bill having been read at length the third time and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Barthold,	Haluska,	Law,	Reed,
Bean,	Henney,	McCreesh,	Rice,
Cavalcante,	Heyburn,	McGinnis,	Rupp,
Dando,	Huffman,	Mundy,	Ruth,
Dent,	Jaspan,	Owlett,	Sipe,
DiSilvestro,	Kahle,	Pytko,	Stiefel,
Eroe,	Kunkel,	Rankin,	Thompson,
Gilson,	Lanius,		

NAYS—16

Buckman,	Frey,	Kilgallen,	Salus,
Chapman,	Gelder,	Mallery,	Scarlett,
Deitrick,	Homsher,	Pierson,	Shapiro,
Ealy,	Jacobs,	Rodgers,	Wolfenden,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 298, entitled:

An Act regulating proceedings against attorneys at law for disbarment and contempt of Court

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—25

Barthold,	Haluska,	Lanius,	Reed,
Cavalcante,	Henney,	McCreesh,	Rice,
Dando,	Jaspan,	McGinnis,	Rodgers,
Dent,	Kahle,	Mundy,	Rupp,
DiSilvestro,	Kilgallen,	Pytko,	Ruth,
Eroe,	Kunkel,	Rankin,	Thompson,
Frey,			

NAYS—20

Bean,	Gelder,	Jacobs,	Scarlett,
Buckman,	Gilson,	Mallery,	Shapiro,
Chapman,	Heyburn,	Owlett,	Sipe,
Deitrick,	Homsher,	Pierson,	Stiefel,
Ealy,	Huffman,	Salus,	Wolfenden,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 432, entitled:

An Act authorizing and directing the Department of Highways to erect and construct a bridge over the Susquehanna River between a point on State Street in the City of Harrisburg to a point in Cumberland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridges and making an appropriation

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Barthold,	Gilson,	Kunkel,	Rice,
Buckman,	Heyburn,	Law,	Rodgers,
Cavalcante,	Huffman,	McCreesh,	Ruth,
Dando,	Jacobs,	McGinnis,	Shapiro,
Dent,	Jaspan,	Mundy,	Sipe,
DiSilvestro,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,			

NAYS—16

Bean,	Gelder,	Mallery,	Rupp,
Chapman,	Haluska,	Owlett,	Salus,
Deitrick,	Homsher,	Pierson,	Scarlett,
Ealy,	Lanius,	Reed,	Wolfenden,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 442, entitled:

An Act to further amend section one of the act approved the third day of May one thousand nine hundred and seventeen (Pamphlet Laws one hundred twelve) entitled "An act exempting free from the claims of all creditors the proceeds of certain life insurance and annuity contracts bona fide taken out by any person not exceeding one hundred dollars per month" extending the provisions of said act to certain other contracts and increasing the amount of such exemption

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

Mr. STIEFEL. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 448, entitled:

An Act to amend section one of the act approved the seventeenth day of May one thousand nine hundred and nineteen (Pamphlet Laws two hundred seven) entitled "An act relating to policies of life insurance or annuities" extending the provisions of said act to certain other contracts

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. STIEFEL. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. SHAPIRO. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. KAHLE. Mr. President, I ask unanimous consent that Senate Bill No. 534 on third reading entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," as amended naming medical agents which may be sold by storekeepers and removing intestinal enzymes and all liver products from the exception to the provision which prohibits the sale of medicines containing substances of glandular origin except by registered pharmacists and assistant pharmacists.

go over in its order.

The PRESIDENT. Is ther objection?

Mr. JASPAN. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 534, entitled:

An Act to amend section thirteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation thereof; defining the words 'drug' and 'poison'; and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law; and providing for the purchase of samples of drugs for determining their quality, strength, and purity," as amended naming medical agents which may be sold by storekeepers, and removing intestinal enzymes and all liver products from the exception to the provisions which prohibits the sale of medicines containing substances of glandular origin except by registered pharmacists and assistant pharmacists.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. KAHLE. Mr. President, this is a bill that comes up every two years. Ever since I have been in Harrisburg that bill has been brought up. It is a bill that has to do with regulating and fixing the price of drugs, you might say, of patent medicines in the little country stores. If this bill is passed as it is now, while there are a lot of things named therein that it would be impossible for the country people to go to the country stores and buy a bottle of paregoric or an aspirin tablet, or a headache tablet, and many drugs of that kind I could enumerate. I think that it will be very unjust to the people of the rural districts if that is to be prohibited in the country. The druggists, under this bill, want restrictions on the stores prohibiting that, yet at the same time if you go into a drug store, they have people who are selling everything from hardware down, and yet they want a fence built around this industry to prohibit the little groceryman from selling a few patent medicines. Are we going to tell these people in the country to run to a drug store possibly ten, fifteen or twenty miles away every time they want aspirin tablets, headache powders, paregoric or something of that kind? I think it is an unjust act, I think we should give this due consideration before we vote in favor of it.

Mr. MUNDY. Mr. President, Senate Bill No. 534, as amended, omits the sale, on page 3, of every drug that they felt it would be safe to sell under the Federal Act relating to drugs. They have included in this list of amendments every drug which we feel that the average country storekeeper could sell with a degree of safety. We are perfectly willing to accept any amendments, even on third reading, for any additional articles which the members of the Senate feel it is safe to sell in the drug store.

Senator Kahle spoke on the sale of paregoric. Paregoric has been prohibited for at least within the last ten years. We do believe that sales which contain quite a dose of acetanilid as its base should not be sold in country stores. We do believe that aspirin, as such, is not exactly a safe drug to be peddled out without some curb to it. Our idea is not to disturb the sales in central drug stores, not to interfere with their business, but we do believe that we have a right to safeguard human life in prohibiting the sale of dangerous drugs. I think anybody who is fair can look over this list of amendments put in by the committee, and will see that we have been very liberal in granting sales to those drug stores of the articles which are necessary for emergency, and bromo-seltzer is a dangerous drug, whether or not there is any provision made to prevent anyone but druggists from selling it to people.

Mr. SHAPIRO. Mr. President, I would like to interrogate the Senator from Luzerne, Mr. Mundy.

The PRESIDENT. Will the Senator from Luzerne, Mr. Mundy, permit himself to be interrogated?

Mr. MUNDY. Mr. President, I will.

Mr. SHAPIRO. Mr. President, I have received requests from the people of my district to vote for and against this bill, and I cannot do both, and I would like to have the benefit of my own judgment, therefore, I would like to ask the Senator whether aspirin and bromo-seltzer, are dangerous drugs, whether drug stores are restricted in their sales of these drugs?

Mr. MUNDY. Mr. President, I would say that the drugs should be sold by either a pharmacy or—

Mr. SHAPIRO. Mr. President, what is in the drug bill now that prevents a druggist who is selling me as much aspirin as I want if I had the price to pay for it?

Mr. MUNDY. Mr. President, there is a law that drugs shall not be dispensed at a drug store except by a pharmacist.

Mr. SHAPIRO. Mr. President, if I go into a drug store I can buy aspirin without a prescription, and if that is right, I do not see, seriously speaking, that this bill accomplished anything. If that were a bill to prevent druggists from selling drugs, whether a dangerous drug

or otherwise I might have some sympathy for the bill, but I am told by learned doctors that aspirin is a dangerous drug, and bromo-seltzer similarly dangerous, and I see nothing in the bill which regulates the sale of either of these two dangerous drugs in a drug store. I can walk into a drug store, as this bill reads, as I have done before, after the passage of this Act, and buy two or three tins of aspirin and take five or six doses of bromo-seltzer if I could stand it, and there is nothing in the Act to prevent me. What is the purpose of passing a bill of this kind, if it is supposed to be a health measure? I see no safeguard against the sale of it in a drug store, and I do not see why it cannot be sold just as well in a grocery store.

Mr. MUNDY. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I will.

Mr. MUNDY. Mr. President, may I ask the Senator from Philadelphia, if he would feel that we would be justified in putting in the Act 'Drug Stores' as to the sale of any medicine that contains strychnine?

Mr. SHAPIRO. Mr. President, there is everything else in the Act, grocery stores, or what not, so why not put that in?

Mr. MUNDY. Mr. President, will the Senator from Philadelphia accede that it is a very dangerous drug?

Mr. SHAPIRO. Mr. President, I think it is a dangerous drug.

Mr. MUNDY. Mr. President, would the Senator from Philadelphia consider it safe to put in the Act 'Drug Store'?

Mr. SHAPIRO. Mr. President, is there any regulation in this bill as to what quantities or how to buy these drugs that cannot be sold? The Act merely says that they cannot be sold in grocery stores, that is all, it does not state how they shall be sold.

Mr. DENT. Mr. President, I do not like to prolong this debate but—. Do I understand the Act says that any medicine that is sold with a prescription attached to the bottle? The only thing I want to call the attention of the Senate to is the fact that some of us live where there is no drug store handy and I did not know until tonight that Castoria is terribly dangerous. However, it does say on the label of the Castoria bottle how many ounces of fruit juice is in it and certain other ingredients that are in the medicine. I have children in my home and I know the value of Castoria when we need it, especially to cure a little cold. Maybe it is not the right medicine but it works remarkably.

Mr. DiSILVESTRO. Mr. President, I would like to interrogate the Senator from Westmoreland, Mr. Dent.

The PRESIDENT. Will the Senator from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. Mr. President, I will.

Mr. DiSILVESTRO. Mr. Presdent, the Senator from Westmoreland just mentioned about getting Castoria for his children; I would like to ask the Senator from Westmoreland whether he knows the danger of magnesia for the children when they get pains in that section of the body. If you go to a pharmacist and you tell the pharmacist that the child has a terrific pain, the druggist will tell you to call the doctor frequently, because magnesia usually is not good for those pains, do you know that?

Mr. DENT. Mr. President, no I did not know that. Mr. President, I can easily understand why the druggist is having a doctor sponsor the Act. If from now on my little baby gets stomach-ache and I have to call a druggist, and he has to call a doctor, I cannot see what the Castoria is good for.

Mr. THOMPSON. Mr. President, I would like to interrogate the Senator from Luzerne, Mr. Mundy.

The PRESIDENT. Will the Senator from Luzerne, Mr. Mundy, permit himself to be interrogated?

Mr. MUNDY. Mr. President, I will.

Mr. THOMPSON. Mr. President, is it not a fact that more people die from the result of taking castor oil, than as a result of taking aspirin?

Mr. MUNDY. Mr. President, I would say very definitely, yes.

Mr. THOMPSON. Mr. President, then why do we exclude from the provisions of the bill, aspirin, when castor oil is a more dangerous drug?

Mr. MUNDY. Mr. President, the Senator has taken in quite a territory. I think the point he wants to make is that so many people take cathartics for a pain in the abdomen when they really have come inflammed conditions, such as peritonitis, but the same thing might hold true even under the most skillful care. Of course, we want to prevent, as far as possible, the indiscrimative use of narcotics when there is an inflamed condition in the abdomen.

Mr. SALUS. Mr. President, I would like to interrogate the Senator from Luzerne, Mr. Mundy.

The PRESIDENT. Will the Senator from Luzerne, Mr. Mundy, permit himself to be interrogated?

Mr. MUNDY. Mr. President, I will.

Mr. SALUS. Mr. President, I would like to know what connection this bill has with the following bill, which has a lot to do with cemeteries?

Mr. MUNDY. Mr. President, it is rather a coincidence that they should appear on the same calendar.

Mr. KAHLE. Mr. President, in all seriousness he spoke of paregoric. I want to correct that statement. When I mentioned that I meant Castoria and I told him differently. This bill, as it is drawn, will not permit even a person to buy a bottle of cough medicine or anything of that kind that has upon that bottle a printed statement of what there is within it, and every bottle of cough medicine will tell that it contains so many drops of this or that. We have men around selling salves, liniments, and so forth, and we have men who will buy these liniments and so on; are we going to bar them from buying anything of that kind in the country? It is ridiculous to think that you could walk into a drug store and if you want some aspirin tablets, or a laxative, or anything of that sort, the soda slinger will go over and give it to you, yet you want to prohibit the grocer from handing it out. So far as poisons, etc., strychnine has been mentioned, we have a law governing the sale of that; that is protected, and we do not need to worry about buying poison and the other products, and so on, that we have mentioned. We have been selling them in the drug stores, that is the common everyday proprietary preparation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—18

Barthold,	Henney,	Mundy,	Ruth,
Chapman,	Heyburn,	Pierson,	Salus,
DiSilvestro,	Jaspan,	Pytko,	Scarlett,
Eroe,	McCreesh,	Rankin,	Thompson,
Frey,	McGinnis,		

NAYS—19

Bean,	Dent,	Kahle,	Reed,
Buckman,	Gelder,	Kilgallen,	Rodgers,
Cavalcante,	Gilson,	Lanius,	Rupp,
Dando,	Homsher,	Law,	Sipe,
Deitrick,	Jacobs,	Mallery,	

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 536, entitled:

An Act to prevent fraud and deception by defining and regulating cemetery memorial dealers and cemetery memorial salesmen providing for the service of process in certain cases vesting certain powers and duties in the State Board of Examiners of Cemetery Memorial Dealers of the Department of Public Instruction in the Department of Public Instruction and in the Court of Common Pleas of Dauphin County and providing penalties

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. BUCKMAN. Mr. President, notwithstanding the lateness of the hour, I feel that we ought to know something more about these bills than we can tell by the reading of them.

The PRESIDENT. Will the Senator from Luzerne, Mr. Mundy, give the necessary information?

Mr. BUCKMAN. Mr. President, I would like to know what the nature of these bills are; are these health measures?

Mr. MUNDY. Mr. President, yes, they are.

Mr. BUCKMAN. Mr. President, would the Senator from Luzerne care to state the source from which these bills arose?

Mr. MUNDY. Mr. President, the graveyard.

Mr. SALUS. Mr. President, I would like to interrogate the Senator from Luzerne, Mr. Mundy.

The PRESIDENT. Will the Senator from Luzerne, Mr. Mundy, permit himself to be interrogated?

Mr. MUNDY. Mr. President, I will.

Mr. SALUS. Mr. President, does this bill include the cemeteries where they erect monuments for the dead?

Mr. MUNDY. Mr. President, yes.

Mr. SALUS. Mr. President, marble monuments?

Mr. MUNDY. Mr. President, yes.

Mr. SALUS. Mr. President, is it just for those where they have memorial tablets?

Mr. MUNDY. Mr. President, no, it includes all cemeteries.

Mr. SALUS. Mr. President, what is meant by Memorial Cemeteries?

Mr. MUNDY. Mr. President, in that characterization I would judge all cemeteries are in a sense memorial.

Mr. SALUS. Mr. President, is this not a bill that is being advocated by the marble workers and men who build marble monuments in cemeteries, in opposition to those that are memorial cemeteries?

Mr. MUNDY. Mr. President, the real purpose of this bill is to prevent this chiseling in selling monuments, and preying on the sorrow of the family deceased in trying to sell certan things to them which are not up to the standards prescribed.

Mr. SALUS. Mr. President, does it refer to monuments for lots in cemeteries?

Mr. MUNDY. Mr. President, it refers not only to lots but to memorials and everything else that goes with it.

Mr. SALUS. Mr. President, we heard the Governor, this evening, speaking a lot about lobbyists; do you know anything about the lobbyists that the marble men have down in Washington, trying to pass the national bill, and it was defeated.

Mr. MUNDY. Mr. President, I have not been in Washington for three months.

Mr. SALUS. Mr. President, that has been longer than three months, it has been going on for three years.

Mr. SHAPIRO. Mr. President, last week I was referring to Senate Bill No. 815, and I was prompted to say that I did not know what was meant by chiseling. I must admit now that I know what chiseling is; we are dealing with these monuments right now and this gave me a good desription of chiseling.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—12.

DiSilvestro,	Jaspan,	McGinnis,	Rankin,
Frey,	Law,	Mundy,	Ruth,
Henney,	McCreesh,	Pytko,	Thompson,

NAYS—29.

Barthold,	Eroe,	Kunkel,	Rupp,
Bean,	Gelder,	Lanius,	Salus,
Buckman,	Gilson,	Mallery,	Scarlett,
Cavalcante,	Heyburn,	Owlett,	Shapiro,
Chapman,	Homsher,	Pierson,	Sipe,
Dando,	Jacobs,	Reed,	Stiefel,
Deitrick,	Kilgallen,	Rodgers,	Wolfenden,
Dent,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL DROPPED FROM CALENDAR

Mr. DiSILVESTRO. Mr. President, I move that Senate Bill No. 537, entitled:

An Act to amend section two hundred two of and to add section four hundred twenty-five and one-tenth to the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative

departments, boards and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative department boards commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," by creating and providing for the appointment of the State Board of Examiners of Cemetery Memorial Dealers in the Department of Public Instruction, and prescribing the powers and duties of such board.

be dropped from the Calendar.

Mr. MUNDY. Mr. President, I second the motion.

The motion was agreed to.

BILLS OVER IN ORDER

Mr. HUFFMAN. Mr. President, I ask unanimous consent that Senate Bill No. 566, on third reading, entitled:

An Act relating to and establishing a system in counties of the second, third, fourth, fifth, sixth, seventh, eighth classes for the collection of taxes in counties, boroughs, towns, townships, school and poor districts, with certain exceptions, through the county treasurers as county tax collectors and city tax cllectors in cities of the second class A and third class, defining the rights, powers and duties of such taxing units, regulating the date of making and certifying tax levies, abolishing the office of county, borough, town, township, school and poor district tax collectors, except county treasurers and certain tax collectors in cities upon the expiration of existing terms and in cases of vacancies imposing certain duties upon the Department of Internal Affairs, defining certain criminal offenses, imposing penalties and creating liens and repealing existing laws.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. KILGALLEN. Mr. President, I ask unanimous consent that Senate Bill No. 602, on third reading, entitled:

An Act to amend section six and sections eleven and eighteen as amended of the act approved the second day of June one thousand nine hundred and fifteen (Pamphlet Laws seven hundred sixty-two) entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto declaring false oaths by the subscribers to be misdemeanors and providing penalties for the violation thereof" further regulating the administration of such Fund the fixing of premiums payable by subscribers the distribution of unexpended balances to subscribers the collection of accounts against subscribers and providing for the giving of certified copies of the records of the Fund showing liens against subscribers and fixing fees therefor

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL RECOMMITTED

Mr. RUPP. Mr. President, I move that Senate Bill No. 608, on third reading, entitled:

An Act to further amend the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Comonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penaltes for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by further defining the duties of the secretary of the board of school directors.

be recommitted to the Committee on State Boards.

Mr. EROE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 668, entitled:

An Act to amend route 15176 of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing certain routes

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barthold,	Frey,	Kunkel,	Rice,
Bean,	Gelder,	Law,	Rodgers,
Buckman,	Gilson,	Mallery,	Rupp,
Cavalcante,	Henney,	McCreesh,	Ruth,
Chapman,	Heyburn,	McGinnis,	Salus,
Dando,	Homsher,	Mundy,	Scarlett,
Deitrick,	Huffman,	Owlett,	Shapiro,
Dent,	Jacobs,	Pierson,	Stiefel,
DiSilvestro,	Jaspan,	Pytko,	Thompson,
Ealy,	Kahle,	Rankin,	Wolfenden,
Eroe,	Kilgallen,	Reed,	

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House Representatives for concurrence.

Mr. MUNDY. Mr. President, I wish to call up at this time Senate Bill No. 566, on third reading.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 566, entitled:

An Act relating to and establishing a system in counties of the second third fourth fifth sixth seventh and eighth classes for the collection of taxes in counties boroughs towns townships school and poor districts with certain exceptions through the county treasurers as county tax

collectors in cities of the second class A and third class defining the rights powers and duties of such taxing regulating the date of making and certifying tax levies abolishing the office of county borough town township school and poor district tax collectors except county treasurers and certain tax collectors in cities upon the expiration of existing terms and in cases of vacancies imposing certain duties upon the Department of Internal Affairs defining certain criminal offenses imposing penalties and creating liens and repealing existing laws

And said bill having been read at length the third time.

On the question,

Will the Senate agree to the bill?

Mr. LAW. Mr. President, I would like to ask the Senator the purpose of these amendments?

Mr. MUNDY. Mr. President, to put the bill back to the form that I left it, when I was called away on Thursday.

Mr. LAW. Mr. President, I believe that in the present status there are certain provisions of another Act incorporated.

Mr. MUNDY. Mr. President, since that there was a redrafting of this bill and putting the Moomaw-Moran Bill under the name of Mundy, I want to remove that stigma.

Mr. LAW. Mr. President, I do not object to the Senator's personal objection to the change in the bill; however, I think the bill has been improved by the amendment, and I would object.

The PRESIDENT. Does the Senator from Mercer, Mr. Law, object?

Mr. LAW. Mr. President, yes.

BILL RECOMMITTED

Mr. SHAPIRO. Mr. President, I move that this bill be recommitted to the Committee on Municipal Government.

Mr. MUNDY. Mr. President, I second the motion.

On the question,

Will the Senate agree to the bill?

The yeas and nays were required by Mr. CAVALCANTE and were as follows, viz:

YEAS—30.

Barthold,	Ealy,	Huffman,	Pierson,
Bean,	Frey,	Jacobs,	Pytko,
Buckman,	Gelder,	Jaspan,	Salus,
Chapman,	Gilson,	Kahle,	Scarlett,
Dando,	Haluska,	McCreesh,	Shapiro,
Deitrick,	Henney,	Mundy,	Stiefel,
Dent,	Heyburn,	Owlett,	Thompson,
DiSilvestro,	Homsher,		

NAYS—14

Cavalcante,	Law,	Reed,	Rupp,
Eroe,	Mallery,	Rice,	Ruth,
Kilgallen,	McGinnis,	Rodgers,	Sipe,
Kunkel,	Rankin,		

So the question was determined in the affirmative.

BILL OVER IN ORDER

Mr. STIEFEL. Mr. President, I ask unanimous consent that Senate Bill No. 754, on third reading, entitled:

An Act to amend the title and to add a new subdivision (h) and two new sections six hundred and seventy-six and six hundred and seventy-seven to the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carred by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by establishing one or more rating bureaus for the classification of risks underwriting rules premium rates and schedule or merit rating plans applying to all classes of insurance except fidelity surety accident and health which may be transacted by any stock or mutual casualty company or exchange.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 790, entitled:

An Act creating and appropriating a fund for the purpose of rebuilding restoring and replacing real and personal property of the Commonwealth damaged or destroyed by fire or other casualty and for insuring the Commonwealth against losses of public moneys due to embezzlement or theft thereof by or malfeasance of State officers and employes providing for the investment of the moneys in such fund prohibiting (with certain exceptions) the purchase of insurance or surety bonds for the above purposes and making a repeal.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—6

DiSilvestro,	Kunkel,	Ruth,	Shapiro,
Henney,	Mundy,		

NAYS—38.

Barthold,	Gelder,	Law,	Rice,
Bean,	Gilson,	Mallery,	Rodgers,
Buckman,	Haluska,	McCreesh,	Rupp,
Cavalcante,	Heyburn,	McGinnis,	Salus,
Chapman,	Homsher,	Owlett,	Scarlett,
Dando,	Huffman,	Pierson,	Sipe,
Deitrick,	Jacobs,	Pytko,	Stiefel,
Dent,	Jaspan,	Rankin,	Thompson,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 930, entitled:

An Act to repeal the laws relating to the Lancaster County Prison and relating to the election of a board of inspectors to manage said prison.

And said bill having been read at length the third time,

And the amendments made thereto having been printed as required by the Constitution.

On the question,

Will the Senate agree to the bill?

BILL POSTPONED

Mr. RUPP. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. CAVALCANTE. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

A division being called for, 17 Senators voted in the affirmative and 19 in the negative, whereupon the question was decided in the negative.

And the question recurring,

Will the Senate agree to the bill?

Mr. RUPP. Mr. President, I am Chairman of the Committee that reported out this bill and it was reported out after a considerable urging from some people who were interested in this bill, and I agreed to report it out with the understanding that it be recommitted to the Committee on County Government after second reading. Now these people who have been adversely affected by this bill, who are interested in not having it passed, have requested me to put it over until they have an opportunity to appear before the committee. In the first place, I gave my word that it would be recommitted if any objection was raised, and objection was raised to the bill. Now I am trying to fulfill my promise.

BILL OVER IN ORDER

Mr. THOMPSON. Mr. President, I ask that the bill go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1087, entitled:

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as amended by changing the method of issuance of licenses and making further provisions for records and returns thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—28

Buckman,	Gilson,	Kunkel,	Rodgers,
Cavalcante,	Haluska,	McGinnis,	Rupp,
Dando,	Henney,	Mundy,	Ruth,
Dent,	Heyburn,	Pytko,	Shapiro,
DiSilvestro,	Huffman,	Rankin,	Sipe,
Eroe,	Kahle,	Reed,	Stiefel,
Frey,	Kilgallen,	Rice,	Thompson,

NAYS—12

Barthold,	Deitrick,	Mallery,	Salus,
Bean,	Ealy,	Owlett,	Scarlett,
Chapman,	Gelder,	Pierson,	Wolfenden,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1089, entitled:

An Act to supplement the act act approved the twenty-fifth day of June one thousand nine hundred nineteen (Pamphlet Laws five hundred eighty-one) entitled "An act for the better government of cities of the first class of this Commonwealth" supplying a new Article XIX providing for the better government of such cities by regulating and improving the civil service of such cities establishing and regulating the powers and duties of Civil Service Commissions providing for the appointment of Civil Service Commissioners providing for the appointment and regulating the duties and powers of Civil Service Directors defining certain crimes and imposing penalties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Barthold,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	McCreesh,	Rupp,
Dando,	Heyburn,	McGinnis,	Ruth,
Deitrick,	Huffman,	Mundy,	Shapiro,
DiSilvestro,	Jaspan,	Pytko,	Sipe,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Rice,	Thompson,
Gilson,	Kunkel,		

NAYS—11

Bean,	Ealy,	Owlett,	Scarlett,
Buckman,	Gelder	Pierson,	Wolfenden,
Chapman,	Homsher,	Salus,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1136, entitled:

An Act to provide for the regulation of the building erection and maintenance of structures in along across over under projecting into or being in streams lakes and others bodies of water wholly or partly within or forming part of the boundary of this Commonwealth providing for permits fees and charges conferring powers and imposing duties upon the water and Power Resources Board.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL POSTPONED

Mr. RODGERS. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1144, entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by providing that certain companies shall not be subject to the tax

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Gelder,	Kunkel,	Rice,
Cavalcante	Gilson,	Law,	Rodgers,
Chapman,	Haluska,	Mallery,	Rupp,
Dando,	Henney,	McCreesh,	Ruth,
Deitrick,	Heyburn,	McGinnis,	Salus,
Dent,	Homsher,	Mundy,	Scarlett,
DiSilvestro,	Huffman,	Owlett,	Shapiro,
Ealy,	Jaspan,	Pierson,	Sipe,
Eroe,	Kahle,	Pytko,	Stiefel,
Frey,	Kilgallen,	Rankin,	Thompson,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1160, entitled:

An Act to further amend Article VI of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by adding thereto sub-article VI (h) consisting of Sections 685 (six hundred and eighty-five) to 696 (six hundred and ninety-six) inclusive defining the specific powers and financial requirements of title insurance companies and providing for the regulation and supervision thereof and prohibiting the guaranteeing of mortgages by such companies.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barthold,	Gilson,	Law,	Rodgers,
Bean,	Haluska,	Mallery,	Rupp,
Buckman,	Henney,	McCreesh,	Ruth,
Cavalcante,	Heyburn,	McGinnis,	Salus,
Chapman,	Homsher,	Mundy,	Scarlett,
Dando,	Huffman,	Owlett,	Shapiro,
Deitrick,	Jacobs,	Pierson,	Sipe,
DiSilvestro	Jaspan,	Pytko,	Stiefel,
Ealy,	Kahle,	Rankin,	Thompson,
Eroe,	Kilgallen,	Reed,	Wolfenden
Gelder,	Kunkel,	Rice,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1161, entiled:

An Act to amend section one hundred one of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by including title insurance companies within the definition of the word "company" as used in the act.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barthold,	Gelder,	Kunkel,	Rice,
Bean,	Gilson,	Lanius,	Rodgers,
Buckman,	Haluska,	Law,	Rupp,
Cavalcante,	Hennev	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Howell,	Mundy,	Shapiro,
Dent,	Huffman,	Owlett,	Sipe,
DiSilvestro,	Jacobs,	Pierson,	Stiefel,
Ealy,	Jaspan,	Pytko,	Thompson,
Eroe,	Kahle,	Rankin,	Wolfenden,
Frey,	Kilgallen,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1210, entiled:

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor to enter into contract with persons firms or corporations to erect an office building and to lease such office building for the use of the Commonwealth the same to become the property of the Commonwealth upon termination of said lease

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—29

Barthold,	Henney,	Law,	Rice,
Cavalcante,	Heyburn,	Mallery,	Rodgers,
Dando,	Huffman,	McCreesh,	Rupp,
Dent,	Jaspan,	McGinnis,	Ruth,
Eroe,	Kahle,	Mundy,	Sipe,
Frey,	Kilgallen,	Pytko,	Stiefel,
Gilson,	Kunkel,	Rankin,	Thompson,
Haluska,			

NAYS—11

Bean,	Deitrick,	Owlett,	Scarlett,
Buckman,	Ealy,	Pierson,	Wolfenden,
Chapman,	Homsher,	Salus,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The President Pro Tempore, Mr. Harvey Huffman, in the Chair.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1214, entitled:

An Act to repeal section two of the act approved the first day of April one thousand seven hundred and ninety-seven (3 Smith's Laws 294) entitled "An act to regulate the manner of selling loaf bread and to repeal certain existing laws respecting the same"

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreebly to the provisions of the Constitution, and were as follows, viz:

YEAS—38

Barthold,	Gilson,	McCreesh,	Ruth,
Bean,	Haluska,	McGinnis,	Salus,
Cavalcante,	Henney,	Mundy,	Scarlett,
Dando,	Homsher,	Owlett,	Shapiro,
Deitrick,	Jaspan,	Pierson,	Sipe,
Dent,	Kahle,	Pytko,	Stiefel,
DiSilvestro,	Kilgallen,	Rankin,	Thompson,
Eroe,	Kunkel,	Rice,	Wolfenden,
Frey,	Law,	Rodgers,	Huffman,
Gelder	Mallery,		Pres. Pro. Tem.

NAYS—2

Buckman,	Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1217, entitled:

An Act to enable the Courts of Quarter Sessions to restore to the possesion and ownership of former owners thereof certain intoxicating liquors seized for violation of law notwithstanding the conviction of the owner of said liquor of an offense in respect thereof

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. CAVALCANTE. Mr. President, there may be a wrong impression, and so there may be no mistake about this bill, it merely gives the Court of Quarter Sessions, and the petition of a former owner of liquor, to restore the liquor to the former owner upon paying the tax. Now the situation that we are trying to cover with this bill is that during prohibition there was no moonshine liquor but lawfully manufactured and lawfully bottled liquor that was apprehended by the revenue men while in transportation, being unlawfully transported. A lot of this liquor is now in the basements of Court Houses and it was never condemned by the Commonwealth and it is lying there and employees of the counties are getting drunk on it and using it. Now this bill merely gives the owner the right to petition the court and the court may—is not compulsory or mandatory.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—26

Barthold,	Gilson,	Law,	Rupp,
Cavalcante,	Haluska,	Mallery,	Ruth,
Dando,	Henney,	McCreesh,	Salus,
Dent,	Heyburn,	McGinnis,	Scarlett,
DiSilvestro,	Jaspan,	Mundy,	Stiefel,
Eroe,	Kahle,	Rodgers,	Huffman,
Frey,	Kunkel,		Pres. Pro. Tem.

NAYS—16

Bean,	Ealy,	Owlett,	Rice,
Buckman,	Gelder,	Pierson,	Shapiro,
Chapman,	Homsher,	Pytko,	Sipe,
Deitrick,	Kilgallen,	Rankin,	Wolfenden,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. LAW. Mr. President, I ask unanimous consent that Senate Bill No. 1227, on third reading, entitled:

An act to further amend section eleven of the act, approved the seventeenth day of February, one thousand nine hundred six (P. L. 45), entitled "An act to regulate the deposits of State Funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereof, to provide for the publica-

tion of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," by eliminating the publication of monthly statements of moneys in the State Treasury.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1229, entitled:

An Act to repeal section thirty of the act approved the first day of May one thousand eight hundred sixty-one (Pamphlet Laws four hundred fifty) entitled "An act relating to Allegheny County".

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as folows, viz:

YEAS—42

Barthold,	Frey,	Mallery,	Rodgers,
Bean,	Gelder,	McCreesh,	Rupp,
Buckman,	Gilson,	McGinnis,	Ruth,
Cavalcante,	Haluska,	Mundy,	Salus,
Chapman,	Henney,	Owlett,	Scarlett,
Dando,	Heyburn,	Pierson,	Shapiro,
Deitrick,	Homsher,	Pytko,	Sipe,
Dent,	Jaspan,	Rankin,	Stiefel,
DiSilvestro,	Kilgallen,	Reed,	Wolfenden,
Ealy,	Kunkel,	Rice,	Huffman,
Eroe,	Law,		Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1245, entitled:

An Act to define and regulate, as a profession and in the public interest, the practice of public accountancy; to prohibit the practice of public accountancy by unauthorized persons; to establish the Pennsylvania State Board of Accountancy; to grant to the board usual and necessary administrative powers; to define the status of a certified public accountant; to provide for granting and issuing certificates and registration cards to accountants who qualify under and comply with the provisions of this act; to provide for revoking and cancelling or suspending certificates and registration cards; to prescribe the conditions under which partnerships may engage in the practice of public accountancy; to fix the fees to be paid to the State for certificates and registration card; to provide for the annual publication of the names and addresses of the persons and partnerships engaging in the practice of public accountancy; to determine the ownership of professional papers, defining privileged communications and information to recognize certain specifically limited exvisions of this act; conferring jurisdiction on Common Pleas Courts to restrain violations and to repeal all acts and parts of acts inconsistent with the provisions thereof.

And said bill having been read at length the third time and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as folows, viz:

YEAS—26

Barthold,	Haluska,	McGinnis,	Rupp,
Cavalcante,	Henney,	Mundy,	Ruth,
Dando,	Jaspan,	Pytko,	Shapiro,
Dent,	Kahle,	Rankin,	Sipe,
DiSilvestro,	Kilgallen,	Rice,	Stiefel,
Frey,	Law,	Rodgers,	Huffman,
Gilson,	McCreesh,		Pres. Pro. Tem.

NAYS—14

Bean,	Ealy,	Mallery,	Salus,
Buckman,	Gelder,	Owlett,	Scarlett,
Chapman,	Homsher,	Pierson,	Wolfenden.
Deitrick,	Kunkel,		

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1263, entitled:

An Act to amend route two hundred and ninety-eight of section one of an act approved the twenty-second day of July one thousand nine hundred and thirteen (Pamphlet Laws nine hundred forty-eight) entitled "An act establishing certain public roads as State highways and providing for certain construction and maintenance at the expense of the Commonwealth."

And said bill having been read at length the third time,

On the question?

Will the Senate agree to the bill?

Mr. RICE. Mr. President, I would like to ask the Senator from Dauphin why this bill should go over in order?

Mr. KUNKEL. Mr. President, the sponsor is absent.

Mr. RICE. Mr. President, I object. This is merely a relocation of a road that is being built, there is a new road being built and this is merely a relocation.

Mr. KUNKEL. Mr. Presdent, I withdraw the request.

And the question recurring,

Will the Senate agree to the bill?

It was agreed to.

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Barthold,	Frey,	Law,	Rupp,
Bean,	Gelder,	Mallery,	Ruth,
Buckman,	Gilson,	McCreesh,	Salus,
Cavalcante,	Haluska,	McGinnis,	Scarlett,
Chapman,	Henney,	Mundy,	Shapiro,
Dando,	Heyburn,	Owlett,	Sipe,
Deitrick,	Homsher,	Pierson,	Stiefel,
Dent,	Jaspan,	Pytko,	Thompson,
DiSilvestro,	Kahle,	Rankin,	Wolfenden,
Ealy,	Kilgallen,	Rice,	Huffman,
Eroe,	Kunkel,	Rodgers,	Pres. Pro. Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1298, entitled:

An Act to amend sections one and two of the act approved the seventh day of August one thousand nine hundred thirty-six (Pamphlet Laws one hundred twenty-six) entitled "An act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs alterations and additions to and replacement of existing buildings and equpment" authorizing the use of said appropriation to remove hazards to health

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barthold,	Frey,	Law,	Rodgers,
Bean,	Gelder,	Mallery,	Rupp,
Buckman,	Gilson,	McCreesh,	Ruth,
Cavalcante,	Haluska,	McGinnis,	Scarlett,
Chapman,	Henney,	Mundy,	Shapiro,
Dando,	Heyburn,	Owlett,	Sipe,
Deitrick,	Homsher,	Pierson,	Stiefel,
Dent,	Jaspan,	Pytko,	Thompson,
DiSilvestro,	Kahle,	Rankin,	Wolfenden,
Ealy,	Kilgallen,	Rice,	Huffman,
Eroe,	Kunkel,		Pres. Pro. Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1299, entitled:

An Act making an appropriation to the Department of Property and Supplies for the construction of a sewer at the East Stroudsburg State Teachers' College

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. RICE. Mr. President, I ask unanimous consent to amend Title, page 1, line 2 of title, by striking out the following: "the construction of a sewer at", and inserting in lieu thereof: "sewer purpose in connection with"

Amend sec. 1, page 1, line 8, by inserting after the word "College" the following: "or from the present sewer of said college"

Amend sec. 1, page 1, line 10, by inserting after the word "County" the following: "for the payment of the cost of acquiring any rights of way, for payment to the Borough of Stroudsburg for making connection with the sewerage system of said borough and for the use of said sewerage system"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1300, entitled:

An Act to amend section eleven of the act pproved the tenth day of June one thousand nine hundred and thirty-one (P. L. 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" authorizing the examination of certain persons who presumed they were registered as apprentices.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—40

Barthold,	Eroe,	Kunkel,	Rice,
Bean,	Frey,	Law,	Rodgers,
Buckman,	Gelder,	Mallery,	Rupp,
Cavalcante,	Gilson,	McCreesh,	Ruth,
Chapman,	Haluska,	McGinnis,	Scarlett,
Dando,	Henney,	Mundy,	Sipe,
Deitrick,	Heyburn,	Owlett,	Stiefel,
Dent,	Homsher,	Pierson,	Thompson,
DiSilvestro,	Jaspan,	Pytko,	Wolfenden,
Ealy,	Kahle,	Rankin,	Huffman,
			Pres. Pro. Tem.

NAYS—2

Kilgallen,	Shapiro,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1302, entitled:

An Act providing that in all cases where writs of habeas corpus are granted the judge may inquire into the facts of the case including an examination into the record proceedings and evidence produced against the person committed or detained before the committing judge officer or magistrate and making such records proceedings and evidence available for inspection by the petitioner or his counsel.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—41

Barthold,	Gelder,	Law,	Rodgers,
Bean,	Gilson,	Mallery,	Rupp,
Buckman,	Haluska,	McCreesh,	Ruth,
Cavalcante,	Henney,	McGinnis,	Scarlett,
Dando,	Heyburn,	Mundy,	Shapiro,
Dietrick,	Homsher,	Owlett,	Sipe,
Dent,	Jaspan,	Pierson,	Stiefel,
DiSilvestro,	Kahle,	Pytko,	Thompson,
Ealy,	Kilgallen,	Rankin,	Wolfenden,
Eroe,	Kunkel,	Rice,	Huffman,
Frey,			Pres. Pro. Tem.

NAYS—1

Chapman,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1317, entitled:

An act to amend section two of the act approved the seventh day of July one thousand nine hundred and thirty-six (Pamphlet Laws thirty-seven) entitled "An act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof" by limiting appropriations to amounts realized by the sale of such certificates.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43.

Barthold,	Frey,	Law,	Rodgers,
Bean,	Gelder,	Mallery,	Rupp,
Buckman,	Gilson,	McCreesh,	Ruth,
Cavalcante,	Haluska,	McGinnis,	Scarlett,
Chapman,	Henney,	Mundy,	Shapiro,
Dando,	Heyburn,	Owlett,	Sipe,
Dietrick,	Homsher,	Pierson,	Stiefel,
Dent,	Jaspan,	Pytko,	Thompson,
DiSilvestro,	Kahle,	Rankin,	Wolfenden,
Ealy,	Kilgallen,	Reed,	Huffman,
Eroe	Kunkel,	Rice,	Pres. Pro. Tem.

NAYS—0.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1324, entitled:

An Act to amend section five of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred forty-two) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by providing for limited certificates of registration for operators and amanagers engaged in particular types of beauty culture subject to rules of the Department of Public Instruction

And said bill having been read at length the third time, and agreed to,

On the question.

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution. and were as fololws, viz:

YEAS—22.

Cavalcante,	Gilson,	Rice.	Sipe,
Chapman,	Jaspan,	Rodgers,	Stiefel,
Dent,	Law,	Ruth,	Thompson,
DiSilvestro,	Mallery,	Salus,	Wolfenden,
Ealy,	McCreesh,	Shapiro,	Huffman,
Frey,	Pytko,		Pres. Pro. Tem.

NAYS—18.

Barthold,	Gelder,	Kunkel,	Pierson,
Bean,	Henney,	McGinnis,	Rankin,
Buckman,	Heyburn,	Mundy,	Rupp.
Dietrick,	Homsher,	Owlett.	Scarlett.
Eroe,	Kahle,		

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

RECONSIDERATION OF SENATE BILL NO. 746, RECALLED FROM THE GOVERNOR

Mr. PYTKO. Mr. President, I call up at this time Senate Bill No. 746, entitled:

An Act to amend section two hundred and two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by extending the purposes for which companies may be incorporated to include insuring glass against all risk insuring any goods or premises against any and all loss caused by water and insuring moneys and securities against all risk.

be recalled from the Governor for the purpose of amendment.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. PYTKO. Mr. President, I move to reconsider the vote by which the said bill pased finally.

The PRESIDENT. How did the Senator vote?

Mr. PYTKO. Mr. President, I voted "aye".

Mr. McGINNIS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. McGINNIS. Mr. President, I voted "aye"..

The motion was agreed to.

Mr. PYTKO. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. PYTKO. Mr. President, I voted "aye".

Mr. McGINNIS. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. McGINNIS. Mr. President, I voted "aye"

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. PYTKO. Mr. President. I ask unanmious consent to amend the Title of the Bill, page 2, line 1, by inserting after the word "include" the following: "indemnifying banks bankers brokers or financial or moneyed associations or corporations against the loss of property as specified herein and also against loss resulting from damage to the insured's premises and other property from certain causes and against loss of property as specified herein during transportation by an armored motor vehicle under certain conditions"; amend page 2, line 4, by inserting after the word "paragraphs" the following: (1); amend page 2 by inserting after line 17 and before line 18 the following: "Section 202 (c) (1) Guaranteeing the fidelity of persons holding places of public or private trust guaranteeing the performance of contracts other than insurance policies guaranteeing the performance of insurance contracts where surety bonds are accepted from insurance companies by State or municipalities in lieu of actual deposits executing or guaranteeing bonds and undertakings required or permitted in all actions or proceedings or by law allowed and indemnifying banks bankers brokers financial or moneyed associations or financial or moneyed corporations against the loss of any bills of exchange notes drafts acceptances of drafts bonds securities evidences of debt deeds mortgages warehouse receipts bills of lading documents currency [and] money gold platinum silver and other precious metals refined or unrefined and articles made therefrom jewelry watches necklaces bracelets gems precious and semi-precious stones and also against loss resulting from damage except by fire to the insureds premises furnishings fixtures equipment safes and vaults therein caused by burglary robbery hold-up theft or larceny or attempt thereat except against loss caused by marine risks or risks of transportation or navigation provided however that indemnification against the loss of such property may include loss occurring during transportation by an armored motor vehicle accompanied by one or more armed guards Also guaranteeing any Federal Land Bank against loss by reason of defective title or incumbrances on real property on which any such Federal Land Bank may make a loan secured by a mortgage"; amend page 2, line 18, by deleting the words Section 202 (c); amend page 1, line 1 of the title, by inserting after the word "amend" and before the word "section" the following: "subsection (c) paragraphs (3) (6) and (8) of"; amend page 1, line 14 of the title, by striking out after the word "laws" and before the word "by" the words: "[as amended]"; amend page 1, line 15 of the title, by inserting after the word "which" and before the word "companies" the word: "certain"; amend page 2, line 1 of the title, by striking out at the end of the line the following: "[glass against all risk insuring any]"; amend page 2 by striking out lines 2 to 4, inclusive, of the title, and inserting in lieu thereof the following: 'against loss or damage resulting from the breakage of glass insuring against loss or damage by robbery fraud vandalism or malicious mischief insuring against any and all kinds of loss or destruction of or damage to moneys securities currencies scrip coins bullion bonds notes drafts acceptance drafts bills of exchange and other valuable papers or documents insuring against loss or damage to automobiles and aircraft by burglary larceny or theft vandalism or malicious mischief confiscation or wrongful conversion and disposal or concealment and insuring against loss or damage to any goods or premises by water or other fluid"

Mr. STIEFEL. Mr. President, I second the motion.

The PRESIDENT. Is there objections? The Chair hears none.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Wil lthe Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

RECONSIDERATION OF SENATE BILL NO. 755 RECALLED FROM THE GOVERNOR

Mr. STIEFEL. Mr. President, I call up at this time Senate Bill No. 755, entitled:

An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds assiciations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws by requiring the Insurance Commissioner to determine the qualifications of the incorporators of any proposed insurance company.

recalled from the Governor for the purpose of amendment.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL. Mr. President, I move to reconsider the vote by which the said bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. STIEFEL. Mr. President, I voted "aye."

Mr. SIPE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SIPE. Mr. President, I voted "aye."

The motion was agreed to.

Mr. STIEFEL. Mr. President, I move to reconsider the vote by which the bill passed third reading.

The PRESIDENT. How did the Senator vote?

Mr. STIEFEL. Mr. President, I voted "aye."

Mr. SIPE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. SIPE. Mr. President, I voted "aye."

The motion was agreed to.

And the question recurring.

Will the Senate agree to the bill on third reading?

Mr. STIEFEL. Mr. President, I ask unanimous consent to amend page 1, line 1 of the title, by inserting after the word "amend" and before the word "the" the following: "section two hundred fifteen of;" amend page 1, line 3 of the title, by striking out after the word "Laws" and before the word "entitled" the following: "[seven hundred eighty-nine)];" and inserting in lieu thereof the following: "six hundred eighty-two);" amend page 1, line 3 of the title, by striking out at the end of the line the following: ["An act re-]; amend page 1 by striking

out lines 4 to 13, inclusive, of the title; amend page 1, line 14 of the title, by striking out at the beginning of the line the following: "[penalties and repealing existing laws"]" and inserting in lieu thereof the following: "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws"; amend section 1, page 2, line 3 by inserting at the end of the line the following: "section two hundred fifteen of;" amend section 1, page 2, line 5 by striking out at the end of the line the word: "[seven];" amend section 1, page 2, line 6 by striking out at the beginning of the line the following: "[hundred eighty-nine)]" and inserting in lieu thereof the following: "six hundred eighty-two);" amend section 1, page 2, line 6 by striking out at the end of the line the following: "["An act relating to insurance];" amend section 1, page 2, by striking out lines 7 to 15; amend section 1, page 2, line 16 by striking out at the beginning of the line the following: "[repealing existing laws" as amended];" amend section 1, page 2, line 17 by striking out at the end of the line the following: "[by requiring the Insurance Commissioner to deter-];" amend section 1, page 2, by striking out lines 18 to 20, inclusive, and inserting in lieu thereof the following: "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows:

The PRESIDENT. Is there objections? The Chair hears none.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 446, as follows:

An Act requiring inspectors of weights and measures to test and read all water gas and electric meters imposing the cost of apparatus therefor on counties and cities and imposing duties on the Public Service Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the inspectors of weights and measures of the several counties and cities shall in addition to their present duties test and read all water ga and electric meters used by any public service company in measuring the quantity o fwater gas or electric service furnished Such tests and readings shall be for the purpose of determining the accuracy of such meters and of the readings made by the public service company Such tests and readings may be made at any time but only upon request and with the permission of the owner or occupier of the premises upon which such meters are located and shall not be made oftener than four times a year

Section 2 The inspectors may condemn and mark as condemned any meter found to be inaccurate They shall forthwith report all meters found to be inaccurate and all meter readings found to be incorrect to the Public Service Commission which shall order all such meters replaced or proper credit given or restitution made in connection with all incorrect readings

Section 3 For the purpose of making such tests all county and city inspectors shall be supplied at the expense of their respective counties and cities with suitable and proper apparatus to be approved from time to time and stamped or marked by the Public Service Commission for testing and proving the accuracy of water gas and electric meters

Section 4 All acts or parts of acts inconsistent herewith are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 474, as follows:

An Act to amend section six of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by abolishing the commission allowed to tax collectors or receivers of taxes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and re-sell the same under certain circumstances" is hereby amended to read as follows

Section 6 After such return of taxes shall have been made in accordance with the provisions hereof responsibility of the tax collector or receiver of taxes for the collection of the taxes so returned shall cease On making

such return the tax collector or receiver of taxes shall be entitled to exoneration from the taxes so returned on the settlement of his accounts [On any unpaid taxes returned to the county commissioners the tax collector or receiver of taxes shall be entitled to receive a commission of two per centum (2%) from the taxing district for which such tax is returned when the tax is paid by the county treasurer to the proper taxing district provided tha where he tax collector is paid on a salary basis he shall not be entitled to receive this commission of two per centum (2%)]

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 556 (House Bill No. 732), as follows:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia School of Design for Women at Philadelphia Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty thousand dollars ($20,000) is hereby specifically appropriated to the Moore Institute of Art Science and Industry Philadelphia School of Design for Women at Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-seven Provided That in such school there shall be maintained a free scholarship for one pupil of each county in the State to be filled by appointment of the Governor of the Commonwealth except that for counties having more than one Senator as many scholarships shall be provided as there are senatorial districts in such counties and in the case of the failure of any county to be properly represented by an appointee or appointees at the opening of any school year October first then the Governor shall have the power to fill such vacancy or vacancies by the appointment of applicants from other counties of the State In each quarterly statement by the board of directors of the said institution to the Audior General shall be included a statement of the names and residences of all pupils filling free scholarships as provided by this act

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 683, as follows:

An Act to further amend sections six ten and twenty-nine of an act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An Act providing for establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by amending Route Fifty-two by adding thereto borough bridges over mill races as the responsibility of the Department of Highways by providing that no assessment shall be made against the Commonwealth to assist in the reconstruction of any structure eliminating grade crossings and by further authorizing the Attorney General under certain conditions to enter into agreements with townships of the payment in installments of certain claims of the Department of Highways against such townships for construction reconstruction or maintenance of State highways

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten of the act approved the thirty-first day of May one thousand nine hundred eleven (P. L. 468) entitled "An act providing for the establishment of a State highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring

of turn-pikes or toll-roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with the Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highways Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" as last amended by section two of the act approved the twelfth day of July one thousand nine hundred thirty-five (P. L. 946) is hereby further amended to read as follows

Section 10 Anything herein contained or any apportionment of the State into highway districts shall not be construed as including or in any manner interfering with the roads streets and highways in any of the cities boroughs or incorporated towns of the Commonwealth Provided That where any road street or highway shall form a part or section of any State highway as now or hereafter established within the limits of any borough or incorporated town the Department of Highways shall improve or reconstruct any section or sections of such road street or highway which have heretofore been maintained or are hereafter established as State highways to be maintained by the Department of Highways to such width as it may deem advisable at the expense of the Commonwealth

The maintenance of any road street or highway which forms a part or section of any State highway as now or hereafter established within the limits of any borough or incorporated town shall be done by the Department of Highways at the expense of the Commonwealth Provided That all improvements reconstruction and maintenance of any road street or highway in boroughs or incorporated towns shall be of such width and type as may be determined by the Secretary of Highways

The Department of Highways shall also construct reconstruct and maintain any bridge over a stream or mill race which the borough or incorporated town is obligated to maintain and which bridge is located on or forms a part of a State highway within the limits of any borough or incorporated town Provided That nothing herein contained shall authorize any assessment to be made against the Commonwealth by reason of or to assist in the elimination of any grade crossing or in the reconstruction of any structure eliminating a grade crossing on any highway within the limits of a borough or incorporated town and no such assessment shall hereafter be made under any act of Assembly heretofore enacted And provided further That nothing in this act shall be construed as placing on the Commonwealth the payment of any costs of construction or reconstruction of any such bridges in boroughs or incorporated towns for the construction or reconstruction of which a contract has been let prior to the effective date of this act and the Department of Highways shall not assume the obligation fo rthe construction reconstruction or maintenance thereof until such contract has been performed

No opening shall be made in the surface of any improved highway which is maintained by the Department of Highways under the authority of this act within the limits of any borough or incorporated town until and unless a permit has been obtained for such opening either from the municipal authorities or from the Department of Highways pursuant to an ordinance pased subsequent to the approval of this act authorizing the Department of Highways to act for the municipality Where a permit is not obtained from the Department of Highways as above provided the borough or incorporated town shall require a cash deposit or bond conditioned upon the proper restoration of the surface and shall be responsible to the Department of Highways for the cost of the restoration of such surface in accordance with the adopted standards of the Department of Highways for the particular type of construction Any person firm or corporation opening the improved surface of any street or highway without having first obtained a permit as hereinbefore provided shall upon summary conviction before a magistrate be sentenced to pay a fine of not more than twenty-five ($25) dollars and in addition thereto the cost of prosecution and surface restoration costs and in default of the payment thereof shall undergo imprisonment for not more than five days

Section 2 That section twenty-nine of the said act as amended by the act approved the first day of June one thousand nine hundred thirty-three (P. L. 1407) is hereby further amended to read as follows

Section 29 The work of maintaining and repairing all State-aid highways improved under the provisions of this act or which shall have been previously reconstructed by State aid shall be done by the Department of Highways and fifty (50%) per centum of the cost thereof shall be paid by the several townships wherein such roads may lie or by the county when such roads have been improved upon the petition of such county without the cooperation of the township Whenever the obligation of any township for the cost of constructing reconstructing or maintaining and repairing any State aid highways constructed or reconstructed pursuant to an agreement between the township and the Department of Highways or reconstructed by State aid previous to the passage of the act to which this is an amendment remains unpaid and has been [reduced to judgment] referred by the Department of Highways to the Department of Justice for collection the Attorney General on behalf of the Commonwealth and with the approval of the Auditor General and State Treasurer may enter into an agreement with the township against which the [judgment has been obtained] claim is outstanding for the payment of such [judgment] claim in installments Such agreement may be made whenever it appears that the township is unable to pay the [judgment] claim at once by reason of its financial condition and shall provide for the liquidation of such [judgment] claim in definite payments over a period not exceeding five years If it shall appear that the township by reason of its financial condition would be unable to pay the full amount of such [judgment] claim in installments over a period of five years the Attorney General with the approval of the Auditor General and State Treasurer may compound or settle such claim outstanding before or after being reduced to judgment for such portion thereof as such officers may find the township to be able to pay over a period of five years and the agreement hereinbefore provided for shall be entered into on the basis of such settlement

Route Fifty-two From Somerset to Ebensburg Commencing in Somerset and running by way of Friedens to an intersection with Route Eight Hundred Forty-nine in Stoyestown thence [by way of] from a point on Route One Hundred nineteen [to] at Ferreltown [thence] via Boswell Jerome Hollsopple Hooversville by spur Davidsville to a point on the dividing line between Somerset and Cambria Counties thence by way of Johnstown and Vinco into Ebensburg Cambria County

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to b considered in Committee o fthe Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 752, as follows:

An act to further amend Section 624 of the Act approved the 17th day of May one thousand nine hundred and twenty-one (P. L. 789) entitled "An act relating to insurance establishing an Insurance Department and amending and revising and consolidating the law, relating to the licensing qualification regulation examination and dissolution of insurance companies Lloyds associations reciprocal and inter insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" so as to permit excess brokers to procure policies of casualty insurance from companies associations or exchanges not authorized to do business in this Commonwealth when such insurance is not procurable from companies duly authorized to do business in this Commonwealth.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section 624 of the Act approved the 17th day of May one thousand nine hundred and twenty-one (P. L. 789) entitled "An act relating to insurance establishing an Insurance Department and amending revising and consolidating the law relating to the licensing qualifications regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureas and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws as amended by the act approved the first day of May one thousand nine hundred and twenty-nine (P. L. 1186) is hereby further amended to read as follows:

Section 624 Excess Insurance Brokers The Insurance Commissioner may issue a license revocable at any time permitting the person co-partnership or corporation named therein to act as a broker to procure for his clients policies of fire casualty or marine insurance from companies associations or exchanges not authorized to do business in this Commonwealth Before any fire casualty or marine insurance excepting however marine insurance on vessels and vessel propertyengaged in interstate or foreign commerce shall be procured under or by virtue of said license there shall be executed and filed with the Insurance Commissioner by the licensed broker and also by the party desiring the insurance an affidavit which shall have force and effect for one year only from date thereof setting forth that the party desiring insurance is after diligent effort unable to procure the amount required to protect the property owned or controlled or entrusted to him from fire casualty or marine insurance companies mutual insurance companies associations or exchanges excepted duly authorized to transact business in this Commonwealth The licensed broker procuring or delivering policies in such unauthorized companies associations or exchanges shall keep a separate account thereof open at all times without notice to the inspector of the Insurance Commissioner showing the exact amount of insurance placed giving the name of the insured the location of the insured property the gross premium mentioned in the policy the name of the company association or exchange issuing the contract and the number date and term of the policy Each policy shall have written or printed on the outside of it the name of the licensed broker who obtained the same and introduced it into the Commonwealth and after his name shall appear the words "licensed excess insurance broker" Nothing in this section shall be so construed as giving any such licensed broker authority to act as agent for or to in any way represent any such unlicensed company association or exchange in this Commonwealth.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 778, as follows:

An act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by amending subsection (e) of section 206 by reducing the maximum single risk permitted and increasing the cash premium to be held in cash or securities.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-incurance exchanges and fire insurance rating bucluding insurance carried by the State Workmen's Inreaus and the regulation and supervision of insurance carried by such companies associations an dexchanges insurance Fund providing penalties and repealing existing laws" is hereby amended so that subsection (e) of section 206 shall read as follows:

Section 206.

(e) Mutual Companies other than mutual life companies hereafter organized under this act shall comply with the following conditions.

(1) Each such company shall hold bona fide applications for insurance upon which it shall issue simultaneously or it shall have in force at least twenty (20) policies to at least twenty (20) members for the same kind of insurance upon not less than two hundred (200) separate risks each within the maximum single risk described herein.

(2) The "maximum single risk" shall not exceed [twenty per centum (20%) of the admitted assets or] three time the average risks or one per centum (1%) of the insurance in force whichever is the greater [any reinsurance taking effect simultaneously with the policy being deducted in determining maximum single risk]

(3) It shall have collected a cash premium upon each application which premium shall be held in cash or securities in which insurance companies are authorized to invest and shall be equal in case of fire insurance to not less than twice the maximum single risk assumed subject to one fire [nor less than ten thousand dollars ($10,000)] nor less than twenty-five thousand dollars ($25,000) and in any other kind of insurance to not less than five times the maximum single risk assumed nor less than fifty thousand dollars ($50,000) and in case of Workmen's compensation insurance to not less than [fifty thousand dollars ($50,00)] one hundred thousand dollars.

(4) For the purpose of transacting employer's liability and workmen's compensation insurance the application shall cover not less than five thousand (5,000) employes each such employe being considered a separate risk for determining the maximum single risk.

And said bill having been read at length the second time and agree to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. SALUS. Mr. President, I move that Senate Bill No. 778, the bill just read be recommitted to the Committee on Insurance.

Mr. GELDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. SALUS and Mr. BUCKMAN and were as follows, viz:

YEAS—14.

Bean,	Ealy,	Mallery,	Salus,
Buckman,	Gelder,	Owlett,	Scarlett,
Chapman,	Heyburn,	Pierson,	Wolfenden,
Dietrick,	Homsher,		

NAYS—24.

Barthold,	Gilson,	Kunkel,	Rice,
Cavalcante,	Henney,	McCreesh,	Rodgers,
Dent,	Huffman,	McGinnis,	Ruth,
DiSilvestro,	Jaspan,	Mundy,	Shapiro,
Eroe,	Kahle,	Pytko,	Sipe,
Frey,	Kilgallen,	Rankin,	Stiefel,

So the question was determined in the negative.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and conideration of Senate Bill No. 856, entitled:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws five hundred forty-nine) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examinations purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election district in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act' by adding a new section thereto 11-A providing that in counties of the first class all appointments shall be equally divided between majority and minority commissioners

The first section of the bill was read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eighteenth day of April one thousand inne hundred and twenty-nine (Pamphlet Laws 549) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" is hereby amended by adding thereto a new section 11-A to read as follows

The second (11-A) section of the bill was read as follows:

Section 11-A All appointments made under the provisions of this act by the county commissioners in counties of the first class shall be equally divided between the majority commissioners and the minority commissioner so that the majority commissioners shall name one-half of al lthe appointees and the minority commissioner shall name one-half of al lthe appointees The provisions of this act apply to persons presently employed as well as to persons to be employed in the future and the county commissioners shall comply thereto within thirty days of the passage of this act

On the question,

Will the Senate agree to the section?

Mr. SALUS. President, I ask unanimous consent to amend Section 11-A, page 3, line 5, by inserting after the word 'first" and before the word "class", the following: "and second".

Mr. GELDER. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Mr. SALUS. Mr. President, before we go into a roll call on this bill, in order that the Senators may understand what this roll call is about, this is merely placing the City of Pittsburgh in the same position as the City of Philadelphia ,giving the same concession to Pittsburgh as they are giving to Philadelphia.

Mr. SHAPIRO. Mr. President, I desire to interrogate the Senate from Philadelphia, Mr. Salus.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Salus permit himself to be interrogated?

Mr. SALUS. Mr. President, I will.

Mr. SHAPIRO. Mr. President, is it a good bill or is it a bad bill.

Mr. SALUS. Mr. President, if it is a good bill for Philadelphia it is a good bill for Pittsburgh, if it is a bad bill for Philadelphia it is a bad bill for Pittsburgh.

Mr. SHAPIRO. Mr. President, I understand that what the gentleman wants to do is to include Pittsburgh in this bill because he thinks by adding that, he may cut off Pittsburgh votes against the bill.

Mr. SALUS. Mr. President, is Senator Rankin here?

Mr. RANKIN. Mr. Preident, I am here.

Mr. SALUS. Mr. President, I would like to interrogate the Senator from Pittsburgh, Mr. Rankin.

The PRESIDENT. Will the Senator from Pittsburgh, Mr. Rankin, permit himself to be interrogated?

Mr. RANKIN. Mr. President, I will.

Mr. SALUS. Mr. President, I suppose the Senator from Allegheny Mr. Rankin, understands what this bill is.

Mr. RANKIN. Mr. President, yes.

Mr. SALUS. Mr. President, the bill is to give repre-

sentation to the Republicans in Pittsburgh by the County Commissioners, and at the same time you people are asking for a representation for the Democrats in Philadelphia from the County Commissioners.

MR. RANKIN. Mr. President, does the Senator from Philadelphia mean dividing the patronage.

Mr SALUS. Mr. President, yes, dividing the patronage.

Mr. RANKIN. Mr. President, I am opposed to the amendment.

Mr. SALUS. Mr. President, so far as Pittsburgh is concerned?

Mr. RANKIN. Mr. President, yes.

Mr. SALUS. Mr. President, does the Senator from Allegheny think this is a good bill for Philadelphia?

Mr. RANKIN. Mr. President, no I do not.

Mr. SALUS. Mr. President, that is what to bring to the attention of the members of this Senate, that the county commissioner of Pittsburgh does not think that this is a good bill for Pittsburgh, nor does he think that it is a good bill for Philadelphia. Under the circumstances, I am going to insist on these amendments, and, of course, if they are defeated, I will then ask the Senator from Pittsburgh to give Philadelphia the same consideration as we from Philadelphia expected to give Pittsburgh. In other words, this as a patronage bill, to be honest. It is an attempt by the Democrats to get from the county commissioners in Philadelphia, who are Republicans, a part of the patronage, because the majority there are Republicans. In Pittsburgh they divide their patronage at the present time exactly according to the rules that are in Philadelphia now. That is the entire situation. If it is bad for Pittsburgh, it is bad for Philadelphia, and if it is good for Philadelphia it is good for Pittsburgh. You gentlemen can have your choice of either a good or bad bill for both cities.

Mr. FREY. Mr. President, as a representative of the City of Pittsburgh, especially for the benefit of the Senator from Philadelphia, Mr. Salus, I desire to state that Senator Rankin is not a resident of the City of Pittsburgh.

Mr. SALUS. Mr. President, he is a commissioner, is he not?

Mr. FREY. Mr. President, he is, not of Pittsburgh.

Mr. SALUS. Mr. President, I would like to interrogate the Senator from Allegheny, Mr. Frey.

The PRESIDENT. Will the Senator from Allegheny, Mr. Frey, permit himself to be interrogated?

Mr. FREY. Mr. President, I will.

Mr. SALUS. Mr. President, I want to know from the Senator from Allegheny, Mr. Frey, if Pittsburgh is still in Allegheny County?

Mr. FREY. Mr. President, it was when I left there this morning.

Mr. SALUS. Mr. President, then we are talking about Allegheny County.

The PRESIDENT. The question is on the amendments.

Mr. SHAPIRO. Mr. President, I would like to explain to the members of this Senate that there is a difference between the City of Pittsburgh and the City of Philadelphia. The reason for this bill is that the county commissioners of Philadelphia have functions to perform which the county commissioners of Pittsburgh do not have. The County commissioners of Philadelphia are the custodians of the voting machines, and they appoint the officials to have charge of the voting machines. That is not true of Pittsburgh. Under any system of the election laws the minority party ought to have some representation. In Philadelphia we have a minority county commissioner. He does not get a single appointment and has nothing to do in regard to appointments in the whole county commissioner's office, including the election bureau, and that is the reason for this bill, and that is the reason there is a difference between Pittsburgh and Philadelphia.

Mr. KILGALLEN. Mr. President, this bill has in mind the troubles and perplexities of Philadelphia, and it is in no way for the benefit of the City of Pittsburgh. I certainly hope my senatorial colleagues will vote down this amendment.

Mr. SALUS. Mr. President, so far as this bill is concerned, and in order to get it passed, my colleague from Philadelphia has been very astute about this bill as he has in all bills referring to the City of Philadelphia, and I think when the end of the session comes, he should be made a drafter of alibis. This is just an alibi, and we quite recently had a bill on the floor in which he had one of those alibis, and when I spoke to him on the side, he said "well I had to offer some kind of an excuse," and this is some kind of an excuse. This is a plan to steal patronage by the Democrats. It is no different from any of the other bills. They have the power and they just confiscate whatever there is left in Philadelphia, and the longer I talk, the stronger I think the vote will be against these amendments. It is just one of a number of proceedings. They have taken now pretty nearly everything except Bill Penn's eyes, and they do not know he has eyes, because if they thought he had, they would go up and take the eyes out.

And the question recurring,

Will the Senate agree to the amendments?

The yeas and nays were required by Mr. SHAPIRO and Mr. JASPAN and were as follows, viz:

YEAS—14

Bean,	Ealy,	Mallery,	Salus,
Buckman,	Gelder,	Owlett,	Scarlett,
Chapman,	Heyburn,	Pierson,	Wolfenden,
Dietrick,	Homsher,		

NAYS—25

Barthold,	Henney,	McCreesh,	Rodgers,
Cavalcante,	Huffman,	McGinnis,	Rupp,
Dent,	Jaspan,	Mundy,	Ruth,
DiSilvestro,	Kilgallen,	Pytko,	Shapiro,
Eroe,	Kunkel,	Rankin,	Sipe,
Frey,	Law,	Rice,	Stiefel,
Gilson,			

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

And the question recurring,

Will the Senate agree to the bill?

MOTION TO RECOMMIT

Mr. SALUS. Mr. President, I now move that this bill be recommitted to the Committee on Elections.

Mr. BUCKMAN. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SALUS. Mr. President.

The PRESIDENT, This motion cannot be debated. The question is on the motion to recommit.

Mr. SALUS. Mr. President, I ask for a roll call.

And the question recurring,

Will the Senate agree to the motion?

The PRESIDENT, The motion is lost.

Mr. SALUS. MR. President, I asked for a roll call and I asked before the question was put.

The PRESIDENT, The Senator from Philadelphia is not trying to tell us how to transact the business.

Mr. SALUS. Mr. President, I am not trying to tell anybody, I am trying to get fair play and I am entitled to it.

The PRESIDENT. You are getting all the fair play you are entitled to.

Mr. SALUS. Mr. President, no, nor are we getting legislation I asked for this roll call before any announcement was made, and I do not propose to be steam-rollered by anybody whether it be the President of the Senate or the Governor of Pennsylvania. These things ought to be on the level, and according to law, and according to the rules laid down by this Senate.

The PRESIDENT. The Senator from Philadelphia had better take his seat.

Mr. SALUS. Mr. President, if I do not take my seat, you can get the Sergeant-at-Arms to put me down, but I'm going to have fair play on anything I undertake, and there will not be any steam roller on any matter such as this. Common decency demands that it should not be.

The PRESIDENT. Does the Senator from Philadelphia still want the roll call.

Mr. SALUS. Mr. President, yes, I want a roll call, because I am entitled to it. I know we will not make any headway, but I am entitled to it, it is a question of legislation.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. SALUS and Mr. BUCKMAN, and were as follows, viz:

YEAS—14.

Bean,	Ealy,	Mallery,	Salus,
Buckman,	Gelder,	Owlett,	Scarlett,
Chapman,	Heyburn,	Pierson,	Wolfenden,
Deitrick,	Homsher,		

NAYS—24.

Barthold,	Gilson,	Kunkel,	Rice,
Cavalcante,	Henney,	McCreesh,	Rodgers,
Dent,	Huffman,	McGinnis,	Ruth,
DiSilvestro,	Jaspan,	Mundy,	Shapiro,
Eroe,	Kahle,	Pytko,	Sipe,
Frey,	Kilgallen,	Rankin,	Stiefel,

So the question was determined in the negative.

The title of the bill was read as follows:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (P. L. 549) entitled 'An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for redivision of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" by adding a new section thereto 11-A providing that in counties of the first class all appointments shall be equally divided between majority and minority commissioners

On the question,

Will the Senate agree to the title?

Mr. SALUS. Mr. President, I ask unanimous consent to amend Title page 2, line 4, by inserting after the word "first" and before the word "class", the following: "and second."

Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1159, as follows:

An Act to amend subsection (e) of section 206 of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by providing minimum capital and financial requirements to do business for title insurance companies

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That subsection (e) of section 206 of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consoldating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" is hereby amended to read as follows

Section 206 (e) Mutual companies other than mutual life companies and title insurance companies organized under this act shall comply with the following conditions

(1) Each such company shall hold bonafide applications for insurance upon which it shall issue simultaneously or it shall have in force at least (20) policies to at least twenty (20) members for the same kind of insurance upon not less than two hundred (200) separate risks each within the maximum single risk described herein

(2) The "maximum single risk" shall not exceed twenty

per centum (20%) of the admitted assets or three times the average risk or one per centum (1%) of the insurance in force whichever is the greater any reinsurance taking effect simultaneously with the policy being deducted in determining maximum single risk

(3) It shal have collected a cash premium upon each application which premium shall be held in cash or securities in which insurance companies are authorized to invest and shall be equal in case of fire insurance to not less than twice the maximum single risk assumed subject to one fire nor less than ten thousand dollars ($10,000) and in any other kind of insurance to not less than five times the maximum single risk assumed and in case of workmen's compensation insurance to not less than fifty thousand dollars ($50,000)

(4) For the purpose of transacting employers' liability and workmen's compensation insurance the application shall cover not less than five thousand (5,000) employes each such employe being considered a separate risk for determining the maximum single risk.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1235, as follows:

An Act providing for the creation division and consolidation of wards in cities of the first class and defining procedure therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That wards in cities of the first class may be created divided or consolidated by the Court of Quarter Sessions of the proper county on application thereto for that purpose by the petition of at least a total of one hundred qualified electors from the ward or wards sought to be affected or of the council or councils of such cities of the first class and upon such petition praying for creation of a new ward out of a part or parts of existing wards or a division of an existing ward or a consolidation of two or more wards the said Court shall appoint five impartial persons as a commission to inquire into the propriety of granting the prayer and it shall be the duty of the commissioners so appointed or any four of them to examine the premises to make a draft of the ward or wards proposed to be created divided or consolidated as the case may be and they shall make report thereof to the said Court of Quarter Sessions at its next term together with their opinion and recommendations of the same The court shall review and report at the term after which it shall be made If the commissioners report unfavorably to such creation division or consolidation as the case may be the Court shall make such order as to it shall appear just and reasonable If the commissioners report favorably to such creation division or consolidation as the case may be the Court shall order a vote of the qualified electors of the ward or wards affected to be taken on the question and shall appoint an election to be held on the day of the next succeeding primary election occurring not less than two months thereafter when the election officers of the ward or wards affected shall hold such election at the places and in the manner provided by law for the regulation of elections It shall be the duty of the Mayor of such city to give at least fifteen days' notice by advertisements in at least three newspapers if so many be printed in that city and by handbills posted in the most public places in said ward or wards affected that such an election will be held and of the time and place of holding the same The proper authorities shall make provisions for the submission of the question of creation division or consolidation as the case may be to the voters in the manner provided by law If it appears that a majority of the votes so taken are for creation division or consolidation as the case may be the said court shall thereupon order and decree accordingly and agreeably to the lines marked out and returned to the commissioners and shall number the new ward or wards and shall cause a certified copy of the whole proceedings to be placed of record among the minutes of council or councils If a majority of votes have been against creation division or consolidation as the case may be no further action shall be had upon such proceeding and the particular question so voted upon shall not be submitted for at least three years from the date of such election

Section 2 All acts or parts of acts inconsistent herewith are hereby repealed

Section 3 This act shall become effective immediately upon final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1265, as follows:

An Act to amend clause (c) of section fifty-eight of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate for the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the Court of Common Pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries. the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents" as amended permitting the assignment transfer payment and delivery to a foreign appointed executor administrator trustee guardian committee or other fiduciary of any moneys and property within this Commonwealth by any debtor bailee custodian agent attorney pledgee trustee fiduciary or other individual association partnership or corporation a resident thereof owing the same to or holding the same in the name or for the account of a decedent minor legal incompetent or cestui que trust a nonresident of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (c) of section fifty-eight of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws 447) en-

titled: "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the Court of Common Pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other procedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents" as last amended by the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1235) is hereby further amended to read as follows

(c) It shall be lawful for any executor administrator trustee or other person duly authorized to take charge or possesion of the personal estate of any decedent or for any guardian committee or other legal representative of the estate of a minor or legal imcompetent acting under letters testamentary or of administration decree of Court or other authority granted by or under the laws of any other State territory or possession of the United States of America or of any foreign country (1) to assign and transfer and to receive the dividends or interest of any public debt or loan of the Commonwealth of Pennsylvania or of any county city borough township or school district thereof or any stock or bonds of any corporation incorporated under the laws of this Commonwealth or the stock of any National bank standing in the name of or belonging to the decedent minor legal incompetent or cestui qua trust or any mortgage debt or indenture of mortgage held by or belonging to the decedent minor legal incompetent or cestui que trust upon real estate situate within the Commonwealth [and] (2) to enter or cause to be entered satisfaction upon the record of such indenture of mortgage and (3) except as otherwise provided by this act to receive any moneys goods stocks bonds securities choses in action or property of any kind from or to remove the same from the possession custody or safekeeping of any debtor bailee custodian agent attorney pledgee trustee fiduciary or any other individual association partnership or corporation who shall owe or shall in any manner hold the same in the name or for the use benefit account or convenience of any such nonresident decedent or legal incompetent and for this purpose any such foreign executor adminministrator trustee guardian committee or other person duly authorized to take charge of the personal estate of any such nonresident decedent or legal incompetent shall have full power and authority to withdraw the same from and to have access to the same in any place of deposit safekeeping safe deposit or otherwise and to receive and remove the same out of this Commonwealth Provided That before any such executor adminitrator [or] trustee guardian committee or other legal representative shall assign or transfer any such loans moneys goods [stock] stocks bonds [or] securities choses in action mortgages or property of any kind or receive any interest or dividents thereon or enter satisfaction of any such mortgage or receive withdraw have access to or remove any moneys goods stocks bonds securities choses in action mortgages or property of any kind from the possession custody or safekeeping of any such debtor bailee custodian agent attorney pledgee trustee or any other individual association partnership or corporation owing or in any other manner holding the same in the name or for the use benefit account or convenience of such nonresident decedent or legal incompetent he shall [also] file with [said] the register of wills for the county in which is located the office for the transfer of such loans stocks or bonds or in the case of a mortgage of the county where the mortgaged real estate may be situated or in the case of a debt chose in action bailment custodian agreement agency account attorney account pledge or the holding or safekeeping of property in any other manner for the benefit of such nonresident decedent or legal incompetent of the county where the debtor bailee custodian agent attorney pledgee or holder shall have his or its principal residence or place of business an affidavit stating that the said decedent minor or legal incompetent is not indebted to any person in this Commonwealth and that the proposed transfer assignment receipt [or] entry of satisfaction withdrawal or removal is not made for the purpose of removing [any of the assets of said decedent] such property beyond the reach of any [of the] creditor or creditors in this Commonwealth and any such transfer assignment receipt [or] entry of satisfaction withdrawal or removal without first making and filing such affidavit shall be void

Upon demand of any [person] individual [copartnership] partnership association or corporation charged with the payment of any interest or dividend to or [owning] owing any money or any mortgage bond note debt account or indenture to [the estate of] any such nonresident decedent or minor or legal incompetent or holding any loans moneys goods stocks bonds securities choses in action mortgages or property of any kind for the use benefit account convenience of safekeeping of or renting safe deposit space to any such nonresident decedent or legal incompetent the executor administrator trustee guardian committee or other [person] legal representative before assigning or transferring any such loans moneys goods stocks bonds securities choses in action [or] mortgages or property of any kind or before receiving any interest or dividends thereon or before receiving withdrawing or removing any such loans moneys goods stock bonds securities choses in action mortgages or property of any kind or before having access to the place where the same are kept deposited or stored shall file in the office of [the] said register of wills [for the county in which is located the office for the transfer of such loans stocks or bonds or in the case of a mortgage of the county where the mortgaged real estate may be situated[when such person is acting under letters or other authority granted by or under the laws of any other State territory or possession of the United States of America a copy of the will probate and letters issued thereon of such decree or of such other grant of authority duly authenticated in accordance with the acts of Congress or when such person is acting under letters or other authority granted by or under the laws of any foreign country a copy of such will probate and laters issued therein of such decree or of such other grant of authority certified by the official custodian of such documents or records under his official seal if any to be a true and correct copy of the originals thereof in his possession or under his control together with the certificate of the presiding judge or the officer having jurisdiction or authority over such custodian that the attestation is in due form and by the proper officer

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1266, as follows:

An Act concerning the ascertaintment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen and to make uniform the law with reference thereto

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same that

Section 1 Definition of Terms "Principal" as used in this act means any realty or personalty which has been so set aside or limited by the owner thereof or a person thereto legally empowered that it and any substitutions for it are eventually to be conveyed delivered or paid to a person while the return therefrom or use thereof or any part of such return or use is in the meantime to be taken or received by or held for accumulation for the same or another person

"Income" as used in this act means the return derived from principal

"Tenant" as used in this act means the person to whom income is presently or currently payable or for whom it is accumulated or who is entitled to the beneficial use of the principal presently and for a time prior to its distribution

"Remainderman" as used in this act means the person ultimately entitled to the principal whether named or designated by the terms of the transaction by which the principal was established or determined by operation of law

"Trustee" as used in this act includes the original trustee of any trust to which the principal may be subject and also any succeeding or added trustee

Section 2 Application of the act Powers of Settler This act shall govern the ascertainment of income and principal and the apportionment of receipts and expenses between tenants and remaindermen in all cases where a principal has been established with or unless otherwise stated hereinafter without the interposition of a trust except that in the establishment of the principal provision may be made touching all matters covered by this act and the person establishing the principal may himself direct the manner of ascertainment of income and principal and the apportionment of receipts and expenses or grant discretion to the trustee or other person to do so and such provision and direction where not otherwise contrary to law shall control notwithstanding this act

Section 3 Income and Principal Disposition (1) All receipts of money or other property paid or delivered as rent of realty or hire of personalty or dividends on corporate shares payable other than in shares of the corporation itself or interest on money loaned or interest on or the rental or use value of property wrongfully withheld or tortiously damaged or otherwise in return for the use of principal shall be deemed income unless otherwise expressly provided in this act

(2) All receipts of money or other property paid or delivered as the consideration for the sale or other transfer not a leasing or letting of property forming a part of the principal or as a repayment of loans or in liquidation of the assets of a corporation or as the proceeds of property taken on eminent domain proceedings where separate awards to tenant and remainderman are not made or as proceeds of insurance upon property forming a part of the principal except where such insurance has been issued for the benefit of either tenant or remainderman alone or otherwise as a refund or replacement or change in form of principal shall be deemed principal unless otherwise expressly provided in this act Any profit or loss resulting upon any change in form of principal shall enure to or fall upon principal

(3) All income after payment of expenses properly chargeable to it shall be paid and delivered to the tenant or retained by him if already in his possession or held for accumulation where legally so directed by the terms of the transaction by which the principal was established while the principal shall be held for ultimate distribution as determined by the terms of the transaction by which it was established or by law

Section 4 Apportionment of Income Whenever a tenant shall have the right to income from periodic payments which shall include rent interest on loans and annuities but shall not include dividends on corporate shares and such right shall cease and determine by death or in any other manner at a time other than the date when such periodic payments should be paid he or his personal representative shall be entitled to that portion of any such income next payable which amounts to the same percentage thereof as the time elapsed from the last due date of such periodic payments to and including the day of the determination of his right is of the total period during which such income would normally accrue The retitled to income by the terms of the transaction by maining income shall be paid to the person next enwhich the principal was established But no action shall be brought by the trustee or tenant to recover such apportioned income or any portion thereof until after the day on which it would have become due to the tenant but for the determination of the right of the tenant entitled thereto The provisions of this section shall apply whether an ultimate remainderman is specifically named or not Likewise when the right of the first tenant accrues at a time other than the payment dates of such periodic payments he shall only receive that portion of such income which amounts to the same percentage thereof as the time during which he has been so entilted is of the total period during which such income would normally accrue the balance shall be a part of the principal

Section 5 Corporate Dividends and Share Rights (1) All dividends on shares of a corporation forming a part of the principal which are payable in the shares of the corporation shall be deemed principal Subject to the provisions of this section all dividends payable otherwise than in the shares of the corporation itself including ordinary and extraordinary dividends and dividends payable in shares or other securities or obligations of corporations other than the declaring corporation shall be deemed income Where the trustee shall have the option of receiving a dividend either in cash or in the shares of the declaring corporation it shall be considered as a cash dividend and deemed income irrespective of the choice made by the trustee

(2) All rights to subscribe to the shares or other securities or obligations of a corporation accruing on account of the ownership of shares or other securities in such corporation and the proceeds of any sale of such rights shall be deemed principal All rights to subscribe to the shares or other securities or obligations of a corporation accruing on account of the ownership of shares or other securities in another corporation and the proceeds of any sale of such rights shall be deemed income

(3) Where the assets of corporation are liquidated amounts paid upon corporate shares as cash dividends declared before such liquidation occurred or as arrears of preferred or guaranteed dividends shall be deemed income all other amounts paid upon corporate shares on disbursement of the corporate assets to the stockholders shall be deemed principal All disbursements of corporate assets to the stockholders whenever made which are designated by the corporation as a return of capital or division of corporate property shall be deemed principal

(4) Where a corporation succeeds another by merger consolidation or reorganization or othewise acquires its assets and the corporate shares of the succeeding corporation are issued to the shareholders of the original corporation in like proportion to or in substitution for their shares of the original corporation the two corporations shall be considered a single corporation in applying the provisions of this section But two corporations shall not be considered a single corporation under this section merely because one owns corporate shares of or otherwise controls or directs the other

(5) In applying this section the date when a dividend accrues to the person who is entitled to it shall be held to be the date specified by the corporation as the one on which the stockholders entitled thereto are determined

or in default thereof the date of declaration of the dividend

Section 6 Premium and Discount Bonds Where any part of the principal consists of bonds or other obligations for the payment of money they shall be deemed principal at their inventory value or in default thereof at their market value at the time the principal was established or at their cost where purchased later regardless of their par or maturity value and upon their respective maturities or upon their sale any loss or gain realized thereon shall fall upon or enure to the principal

Section 7 Principal Used in Business (1) Whenever a trustee or a tenant is authorized by the terms of the transaction by which the principal was established or by law to use any part of the principal in the continuance of a business which the original owner of the property comprising the principal had been carrying on the net profits of such business attributable to such principal shall be deemed income

(2) Where such business consists of buying and selling property the net profits for any period shall be ascertained by deducting from the gross returns during and the inventory value of the property at the end of such period the expenses during and the inventory value of the property at the beginning of such period

(3) Where such business does not consist of buying and selling property the net income shall be computed in accordance with the customary practice of such business but not in such way as to decrease the principal

(4) Any increase in the value of the principal used in such business shall be deemed principal and all losses in any one calendar year after the income from such business for that year has been exhausted shall fall upon principal

Section 8 Principal Comprising Animals Where any part of the principal consists of animals employed in business the provisions of section seven shall apply and in other cases where the animals are held as a part of the principal partly or wholly because of the offspring or increase shall be deemed principal to the extent necessary to maintain the original number of such animals and the remainder shall be deemed income and in all other cases such offspring or increase shall be deemed income

Section 9 Disposition of Natural Resources Where any part of the principal consists of property in lands from which may be taken timber minerals oils gas or other natural resources and the trustee or tenant is authorized by law or by the terms of the transaction by which the principal was established to sell lease or otherwise develop such natural resources and no provision is made for the disposition of the net proceeds thereof after the payment of expenses and carrying charges on such property such proceeds if received as rent on a lease shall be deemed income but if received as consideration whether as royalties or otherwise for the permanent severance of such natural resources from the lands shall be deemed principal to be invested to produce income Nothing in this section shall be construed to abrogate or extend any right which may otherwise have accrued by law to a tenant to develop or work such natural resources for his own benefit

Section 10 Principal Subject to Depletion Where any part of the principal consists of property subject to depletion such as leaseholds patents copyrights and royalty rights and the trustee or tenant in possession is not under a duty to change the form of the investment of the principal the full amount of rents royalties or return from the property shall be income to the tenant but where the trustee or tenant is under a duty arising either by law or by the terms of the transaction by which the principal was established to change the form of the investment either at once or as soon as it may be done without loss then the return from such property not in excess of five per centum per annum of its fair inventory value or in default thereof its market value at the time the principal was established or at its cost where purchased later shall be deemed income and the remainder principal

Section 11 Unproductive Estate (1) Where any part of a principal in the possession of a trustee consists of realty or personalty which for more than a year and until disposed of as hereinafter stated has not produced an average net income of at least one per centum per annum of its fair inventory value or in default thereof its market value at the time the principal was established or of its cost where purchased later and the trustee is under a duty to change the form of the investment as soon as it may be done without sacrifice of value and such change is delayed but is made before the principal is finally distributed then the tenant or in case of his death his personal representative shall be entitled to share in the net proceeds received from the property as delayed income to the extent hereinafter stated

(2) Such income shall be the difference between the net proceeds received from the property and the amount which had it been placed at simple interest at the rate of five per centum per annum for the period during which the change was delayed would have produced the net proceeds at the time of change but in no event shall such income be more than the amount by which the net proceeds exceed the fair inventory value of the property or in default thereof its market value at the time the principal was established or its cost where purchased later The net proceeds shall consist of the gross proceeds received from the property less any expenses incurred in disposing of it and less all carrying charges which have been paid out of principal during the period while it has been unproductive

(3) The change shall be taken to have been delayed from the time when the duty to make it first arose which shall be presumed in the absence of evidence to the contrary to be one year after the trustee first recived the property if then unproductive otherwise one year after it became unproductive

(4) If the tenant has received any income from the property or has had any beneficial use thereof during the period while the change has been delayed his share of the delayed income shall be reduced by the amount of such income received or the value of the use had

(5) In the case of successive tenants the delayed income shall be divided among them or their representatives according to the length of the period for which each was entitled to income

Section 12 Expenses Trust Estates (1) All ordinary expenses incurred in connection with the trust estate or with its administration and management including regularly recurring taxes assessed against any portion of the principal water rates premiums or insurance taken upon the estates of both tenant and remainderman interest on mortgages on the principal ordinary repairs trustees' compensation except commissions computed on principal compensation of assistants and Court costs and attorneqs' and other fees on regular accountings shall be paid out of income But such expenses where incurred in disposing of or as carrying charges on unproductive estate as defined in section eleven shall be paid out of principal subject to the provisions of subsection two of section eleven

(2) All other expenses including trustee's commissions computed upon principal cost of investing or reinvesting principal attorneys' fees and other costs incurred in maintaining or defending any action to protect the trust or the property or assure the title thereof unless due to the fault or cause of the tenant and cost of or assessments for improvements to property forming part of the principal shall be paid out of principal Any tax levied by any authority federal state or foreign upon profit or gain defined as principal under the terms of subsection two of section three shall be paid out of principal notwithstanding said tax may be denominated a tax upon income by the taxing authority

(3) Expenses paid out of income according to subsection one which represent regularly recurring charges shall be considered to have accrued from day to day and shall be apportioned on that basis whenever the right of the tenant begins or ends at some date other than the payment date of the expenses Where the expenses to be paid out of income are of unsual amount the trustee may distribute them throughout an entire year or part thereof or throughout a series of years After such distribution where the right of the tenant ends during the period the expenses shall be apportioned between ten-

ant and remainderman on the basis of such distribution

(4) Where the costs of or special taxes or assessments for an improvement representing an addition of value to property held by the trustee as part of principal are paid out of principal as provided in subsection two the trustee shall reserve out of income and add to the principal each year a sum equal to the cost of the improvement divided by the number of years of the reasonably expected duration of the improvement

Section 13 Expenses Non-Trust Estates (1) The provision of section twelve so far as applicable and excepting those dealing with costs of or special taxes or assessments for improvements to property shall govern the apportionment of expenses between tenants and remaindermen where no trust has been created subject however to any legal agreement of the parties or any specific direction of the taxing or other statutes but where either tenant or remainderman has incurred an expense for the benefit of his own estate and without the consent or agreement of the other he shall pay such expense in full

(2) Subject to the exceptions stated in subsection one the cost of or special taxes or assessments for an improvement representing an addition of value to property forming part of the principal shall be paid by the tenant where such improvement cannot reasonably be expected to outlast the estate of the tenant In all other cases a portion thereof only shall be paid by the tenant while the remainder shall be paid by the remainderman Such portion shall be ascertained by taking that percentage of the total which is found by dividing the present value of the tenant's estate by the present value of an estate of the same form as that of the tenant except that it is limited for a period corresponding to the reasonably expected duration of the improvement The computation of present values of the estates shall be made on the expectancy basis set forth in the American Experience Tables of Mortality and no other evidence of duration or expectancy shall be considered

Section 14 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

Section 15 Short Title This act may be cited as the Uniform Principal and Income Act

Section 16 Repeal All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed

Section 17 Time of Taking Effect This act shall take effect and shall apply to all estates of tenants or remaindermen which become legally effective after the date of final enactment of this act

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1268, as follows:

An Act requiring certain candidates at primary elections to be enrolled as members of the political party whose nomination they seek

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That no person shall be eligible to be a candidate for nomination by any political party at any primary election to any office other than judge of a court of record unless such person shall have been enrolled as a member of the political party by party enrollment at least two years immediately preceding the date of the primary election at which he is a candidate Every such candidate for nomination at a primary election shall state in the affidavit to the nomination petition filed that he was enrolled as required by this act as a member of the political party whose nomination he seeks Any nomination petition of any candidate for any office other than judge of a court of record shall be refused for filing or if filed shall be set aside if the candidate was not enrolled as a member of the political party whose nomination he seeks at least two years immediately preceding the date of the primary election at which he is a candidate

Section 2 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

BILL POSTPONED

Mr. SHAPIRO. Mr. President, I move that further consideration of Senate Bill No. 1268, the bill just read be postponed for the present.

Mr. RUPP. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1310, as follows:

An Act to amend sections two and four of the joint resolution approved the twenty-ninth day of Aprill one thousand nine hundred thirty-seven (Act Number 127) entitled "A joint resolution authorizing the appointment of a commission to make a thorough and impartial investigation into the operation of the oil industry in this Commonwealth with special reference to the adequate efficient and economical supplying of lubricating oils and gasoline to the people of this Commonwealth conferring upon the commission full power to issue subpoenas requiring the commission to make a report of its findings to the Governor together with its recommendations as to such regulatory legislation as may be needful to correct any abuses and evils connected with such industry which are prejudicial to the interests of the citizens of this Commonwealth authorizing the commission to employ counsel and employes and making an appropriation" by authorizing the several courts of common pleas upon application to adjudge persons refusing to comply with subpoenas of the commission in contempt of court and by increasing the appropriation to the commission.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections two and four of the joint resolution approved the twenty-ninth day of April one housand nine hundred thirty-seven (Act Number 127) entitled "A joint resolution authorizing the appointment of a commission to make a thorough and impartial investigation into the operation of the oil industry in this Commonwealth with special reference to the adequate efficient and economical supplying of lubricating oils and gasoline to the people of this Commonwealth conferring upon the commission full power to issue subpoenas requiring the commission to make a report of its findings to the Governor together with its recommendations as to such regulatory legislation as may be needful to correct any abuses and evils connected with such industry which are prejudicial to the interests of the citizens of this Commonwealth authorizing the commission to employ counsel and employes and making an appropriation" are hereby amended to read as follows:

Section 2 The commission shall have power to issue subpoenas under the hand and seal of its chairman requesting and commanding any person or persons to appear before it and to answer such questions touching matters properly being inquired into by the commission and to produce such books papers records and documents

as the commission may deem necessary Such subpoenas may be served upon any person and shall have the force and effect of subjoenas issued out of the courts of this Commonwealth Each member of the commission shall have the power to administer oaths and affirmations to witnesses appearing before the commission Any person who shall wilfully neglect or refuse to testify before the commission or to produce any books papers records or documents shall upon application of any members of the commission be adjudged in contempt of court by any court of common pleas having jurisdiction of such person and shall be subject to the penalties provided by the laws of the Commonwealth in such cases.

Section 4 The sum of [five] fifty thousand dollars [($5,000.00)] ($50,000.00) or so much thereof as may be necessary is hereby specifically appropriated to the commission for the payment of the expenses of the members and for the payment of the compensation and expenses of counsel experts clerks and assistants of the commission for postage telegraph and telephone charges for the use of automobiles for witness fees allowed by the commission for supplies and printing and for all other expenses deemed necessary and proper by the commission.

Section 2 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a thir dreading.

BILL RECOMMITTED

Mr. RICE. Mr. President, I move that Senate Bill No. 1321 (Hose Bill No.), on second reading, entitled·

An Act to amend section two hundred one as re-enacted section two hundred six, section two hundred seven as amended, and sections two hundred eight and two hundred nine of, and to add article twenty-five A to, the act approved the ninth day of April, one thousand nine hundred and twenty-nine (P. L. 177), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrattive departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments, boards, commissions and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined" creating a new administrative department to be known as the Department of the Unemployed, prescribing its powers and duties and providing for the appointment of the Secretary of the Unemployed by the Governor.

be recommitted to the Committee on State Government.

Mr. FREY. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1322, entitled:

An Act to further amend section one of the act approved the eleventh day of May one thousand nine hundred eleven (Pamphlet Laws two hundred seventy-five) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by eliminating certain conditions of removal of inspectors and providing for their appointment in counties of the first class.

The first of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eleventh day of May one thousand nine hundred eleven (Pamphlet Laws 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as last amended by the act approved the nineteenth day of July one thousand nine hundred seventeen (Pamphlet Laws 1102) is hereby further amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the mayors of cities of the second and third class and the several boards of county commissioners shall respectively appoint one or more competent persons as inspectors of weights and measures in the respective county or city whose salary shall not be less than one thousand dollars per annum to be paid out of the respective revenues of such county or city Provided however That the payment of a minimum salary shall not apply to counties having a population of fifteen thousand or less In addition to the salary provided by law the said county and city inspectors shall be entitled to receive the actual expenses incurred by them personally in performing the duties of their office such as transportation hotel livery telephone telegraph and postal charges to be paid by the boards of county commissioners of their respective counties and by the proper officers of their respective cities in such proportion as may be agreed upon by said boards of county commissioners and proper officers of cities on bills itemized and properly sworn to Provided however That nothing in this act shall be construed to prevent two or more counties or any county and city from combining the whole or any part of their districts as may be agreed upon by the board of county commissioners and mayors of cities with one set of standards and one inspector upon the written consent of the chief of the bureau of standards Provided further In cities of the first class the inspectors shall be appointed by the county commissioners of the county in which the said city may be located Any inspector appointed in pursuance of an agreement for such combination shall subject to the terms of his appointment have the same authority and duties as if he had been appointed by each of the authorities who are parties to the agreement The county and city inspectors of weights and measures as appointed by the respective counties and cities shall hold their office during good behavior [and shall not be removed discharged or reduced in pay or position except for inefficiency incapacity conduct unbecoming employes or other just cause and until the said officials shall have been furnished with written statements of the reason for such removal discharge or reduction and shall have been given reasonable time to make written answer thereto Nor shall such removal discharge or reduction be made until the charge or charges shall have been examined into and found true in fact by the appointed power of such county or city at a hearing upon reasonable notice to the person charged at which time he may be represented by counsel and offer testimony or witnesses in his own]

[behalf] It shall be unlawful for any sealer or inspector of weights and measures or any of his deputies to perform clerical or other services for the county or city of their respective districts.

All the appointments made under the provisions of this act by the county commissioners in counties of the first class shall be equally divided between the majority commissioners and the minority commissioners so that the majority commissioners shall name one-half of all appointees and the minority commissioners shall name one-half of all the appointees The provisions of this act apply to persons presently employed as well as to persons to be employed in the future and the county commissioners shall comply therewith within thirty days of the passage of this act.

On the question,

Will the Senate agree to the section?

Mr. SALUS. Mr. President, I move to amend section 1, page 3, line 17, by striking out after the word "behavior" and before the word "and" the bracket.

Amend Section 1, page 3, line 29, by striking out after the word "own" the bracket.

Amend Section 1, page 4, line 6, by inserting after the word "first" the following:

and second.

Mr. GELDER. Mr. President, I second the motion.

Mr. SHAPIRO. Mr. President, this also includes Pittsburgh?

Mr. SALUS. Mr. President, yes. I refer to the maintenance department, the weights and measures and the county commissioners. I think the City of Pittsburgh has a similiar situation as the Philadelphia County Commissioners, and the same proposition applies to this bill as to the one that was recently voted down. I would not want any of the Democratic Senators to make a mistake.

The yeas and nays were required by Mr. Salus and Mr. Buckman and were as follows, viz:

YEAS—12

Bean,	Dietrick,	Homsher,	Salus,
Buckman,	Ealy,	Mallery,	Scarlett,
Chapman,	Gelder,	Owlett,	Wolfenden,

NAYS—23

Barthold,	Henney,	McGinnis,	Rupp,
Cavalcante	Jaspan,	Mundy,	Ruth,
Dent,	Kahle,	Pytko,	Shapiro,
Eroe,	Kilgallen,	Rankin,	Sipe,
Frey,	Kunkel,	Rice,	Stiefel,
Gilson,	McCreesh,	Rodgers,	

So the question was determined in the negative.

And the question recurring,

Will the Senate agree to the section?

It was agreed to.

The title of the bill was read as follows and agreed to:

An Act to further amend section one of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by eliminating certain conditions of removal of inspectors and providing for their appointment in counties of the first class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1326, as follows:

An Act to amend section one thousand five hundred eleven of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added requiring school districts of the first second and third classes to employ dental hygienists

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand five hundred eleven of the act approved the eighteen day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added by the act approved the seventeenth day of July one thousand nine hundred and seventeen (P. L. 1032) is hereby amended to read as follows

Section 1511 Any school district may provide for the care and treatment of defective eyes and teeth of all pupils of its public schools For the purpose of teaching the proper care of the teeth and proper diets and for the promotion of the general health and well being of the school children of the public schools and the prevention of diseases occurring from these sources each school district of the first second and third classes shall employ the services of at least one dental hygienist

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1328, as follows:

An Act prohibiting the wearing or imitation of the uniform of the Pennsylvania Motor Police prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person agent officer or official not a member of the Pennsylvania Motor Police whether elected or appointed by any political sub-division corporation association of whatever kind or nature is hereby prohibited and forbidden directly or indirectly to wear purchase use or order to be used or worn copy or imitate in any respect or manner the uniform or any part of the uniform of the Pennsylvania Motor Police as such uniform may be prescribed set out or directed to be worn by regulation of the Superintendent of the Motor Police

Section 2 The term person as used in this act includes individuals associations corporations or agents officers or officials elected or appointed by any political or municipal sub-division

Section 3 Any person who shall violate any provisions of this act shall be guilty of a misdemeanor and shall upon conviction thereof in a Court of Quarter Sessions be

sentenced to pay a fine of not more than Two Hundred ($200) Dollars and costs of prosecution or undergo imprisonment for not more than three (3) years or suffer both such fine and imprisonment

Section 4 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in thi scase dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1355, as follows:

An Act to further amend subparagraph three of subsection (a) of section five hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by making further provision relative to interest upon State deposits

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That subparagraph three of subsection (a) of section five hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the Courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the seventh day of June one thousand nine hundred thirty-five (P. L. 283) is hereby further amended to read as follows

3 Shall agree to pay interest upon all State deposits at the rate to be fixed every six months by the Board of Finance and Revenue having due regard to the then prevailing money market Provided That such agreement is not in conflict with law or any regulation of the Comptroller of the Currency or of the Federal Reserve Board of the United States The said board may fix different rates of interest for active and inactive depositories not in conflict with law or any regulation of the Comptroller of the Currency or of the Federal Reserve Board of the United States and may adopt and promulgate rules governing the time when interest shall begin to run on deposits of uncollected items The board shall fix the specific day on which any change in interest rate shall become effective and shall notify in writing every depository of such change and the effective date thereof Pending action by the board the interest rates heretofore fixed by law shall remain in force All collections shall be made for the Commonwealth without cost or compensation

Section 2 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1357, as follows:

A Joint Resolution creating a commission to study the practice of chiropractic defining the powers and duties of said commission and making an appropriation.

The first to the seventh sections inclusive of the bill were read as follows and agreed to:

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That a commission is hereby created which shall consist of nine members seven of whom shall be appointed by the Governor as follows four shall be chiropractors one shall be a doctor of medicine one shall be an osteopath and two shall be citizens not engaged in the practice of any of the healing arts The chairman of the committees of appropriations in the Senate and House of Representatives shall be ex-officio members of such commission It shall be the duty of the commission to study the situation with respect to the licensing of chiropractors in this State and to report thereon to the next session of the General Assembly including drafts of legislation for the permanent licensing of chiropractors in this Commonwealth and the regulation of said profession The commission shall have power to sit after the adjournment of the session of the General Assembly of one thousand nine hundred and thirty-seven

Section 2 Each chiropractor now practicing in this Commonwealth shall be required to submit to the commission within six months after the effective date of this act on a form prepared and furnished by the commission on request a statement under oath showing (a) his or her name age residence and place where he or she is practicing (b) the name of the school or college from which graduated and the date of graduation (c) the length of course taken (d) the length of time practiced and (e) such other information as the commission may require

Section 3 The word "chiropractic" as used in this act shall be construed to mean the examination of the human spine by observation palpation or X-ray and the adjustment of any and all misalignments of the vertebrae or adjacent bones or tissues through the use of the hands

Section 4 The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission created by

this resolution for the payment of the expenses of the commission and for the purpose of carrying into effect the provisions of this resolution

Section 5 All acts and parts of acts inconsistent herewith are hereby repealed

Section 6 This act shall become effective immediately upon its final enactment

The title of the bill was read as follows:

A Joint Resolution creating a commission to study the practice of chiropractic defining the powers and duties of said commission providing for the temporary licensing of chiropractors and making an appropriation

On the question,

Will the Senate agree to the title?

Mr. RICE. Mr. President, I move to amend title by striking out line 3 as follows: "[providing for the temporary licensing of chiropractors]."

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1358, as follows:

An Act to amend section six of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteen of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" by providing that in counties of the first class salaries of respective county officers shall not exceed the amount fixed by the tax levying body of such county for such offices

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section six of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (P. L. 13) entitled "An act to carry into effect section five of article fourteenth of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" is hereby amended to read as follows

Section 6 All salaries fixed by this act (except in the case of such officers as may be otherwise provided for herein) shall be paid from the amounts paid into the proper county treasury from the respective offices after ascertaining and deducting the amount due the deputies and clerks in each office and if there has not been a sum sufficient from fees received and paid in or earned and due by the county for services rendered to pay the full amount of the salary of any officer holding any of said offices after deducting the amount due the deputies and clerks such officer will receive only such proportion of his salary as shall be equal to the aggregate of the net fees received and earned by him as aforesaid during his term of office during such month Provided That if the fees in any subsequent month or months shall exceed the amount of the expense and salary aforesaid for such month the deficit of such salary for such preceding month shall be made up from such excess Provided That in counties of the first class the total salaries paid to the clerks deputies and other employes in the respective county offices shall not exceed the amount fixed by the tax levying body of such county for such respective offices

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1370, as follows:

A Joint Resolution proposing an amendment to section one Article eighteen of the Constitution of the Commonwealth of Pennsylvania

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That the following amendment to the Constitution of the Commonwealth of Pennsylvania be and the same is hereby proposed in accordance with the eighteenth article thereof

That section one Article eighteen of the Constitution of Pennsylvania is hereby amended to read as follows

Section 1 Any amendment or amendments to this Constitution may be proposed in the Senate or House of Representatives and if the same shall be agreed to by a majority of the members elected to each House such proposed amendment or amendments shall be entered on their journals with the yeas and nays taken thereon and the Secretary of the Commonwealth shall cause the same to be published three months before the next general or municipal election in at least two newspapers in every county in which such newspapers shall be published and such proposed amendment or amendments shall be submitted to the qualified electors of the State in such manner and at such time at least three months after being so agreed to by the two Houses as the General Assembly shall prescribe and if such amendment or amendments shall be approved by a majority of those voting thereon such amendment or amendments shall become a part of the Constitution When two or more amendments shall be submitted they shall be voted upon separately

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,.

The Senate proceeded to the second reading and consideration of Senate Bill No. 1404, as follows:

An Act to further amend subparagraph three of subsection (a) of section five hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commis-

sion and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by making further provision relative to interest upon State deposits

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That subparagraph three of subsection (a) of section five hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refund of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" as last amended by the act approved the seventh day of June one thousand nine hundred thirty-five (Pamphlet Laws two hundred eighty-three) is hereby further amended to read as follows

3 Shall agree to pay interest upon all State deposits at the rate to be fixed every six months by the Board of Finance and Revenue having due regard to the then prevailing money market Provided That such agreement is not in conflict with law or any regulation of the Comptroller of the Currency or of the Federal Reserve Board of the United States The said board may fix different rates of interest for active and inactive depositories not in conflict with law or any regulation of the Comptroller of the Currency or of the Federal Reserve Board of the United States and may adopt and promulgate rules governing the time when interest shall begin to run on deposits of uncollected items The board shall fix the specific day on which any change in interest rate shall become effective and shall notify in writing every depository of such change and the effective date thereof Pending action by the board the interest rates heretofore fixed by law shall remain in force All collections shall be made for the Commonwealth without cost or compensation

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

REPORT FROM COMMITTEE

Mr. RICE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE, from the Committee on Appropriations reported as committed, Senate Bill No. 1415, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May, one thousand nine hundred thirty-seven, and such time as the funds provided by the General Appropriation Act become available.

BILLS INTRODUCED

Mr. RANKIN. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RANKIN, read in his place and presented to the Chair Senate Bill No. 1416, entitled:

An Act to authorize counties to file suggestions for revival of certain tax liens to revive such liens where more than five years have elapsed since said liens were filed or revived and providing for the revival and collection of such liens.

Which was committed to the Committee on City Government.

Mr. McCREESH. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCREESH, read in his place and presented to the Chair Senate Bill No. 1417, entitled:

An Act making an appropriation out of the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth on account of the Pennsylvania Motor Police Retirement System.

Which was committed to the Committee on Appropriations.

Mr. McCREESH. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. McCREESH. read in his place and presented to the Chair Senate Bill No. 1418, entitled:

An Act making an appropriation out of the General Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth on account of the Pennsylvania Motor Police Retirement System.

Which was committed to the Committee on Appropriations.

REPORT FROM COMMITTEE

Mr. DiSILVESTRO. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DiSELVESTRO, from the Committee on City Government reported as committed, Senate Bill No. 1088, entiled:

An Act to repeal Article XIX as amended, and section six of Article XXII of the act approved the twenty-fifth day of June, one thousand nine hundred nineteen (Pamphlet Laws five hundred eight-one) entitled "An act for the better government of cities of the first class of this Commonwealth.

BILLS ON FIRST READING

Agreeably to order,

The Senate to the first reading and consideration of Senate Bill No. 943, entitled:

An Act authorizing and empowering any city, county, school district or other municipality, which shall have acquired a limited title to real estate for municipal purposes, to secure a title in fee simple to any such real estate; and providing and regulating the procedure in such cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1088, entitled:

An Act to repeal Article XIX as amended, and section six of Article XXII of the act approved the twenty-fifth day of June, one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth".

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1295, (House Bill No. 2115), entitled:

An Act relating to criminal prosecutions limiting the effect of demurrers by defendents at the close of the cases of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1374 (House Bill No. 307), entitled:

An Act making an appropriation to the Jefferson Medical College of Philadelphia, Pennsylvania, for medical education.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1375 (House Bill No. 348), entitled:

An Act making an appropriation to the Glen Mills Schools situate in Delaware County, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1381, (House Bill No. 973), entitled:

An Act making an appropriation to the Department of Welfare to pay for the care, treatment, removal and maintenance of the indigent insane in The Dixmont Hospital at Dixmont, Allegheny County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No 1390 (House Bill No. 1818), entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursing fourth class school districts upon certain increases of the salaries of members of the teaching staffs of elementary schools in such school districts.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1394 (House Bill No. 2259), entitled:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading an consideration of Senate Bill No. 1415, entitled:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May, one thousand nine hundred thirty-seven, and such time as the funds provided by the General Appropriation Act become available.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

HOUSE MESSAGES

HOUSE BILLS FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bills of the House of Representatives, as follows:

House Bill No. 1690, (Senate Bill No. 1419), entitled:

An Act regulating the mining of coal; prescribing duties for county commissioners; and imposing penalties.

Which was committed to the Committee on Mines and Mining.

House Bill No. 1390, (Senate Bill No. 1420), entitled:

An Act making an appropriation to the General State Authority to defray the costs and expenses of the said Authority in connection with the organization, administration and operation thereof.

Which was committed to the Committee on Appropriations.

House Bill No. 1640, (Senate Bill No. 1421), entitled:

A Supplement to the act, approved the second day of June, one thousand nine hundred fifteen (P. L. 736), entitled as amended "Workmen's Compensation Act of 1915," as amended and re-enacted, providing for the inclusion of occupational diseases within the scope thereof, and providing definitions, provisions and procedure related to such diseases, and making an appropriation.

Which was committed to the Committee on Welfare.

House Bill No. 1817, (Senate Bill No. 1422), entitled:

An Act to fix the number of Representatives in the General Assembly of the State, and to apportion the State into representative districts as provided by the Constitution

Which was committed to the Committee on Legislative Apportionment.

House Bill No. 408, (Senate Bill No. 1423), entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Which was committed to the Committee on Appropriations.

House Bill No. 1222, (Senate Bill No. 1424), entitled:

An Act to amend section three of the act, approved the third day of May, one thousand eight hundred fifty (P. L. 654), entitled "An act providing for the election of district attorneys," by changing the power of appointment in cases of vacancies in the office of district attorney.

Which was committed to the Committee on City Government.

House Bill No. 1894, (Senate Bill No. 1425), entitled:

An Act relating to soil conservation, and soil erosion and regulating land use practices contributing to soil wastage and soil erosion; providing for the organization of soil conservation districts as governmental subdivisions of the Commonwealth with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources prescribing the officers and employes thereof and defining their powers and duties: creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act; providing financial assistance to such soil conservation districts, prescribing penalties and making an appropriation.

Which was committed to the Committee on Agriculture.

House Bill No. 1959, (Senate Bill No. 1426), entitled:

An Act to provide for the conservation, protection, improvement and profitable use of agricultural land resources in the State of Pennsylvania and for corporation with the governments and agencies of other states and of the United States pursuant to the provisions of section seven of an act of the Congress of the United States known as the Soil Conservation and Domestic Allotment Act; to assent to and accept the provisions of said act; to constitute and establish the Pennsylvania Agricultural Conservation and Adjustment Committee, and in conformity with the provisions of said act, to designate and authorize said committee as the State agency of this State in conformity with such provisions, to formulate, submit to the Secretary of Agriculture of the United States, and administer state plans to carry out the provisions of this act; State agency; to provide for the selection of its members and otherwise to provide for the administration of this act, and making an appropriation.

Which was committed to the Committee on Agriculture.

House Bill No. 2057, (Senate Bill No. 1427), entitled:

An Act to protect the public against fraud and deception regulating the business of selling liquid fuels by requiring persons engaged in the sale or distribution of liquid fuels to secure a permit or permits for pumps or outlets used therein prescribing the method and manner of obtaining such permit or permits and prescribing the fees for the eissuance thereof conferring powers and imposing duties on the Department of Revenue and prescribing penalties.

Which was committed to the Committee on Judiciary General.

HOUSE CONCURS IN SENATE BILL No. 357

He also returned to the Senate, Senate Bill No. 357, entitled:

An Act to amend sections one thousand six and one thousand thirty-five as amended and section one thousand sixty-two of the Act approved the fourth day of May one thousand nine hundred twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for and regulating the method of making appropriations expenditures employments contracts and purchases by boroughs relating to the preparation of the annual budget on forms to be prepared by representatives of the State Association of Boroughs and Department of Internal Affairs providing for public notice of the preparation of such budget relating to the filing of such budget with the Department of Internal Affairs regulating the preparation of the auditor's statement requiring the controller or secretary to file an annual report with such department conferring jurisdiction of certain cases upon aldermen magistrates and justices of the peace and providing penalties

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 773

He also returned to the Senate, Senate Bill No. 773, entitled:

An Act relating to the dissemination of information pertaining to affairs of the Commonwealth including information pertaining to civil rights and constitutional guarantees, and conferring powers and duties with respect thereto upon the Department of State.

with the information that the House has passed the same without amendment.

HOUSE CONCURS IN SENATE BILL No. 1023

He also returned to the Senate, Senate Bill No. 1023, entitled:

An Act to amend section six hundred and nine of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and interinsurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" requiring certain existing corporations to comply with the provisions of the aforementioned act

with information that the House has passed the same without amendment.

SENATE BILL No. 358 RETURNED WITH AMENDMENT

He returned to the Senate Senate Bill No. 358, entitled:

An Act to amend section five hundred forty-seven as amended, and sections eight hundred two and nine hundred two of, and to add section nine hundred and two A to the act, approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class; and amending, revising, consolidating and changing the law relating thereto," providing for and regulating the method of making appropriations, expenditures, contracts, employments,

and purchases by the townships; relating to the preparation of the annual budget on forms to be prepared by representatives of the State Association of Township supervisors, the Department of Internal Affairs; providing for public notice of the preparation of such budget; relating to the filing of such budget with the Department of Internal Affairs; requiring auditors to file an annual report with such Department; conferring jurisdiction of certain cases upon aldermen, magistrates and justices of the peace; and providing penalties.

with the information that the House has passed the same as amended in which the concurrence of the Senate is requested.

SENATE BILL NO. 749 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 749, entitled:

An Act to amend sections four hundred ten and four hundred eleven of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled, "An act relating to insurance, amending, revising and consolidating the law providing for the incorporation of insurance companies and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by the State Workmen's Insurance Fund; providing penalties and repealing existing laws," requiring companies of other states and foreign governments to make a provision for loans in policies of life insurance; prohibiting any provision by which a policy of life insurance would take effect before the original application was made

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

HOUSE BILL FOR CONCURRENCE

He also presented for concurrence bill of the House of Representatives, as follows:

House Bill No. 1839, (Senate Bill No. 1428), entitled:

An Act to limit the power of the Supreme and Superior Courts in declaring laws enacted by the General Assembly to be unconstitutional.

Which was committed to the Committee on Judiciary General.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO 158

He also informed the Senate that the House of Representatives has non-concurred in amendments made by the Senate to House Bill No. 158, entitled:

An Act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and acquatic life, and for industrial consumption and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts.

SENATE RECEDES FROM AMENDMENTS TO HOUSE BILL NO. 158

Mr. RODGERS. Mr President, I move that the Senate recede from its amendments.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 1400

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

In the House of Representatives, May 24, 1937.

Resolved (if the Senate concur,) That House Bill No. 1400, Printer's No. 1172.

An Act to amend the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 905), entitled "Vehicle Code," as amended, regulating the sale and further regulating the installation, use and operation of traffic regulation devices, signals, signs and markings, and the operation of motor vehicles on the highways; affecting the powers of municipal authorities in certain cases and of the Secretary of Highways; and changing and imposing penalties.

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO 150

He also presented extract from the Journal of the House of Representatives, which was twice read as follows, considered and agreed to:

House of Representatives, May 24, 1937.

Resolved (if the Senate concur) That House Bill No. 150 Printer's No. 89, entitled:

An Act to amend section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 831) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines" by defining the term "coal miners".

be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk inform the House of Representatives accordingly.

ANNOUNCEMENTS BY THE SECRETARY

The following committee will meet:

The Committee on Aeronautics will meet in Room 265 at 11:00 a. m.

Tomorrow the Committee on Highways will meet at 10:30 a. m.

The Committee on Welfare will meet in Room 200, at 11:55 a. m.

Committee on Mines and Mining will meet in Room 302, at 5:00 p. m.

The Committee on Education will meet on Wednesday, the 26th, in Room 200, at 11:30 a. m.

Committee on State Boards will meet on Wednesday, the 26th, in Room 265, at 10:00 a. m.

A Democratic Caucus will meet tomorrow at 11:00 a. m. in the Senate Caucus Room.

Committee on Judiciary General will meet at twelve o'clock noon tomorrow, in Room 302.

ADJOURNMENT

Mr. RICE. Mr. President, I move that the Senate do now adjourn, until one o'clock tomorrow.

Mr. CAVALCANTE. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 p. m. until one o'clock Tuesday afternoon, May 25, 1937 E. S. T.

HOUSE OF REPRESENTATIVES

MONDAY, May 24, 1937.

The House met at 9:00 p. m.

The SPEAKER, (Roy E. Furman), in the Chair.

PRAYER

The Chaplain Rev. EPHRAIM Z. GALLAHER, offered the following prayer:

We beseech Thee, heavenly Father to grace us by Thy divine presence tonight. Urge us to imbibe freely of Thy spirit—that spirit which does not confuse, which gives clearness and keenness of mind, against which there is no law. Fill full our cup with the pure stimulant of Thy wisdom, which is long aged and proven, and which bears the Bond of the Holy Spirit. Serve us with the bracer of Thy conscience that we may perform the duties of the week with sober judgment and be not intoxicated with our conceit.

In Christ's name, we ask it all. Amen.

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of Friday, May 21, 1937.

The Clerk proceeded to read the Journal of Friday, May 21, 1937, when on motion of Mr. DOWNEY, the further reading was dispensed with and the Journal approved.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor introduced presented a communication in writing from His Excellency the Governor, which was read as follows:

REQUEST TO ADDRESS GENERAL ASSEMBLY

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 24, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

If it meets with the approval of the General Assembly, I should like to address the members in joint session at nine thirty o'clock this evening.

GEORGE H. EARLE.

GOVERNOR INVITED TO ADDRESS GENERAL ASSEMBLY

Mr. PEARSON. Mr. Speaker, I move that the Governor be invited to the Hall of the House at a time to be fixed by concurrent resolution to address the General Assembly.

The motion was agreed to.

RESOLUTION

COMMITTEE TO ESCORT SENATE TO HALL OF HOUSE

Mr. MOUL asked and obtained unanimous consent to offer a resolution which was twice read, considered and adopted as follows:

In the House of Representatives, May 24, 1937.

Resolved, That the Speaker appoint a committee of two Members of the House of Representatives to escort the Senate to the Hall of the House May 24, 1937, at 9:30 o'clock, for the purpose of attending a joint session of the General Assembly.

COMMITTEE TO ESCORT SENATE TO THE HALL OF THE HOUSE

The SPEAKER. The Chair appoints as a committee to escort the members of the Senate to the Hall of the House to meet in Joint Session, Messrs. Moul and Kline.

COMMUNICATIONS

The SPEAKER laid before the House the following communications which was read by the Clerk:

WELFARE

A communication from the Directors of the Poor of Beaver County submitting a report of their Welfare Department.

Referred to the Committee on Welfare.

HOME RULE

A resolution from Conference of Allied Local Officials of Pennsylvania favoring passage of Home Rule legislation and endorsing Perry-Rogers bills appropriating motor funds for local road construction and maintenance.

LEAVE OF ABSENCE

Mr. Walsh asked and obtained leave of absence for Mr. McGEE.

RESIGNATION OF HON. RICHARD M. SIMPSON

The SPEAKER laid before the House the following communication which was read by the Clerk.

Congress of the United States,
House of Representatives,
Washington, D. C., May 21, 1937.

Honorable Roy E. Furman,
Speaker, House of Representatives,
State Capitol,
Harrisburg, Pennsylvania

My dear Mr. Furman:

I hereby resign my office as the Representative from Huntingdon County in the General Assembly of Pennsylvania.

I do this with a sincere feeling of regret that the pleasant associations here must be terminated, and with the expressed hope that individual friendships made here will be long continued.

With kind personal regards to you, Mr. Speaker, and to each member of the Assembly, I am

Very sincerely,

(Signed) RICHARD M. SIMPSON.

RMS:H

SENATE MESSAGE

COMMITTEE TO ESCORT GOVERNOR

The Clerk of the Senate being introduced, presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 24, 1937.

Resolved (if the House of Representatives concur), That a committee of three on the part of the Senate be appointed to act with a similar committee on the part of the House of Representatives, (if the House shall appoint such committee) to escort His Excellency, the Governor to the Hall of the House to address the members of the General Assembly in joint session, pursuant to a resolution already adopted by the Senate and House of Representatives.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

COMMITTEE TO ESCORT THE GOVERNOR TO THE HALL OF THE HOUSE

The SPEAKER. The Chair appoints as a committee on the part of the House to escort the Governor to the Hall of the House Messrs. Scanlon, Boies and Huntley.

Ordered, That the Clerk inform the Senate accordingly.

REPORT AND DISCHARGE OF COMMITTEE

Mr. MOUL. Mr. Speaker, your committee appointed to escort the members of the Senate to the Hall of the House has performed that duty and reports that the Senate is now in attendance.

The SPEAKER. The Committee is discharged with the thanks of the House.

The President of the Senate is invited to preside over the Joint Session of the General Assembly; the President Pro Tempore is invited to a seat on the rostrum, and the members of the Senate will be seated in the chairs provided for them in the front of the House.

JOINT SESSION

LIEUTENANT-GOVERNOR THOMAS KENNEDY IN THE CHAIR

The SERGEANT-AT-ARMS OF THE SENATE. Mr. President, I have the honor to present to you the Committee appointed to escort His Excellency, the Governor to the Hall of the House.

Mr. KAHLE. Mr. President, I have the honor to present His Excellency the Governor of the Commonwealth.

The PRESIDENT. Members of the General Assembly it is my privilege and pleasure at this time to present His Excellency, the Governor of the Commonwealth, George H. Earle.

ADDRESS OF THE GOVERNOR

GOVERNOR EARLE. Ladies and gentlemen of the General Assembly:

First of all, I want to thank all of you for your kind expressions of sympathy upon the recent death of my sister. I am deeply grateful to the individual Senators for their kindness, and to the full membership of the House for the resolution I have just received.

As I speak to you tonight we approach the end of a history-making Session of the Pennsylvania Legislature. In all likelihood this is my last appearance before your honorable body, unless some emergency arises in the future.

For the first time within the memory of living man, the liberal Democratic forces of our Commonwealth today have control of both Executive and Legislative branches of our State Government.

When we came into office in 1935 we were crippled by a reactionary Republican majority in the State Senate.

In our campaign platform of 1934 we had gone from one end of the State to the other, making specific pledges to the people. Our overwhelming victory was a direct and unmistakable mandate from the people to carry out the reforms we had promised.

That mandate was binding upon the Democratic Party. It was no less binding upon the Republican Party, because they too had made pledges paralleling our own. They also had promised liberal government and reform.

We all know what happened.

An army of lobbyists marched on Harrisburg. They reached Republican legislators. In more than one case those legislators were themselves lobbyists for certain vested interests. Those lobbyists, while in themselves only unscrupulous mercenaries, unworthy of consideration by any self-respecting legislator, represented wealth —and power. The Republican leadership in the General Assembly listened to them, and the people's mandate was forgotten. The program died.

These legislators forgot the people. But the people did not forget them. I am proud to say that we made sure the people would not forget them. We brought their voting records home to their constituents, and compared that record with their campaign promises.

When the people knew, and understood, the people acted—and those legislators were left at home, dishonorably dischargd from public service.

We entered upon this historic Session of the Pennsylvania General Assembly victorious, but sobered by the realization that we had been given a gigantic task. The people had instructed us—yes, commanded us—to destroy those evils which had become rooted in our Government through two generations of exploitation, indifference and neglect.

Your members in both Houses introduced measures which in the aggregate represented the greatest program of liberal reform ever to be placed before a Pennsylvania General Assembly.

When that program was presented, the people realized that we meant business. And when it began to move forward to enactment the special interests also woke up to the fact that we meant business.

Always, those interests had maintained well-paid lobbyists at Harrisburg. But they had depended more—far more—on their unofficial lobbyists in the Republican caucuses, and on the Republican high command.

This Session, for the first time in history, found them with few inside men. So they put an army of paid

"fixers" on their payrolls, gave them expense accounts, and sent them to Harrisburg.

You remember, at the beginning of this Session, how these professional fixers overran the lobbies of the Harrisburg hotels—but dared not show their faces on Capitol Hill.

Through the weeks of the Session the program moved forward steadily, without interruption. As those weeks wore on the lobbyist army saw its hope fade. In sheer desperation it began to move up the walk to the Capitol. Lobbyists who had not shown themselves outside of hotel rooms for months began to appear on the legislature floor.

Within the last few days, with measure after measure of the program passing through the legislative mill and into the statute books, these fixers have become panicky. They have thrown caution to the four winds. They have abandoned back from conferences. They have come out of their hotel parlors even to the very floor of the Legislature, fighting in sheer desperation to save their jobs and their fees.

In the past few days they have infested both Houses. Legislators have had to fight their way through them to get to their seats. These lobbyists have swarmed into both Houses like a plague of locusts. Even as I speak tonight, if you will look about you will see that they have overflowed the seats and the aisles, pushed and elbowed the general public out of the chamber and up into the galleries.

I want to tell you, ladies and gentlemen of the General Assembly, that they are paying you the greatest compliment you are ever likely to receive. Their very presence here is a testimonial to your singleness of purpose, your determination to fulfill your pledges to the people of your districts and the State. If they had been able to reach you otherwise, they would not be here tonight.

Let me say to all of you that I have not been unmindful of their activity. I know they have taken you to the mountain top, many of you, and have shown you visions. I know they have attempted to abuse your sense of fairness by warning of dire consequences to our people if the Administration program becomes law. I know they have pleaded, and cajoled, and threatened. I know they have tried to reach you through your friends, your associates, your neighbors, offering legal fees or other favors of many kinds. I know there are very few of you who could not better your station in life by listening to these fixers. You are substantial citizens, but you are not rich, and you have responsibilities that must be met. I know what temptations many of you have been subjected to, and I know there are many ways in which you could take advantage of those temptations legitimately, if not ethically, through fees for services or patronage for whatever private business you may have.

The record of this Session up to this moment is conclusive proof that you have had the courage, and the honesty, to place public interest above private advantage.

I am proud of you, ladies and gentlemen. I am proud to belong to a political party that has such representatives in positions of public trust. Under the most trying circumstances, under every kind of pressure known to the lobby gentry, you have kept your record clean.

You have abolished the sweatshop in Pennsylvania. You have curbed the pawnbrokers and the loan sharks. You have provided for flood control. You have established the machinery for restoration and reconstruction of our overcrowded State institutions. You have given the farmer the first permanent milk control law in the United States. You have provided for better housing. You have written legislation to end election frauds, to control public utilities, to protect the farmer and the worker. You have had the courage, and the honesty, to provide taxes sufficient to meet the needs of the Commonwealth in these difficult times. You have faced all problems squarely, enacting such legislation as any progressive and liberal State would be proud to have on its books.

You have done your work thoroughly and well. Not one major measure has gone through your hands without long and careful study. You approach the end of this Session with a record of achievement that is outstanding, and with fulfillment of the entire program imminent.

That is why, ladies and gentlemen, I have requested your permission to appear before you tonight. Because of their great importance to the Commonwealth, there are a number of major measures which have required prolonged study, and as a result these measures still await final action.

You have under consideration the liberalizing of workmen's compensation benefits, so that Pennsylvania may be lifted from 33d among the States to its proper position among those States which protect industrial victims. You have the full crew bill to protect the lives of the public and those men who operate our great transportation system. You have the labor relations bill, to guarantee the right of unionization and collective bargaining. You have the chain store tax bill, which provides funds for our miserably underpaid teachers in small school districts. In this conection may I say that I consider this tax of major importance because it protects the little fellow, and if our system of democracy is to continue we must have a great many small capitalists —not just a few big ones. You have the relief bills, to abolish the poor-house and rationalize our system of public assistance.

Pending, too, are the major utilities bill to provide the newly installed public utility commission with adequate law to force high priced utilities to lower their rates, the rural electrification bill by which cooperatives may be organized to serve four-fifths of the State so far denied service by existing utilities and complementary utility measures to solve railways and other difficulties.

You have the bills which provide a maximum 44 hours a week for the State by which employment may be spread and the health of our working people protected; the police merger; and a number of measures to relieve taxpayers on real estate by consolidation of antiquated government units; the bills to strengthen liquor law enforcement.

These and other bills of equal importance await your action in these closing days. And that is why the lobbyists are here tonight in full force, and will be here until the gavel falls on the 1937 Regular Session of the General Assembly.

I have no fear of a direct frontal attack by these mercenaries of privileged interests. I know you too well for that. I know you have been through the fire in this Session. I know you have met and withstood every form of pressure, political, financial, and social. In the battle

of the people against the lobbyists, I know where you stand.

However, I consider it my duty to sound one warning. In these last days the lobbyists will move heaven and earth to defeat your program through trickery, deceit and fraud. They will stop at nothing. Every possible attempt will be made to delay important bills, so that they will be lost in the last-minute rush. Every conceivable method will be used to insert crippling and destructive amendments. Beware of delays—they are fatal. Beware of amendments, innocent as they may seem, until you have absolutely assured yourself that they are good amendments.

In this one week the white light of public attention is focused upon you. Now, more than ever before in history, the liberal Democratic forces in Pennsylvania face their greatest and most glorious opportunity. Up to now our steps have not faltered, our vision has not dimmed. Our strength is the strength of our ideals. Let us uphold them in this crucial hour. Let us keep faith with the people by keeping faith with ourselves, our principles, our platform. Through the long years the leaders of Democracy have dreamed of this great fulfillment. Now our time has come. Through these weeks and months we have prepared the way for our final advance.

You all know where I stand. In the next few days you will show where you stand. I am confident the people can depend upon you.

The PRESIDENT. Speaking for the General Assembly I extend to the Governor its thanks and appreciation for the remarkable address delivered to us this evening. I think I can say to the Governor, you having done your job, the General Assembly will complete its job and adopt the entire liberal program before we leave this week. Thank you.

The business for which the Joint Session of the General Assembly was convened having been transacted the Joint Session is adjourned, and the Senators will please assemble immediately in the Senate Chamber.

The SPEAKER, (Roy E. Furman), in the Chair.

SPECIAL ORDER ON THIRD READING AND FINAL PASSAGE (HOUSE BILL No. 1690)

The SPEAKER. The Chair lays before the House the special order of business on third reading and final passage fixed for this hour, House Bill No. 1690, Printer's No. 1067, on page 1 of today's calendar.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1690, entitled:

An Act regulating the mining of bituminous coal prescribing duties for county commissioners and imposing penalties

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. WILSON. Mr. Speaker and members of the House, I request every member of this House to take the bill as it has been amended and place it before him upon his desk and follow the brief remarks that I shall make in opposition to it. I desire to call attention to the fact that the calendar does not give any notice or information to this House that the bill has been amended and now relates only to bituminous mines. I want to tell you what the real intent of the act is. It is an act "regulating the mining of bituminous coal prescribing duties for county commissioners and imposing penalties."

In order that this measure may be intelligently discussed at this time it becomes necessary to read the provisions that come in after the enacting clause. I call your attention to these words: "That it shall be unlawful for any owner operator director or general manager superintendent or other person in charge of or having supervision over any bituminous coal mine or mining operation so to mine bituminous coal or so to conduct the operation of mining bituminous coal as to cause the caving in collapse or subsidence of", and then following this five different kinds of property are mentioned. I will not go into detail to tell you what these properties are but you can see it cover almost everything. They do not make any regulation nor do they call attention to the fact that this may or may not infringe upon constitutional rights. They say, "any public building or any structure customarily used by the public as a place of resort assemblage or amusement including but not being limited to churches schools hospitals theatres hotels and railroad stations."

"Any street road bridge or other public passageway dedicated to public use or habitually used by the public."

"Any track roadbed right of way pipe conduit wire or other facility used in the service of the public by any municipal corporation or public service company as defined by the Public Service Company Law."

"Any dwelling or other structure used as a human habitation or any factory store or other industrial or mercantile establishment in which human labor is employed.

"Any cemetery or public burial ground."

I call your attention to the fact that there is no saving clause, that it does not include such words as negligent and wilfull in violation of the instructions of the State mine inspectors.

This act carries with it punishment and any person who is convicted may be sentenced to not more than one year imprisonment and a fine of not over five thousand dollars, either one or both.

Now then, I desire to find out if possible why this act was amended, and I ask permission, Mr. Speaker, to interrogate the sponsors of this bill, either of the gentlemen from Allegheny County, who have put their names on the bill, Mr. McArdle or Mr. Piole. I would like to ask either of those gentlemen a few questions.

The SPEAKER. Will the gentleman from Allegheny, Mr. McArdle, permit himself to be interrogated?

Mr. McARDLE. I will, Mr. Speaker.

Mr. WILSON. Mr. Speaker, I desire to ask the gentleman from Allegheny why the amendment was made limiting the provisions of this bill to bituminous coal.

Mr. McARDLE. Mr. Speaker, in answer to the question of the gentleman from Jefferson, I will say the bill was amended in my absence and I cannot answer that question.

Mr. WILSON. Mr. Speaker, I thank the gentleman for so informing me. I desire to ask the gentleman does

he feel that this bill should be directed at the bituminous mining industry and that the anthracite industry should be exempt from the provisions thereof?

Mr. McARDLE. Mr. Speaker, in answer to the gentleman from Jefferson, I will state that I represent the bituminous region and am interested only in the bituminous region and the mining problems that are confronting that region at the present time.

Mr. WILSON. Mr. Speaker, in this bill it says: "This act is intended as remedial legislation designed to cure existing evils and abuses and each and every provision thereof is intended to receive a liberal construction." Am I to understand that there are existing evils and abuses which should be corrected?

Mr. McARDLE. Mr. Speaker, will the gentleman from Jefferson kindly repeat the question?

Mr. WILSON. Mr. Speaker, I say that this act provides in Section 9 that it "is intended as remedial legislation designed to cure existing evils and abuses and each and every provisions thereof is intended to receive a liveral construction." Do I understand that there are existing evils and abuses that should be corrected, which the gentleman could mention?

Mr. McARDLE. Mr. Speaker, this bill is intended to cure conditions existing in the bituminous coal region, where property is being jeopardized and the public is being jeopardized.

Mr. WILSON. Mr. Speaker, in order to expedite these questions, and I might state that I have prepared forty questions, but I am not going to intrude upon the time of this House to submit them, but I do wish the sponsor of this bill to tell me where these evils and abuses exist, in what county?

Mr. McARDLE. Mr. Speaker, Allegheny and Fayette Counties and various other soft-coal regions in the Commonwealth.

Mr. WILSON. Mr. Speaker, do the sponsors of this bill have any personal information that any of these evils or abuses exist in the following counties: Armstrong, Cambria, Clarion, Clearfield, Elk, Indiana, Jefferson, Huntingdon, Somerset or Tioga.

Mr. McARDLE. Mr. Speaker, if they have bituminous coal, there is danger of it existing, I should say, in the other counties. In further answer to the question of the gentleman from Jefferson, I might say that I have been informed that you cannot legislate for specific counties, and in this bills, therefore, we had to take in the whole bituminous district.

Mr. WILSON. Mr. Speaker, does the gentleman believe that it is proper and right for Allegheny and Fayette counties to come in here and force every other county which mines bituminous coal to accept the provisions of this bill in order to cure the evils and abuses existing in Fayette and Allegheny counties?

Mr. McARDLE. Mr. Speaker, in answer to the question of the gentleman from Jefferson, if the evil does not exist in any of the counties he named, there is not any penalty inflicted on any of the counties. This bill does not inflict any penalty on the county, it inflicts the penalty on the operator.

Mr. WILSON. Mr. Speaker, I desire to ask the sponsor of this bill if Section 2 of this bill does not require the following: "Every owner operator lessor lessee or general contractor engaged in the mining of bituminous coal within this Commonwealth shall make or cause to be made a true and accurate map or plan of the workings or excavation of such bituminous coal mine or colliery which shall be drawn to a scale of such size as to show conveniently and legibly all markings and numbers required to be placed thereon by the terms of this act Such maps or plans shall also show in detail and in markings of a distinctive color all contemplated workings which are intended to be undertaken or developed within the succeeding six months Such maps or plans shall be filed as often as once in six months with the county commissioners of the proper county Such maps or plans shall be considered public records and shall be open to the inspection of the public and copies or tracings may be made therefrom No mining shall be done which is not shown on the map or filed at least ten days previously." I desire to ask the gentlemen who sponsored this bill are not all the operators in all the counties that I have mentioned, whether any such evils or abuses exist or not, required to make these maps and file them with the county commissioners, as required by Section 2?

Mr. McARDLE. Mr. Speaker, the gentleman is correct.

Mr. WILSON. Mr. Speaker, is it not true that Section 3 of the act provides as follows: "Every owner operator lessor lessee or general contractor engaged in the mining of bituminous coal or any president director general manager superintendent or other person in charge of or having supervision over any bituminous coal mine or mining operation in this Commonwealth shall be and is hereby required (a) To designate within a period of six months from the passage of this act and to keep designated by number each and every pillar of coal beneath the surface still remaining in place at the time this act goes into effect and all pillars thereafter created the number of each pillar to place in a conspicuous position with white paint or some other equally durable and visible substance and (b) to designate or cause to be designated by numerals of convenient and legible size upon all maps or plans mentioned in section two of this act with the space on each map or plan designating any pillar of coal the number of such pillar."

I ask the gentleman does not Section 3 compel every owner to do these things in all of the counties I have mentioned, irrespective of whether or not evils and abuses exist in those counties?

Mr. McARDLE. Mr. Speaker, every bituminous operator, that it correct.

Mr. WILSON. Mr. Speaker, is it not true that Section 4 provides that: "The county commissioners and such engineers and other agents as they may employ shall at all reasonable times be given access to any portion of any bituminous coal mines or mining operations which it may be necessary or proper to inspect for the purpose of determining whether the provisions of this act are being complied with and all reasonable facilities shall be extended by the owner or operator of such mine or mining operation for ingress egress and inspection." Why is it necessary to file these maps and endeavor to mark all the pillars and so on, if it is not necessary to punish somebody or take action against somebody?

Mr. McARDLE. Mr. Speaker, in answer to the question of the gentleman from Jefferson, I will say that

this act is intended to protect the surface rights, and it plainly says so in the act. It is an act that does not create any hardship on any operator who is satisfied to operate his mine in the interest of safety and protect the surface rights of the people who have property in the county or municipality.

Mr. WILSON. Mr. Speaker, I desire to ask the sponsor of this bill whether the act is constitutional or not.

Mr. McARDLE. Mr. Speaker, not being a lawyer, I cannot answer that question. Further I do not think it is within the province of the Legislature to decide whether or not it is constitutional.

On the question recurring,

Shall the bill pass finally?

MOTION TO LAY BILL ON TABLE

Mr. ELPERN. Mr. Speaker, I move that this bill be laid on the table.

On the question,

Will the House agree to the motion?

Mr. McARDLE. Mr. Speaker, I ask the members to vote "no" on this motion.

The yeas and nays were required by Mr. McARDLE and Mr. PIOLE and were as follows:

YEAS—64

Arnold,	Hamilton, R. S.,	Moomaw,	Stockham,
Atkins,	Hays,	Muir,	Strode,
Aukerman,	Hetrick,	Patterson, C. S.,	Terry,
Baker, F. T.,	Hindman,	Peale,	Thomas,
Boose,	Holstrom,	Perry,	Trout,
Boyer	Huntley,	Royer,	Turner,
Davies,	Imbrie,	Schrock,	VanAllsburg,
Decker,	Kane,	Schumacher,	Wall,
Dyson,	Kline,	Serrill,	Watkins,
Eckels,	Leisey,	Shugarts,	Webster,
Elpern,	Lyons,	Siegel,	Weidemann,
Fiss,	Matthews, J. F.,	Sloan,	Wilson,
Gillette,	McDevitt,	Snyder,	Winner,
Habbyshaw,	McKinney,	Sollenberger,	Wood,
Hall,	Mellott,	Sproul,	Woodside,
Hamilton, F. P.,	Merrell,	Stackpole,	Yeakel,

NAYS—101

Alexander,	Finnerty,	McElroy,	Scanlon,
Allmond,	Fitch,	McShane,	Schor,
Baine,	Flanagan,	Melchiorre,	Schrope,
Baker, J. J.,	Flannery,	Mihm,	Shepard,
Bierly,	Flinchbaugh,	Mooney,	Shoemaker,
Bohn,	Ganser,	Moran,	Skale,
Bois,	Gerard,	Munley,	Smith, James A.,
Boltz,	Gorski,	O'Brien,	Spengler,
Bradley	Haberlen,	O'Connor,	Stank,
Brancato,	Hagerty,	O'Keefe,	Thompson,
Broad,	Harkins,	Ominsky,	Toole,
Caesar,	Harmuth,	O'Neill,	Tronzo,
Caputo,	Hering,	Ostroff,	Tumelty,
Coakley,	Hess,	Patterson, J. W.,	Valibus,
Cohen, H. B.,	Holland,	Pearson,	VanSickle,
Coleman,	Holmes,	Piole,	Wagner,
Coolahan,	Hontz,	Powers,	Walsh,
Corrigan,	Horting,	Preston,	Weiss, S. A.,
Costanzo,	Keenan,	Readinger,	Westrick,
DeNote,	Kroll,	Reese,	Whalen,
Dickinson,	LaRue,	Richter,	Whitenight,
Donohoe,	Levy,	Robinson,	Wright,
Dougherty,	Lopresti,	Rothenberger,	Yanoshat,
Downey,	Marino,	Ruffennach,	Zappala,
Dubbs,	McArdle,	Sarraf,	Furman,
Falkenstein	McDermott,		

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Mr. WILSON. Mr. Speaker, I desire to ask the sponsors of this bill whether they have communicated in any manner with any of the commissioners of the several bituminous counties of this State with reference to the cost of carrying out the provisions of this bill which would have to be borne by the county.

Mr. McARDLE. No sir, Mr. Speaker.

Mr. WILSON. Mr. Speaker, I desire to ask the gentleman whether he has made any investigation to find out how much room it would take in the county commissioner's office in any of these bituminous counties to file these maps and how much extra labor it would take to keep track of them.

Mr. McARDLE. Mr. Speaker, I have always found plenty of room in any of the court houses which I have ever visited in my travels throughout the State and I do not think that any extra room would be required under this bill.

Mr. WILSON. Mr. Speaker, does the gentleman not know that some of the large coal companies require rooms as large as thirty or forty feet with ceilings from eight to ten feet high to take care of their maps, which extend perhaps over a third of the county?

Mr. McARDLE. That may be true, Mr. Speaker. In answer to the question of the gentleman from Jefferson, I might state that this bill is intended to protect the surface rights of the home owners and the taxpayers who pay for the building of the road. It is a whole lot cheaper to store records than it is to build roads and homes.

Mr. WILSON. Mr. Speaker, I ask the gentleman to turn to Section 5, in which it says that: "The county commissioners shall have the power to prevent the mining of bituminous coal beneath the surface in any mine or mining operation in which the pillars of coal shall not have been numbered and the numbers thereof designated by maps or tracings as provided by this act and where mining operations are being conducted in violation of this act they shall have the power to prevent any miner or laborer other than those necessary for the protection of life and property from entering the mine or mining operation until such time as the provisions of this act have been complied with."

Now, I ask the sponsor of this bill who is to determine whether the act shall have been violated?

Mr. McARDLE. Mr. Speaker, the courts under Section 8 of this bill.

Mr. WILSON. Mr. Speaker, it says, "The Courts of Common Pleas shall have power to award injuctions to restrain violations of this act," but who has the power to determine if it has been violated or not?

Mr. McARDLE. Mr. Speaker, that will arise in the injunction proceedings.

Mr. WILSON. Mr. Speaker, isn't that provided for in Section 4 which says that "The County commissioners and such engineers and other agents as they may employ shall at all reasonable times be given access to any portion of any bituminous coal mines." Doesn't that put the duty squarely on to the county commissioners and such engineers as they may employe?

Mr. McARDLE. Yes sir, Mr. Speaker; that is the purpose of the bill. We want to protect the surface rights of the people who build the roads and homes.

Mr. WILSON. Mr. Speaker, why does not the act say

that they must do so? Why does it leave it to the discretion of the county commissioners?

Mr. McARDLE. Mr. Speaker, I feel that that right and duty should be vested in the county commissioners, who constitute the administrative offices of the counties of the Commonwealth.

Mr. WILSON. Mr. Speaker, how can we ask the county commissioners in these bituminous counties to assume a responsibility under this act without having consulted with any one of them as to the advisability of thereof?

Mr. McARDLE. Mr. Speaker, I did not say that. I said that I did not consult with all of them. I did consult with our county commissioners and they are very much in favor of the bill.

Mr. SCANLON. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Frank P. Hamilton, Decker, Whalen, Flannery, Flanagan, Bierly, Ruffennach, Bradley, Yourishin, Hontz, Spengler, Dickinson, Fitch, Wagner, Gorski, McCullough, Dubbs, Lewis, Shugarts, Pearson and others.

On the question,

Shall the main question be now put?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. WILSON. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Jefferson will state his question of parlimentary inquiry.

Mr. WILSON. Mr. Speaker, I desire to ask the question whether the previous question does not mean that the bill shall pass finally, and following that a roll call without any further remarks to be made upon the question of the final passage of this bill?

The SPEAKER. If the House votes in favor of the motion of the gentleman from Philadelphia, it shuts off all debate upon the bill, and an immediate roll call will be taken.

On the question recurring,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—117

Achterman,	Donohoe,	McArdle,	Rothenberger,
Alexander,	Dougherty,	McDermott,	Ruffennach,
Allmond,	Downey,	McElroy,	Sarraf,
Aukerman,	Dubbs,	McFall,	Scanlon,
Baine,	Falkenstein,	McShane,	Schor,
Baker, J. J.,	Finnerty,	Melchiorre,	Shea,
Balthaser,	Fitch,	Mellott,	Shepard,
Bierly,	Flanagan,	Mihm,	Shoemaker,
Blank,	Flannery,	Moomaw,	Skale,
Bohn,	Gerard,	Mooney,	Smith, James A.,
Bois,	Gorski,	Moran,	Spengler,
Boltz,	Hagerty,	Moul,	Stank,
Bradley	Harkins,	Munley,	Thomas,
Brancato,	Harmuth,	Nagel,	Thompson,
Brigerman,	Hering,	O'Brien,	Toole,
Broad,	Hess,	O'Connor,	Tumelty,
Brown,	Hirsch,	Ominsky,	Valibus,
Burrows,	Holland,	O'Neill,	VanSickle,
Caesar,	Holmes,	Ostroff,	Vogt,
Caputo,	Hontz,	Patterson, J. W.,	Wagner,
Coakley,	Horting,	Pearson,	Walsh,
Cohen, H. B.,	Jirolanio,	Pershing,	Weiss, D. H.,
Cohen, R. E.,	Keenan,	Piole,	Weiss, S. A.,
Coleman,	Kilroy,	Powers,	Westrick,
Coolahan,	LaRue,	Preston,	Whalen,
Corrigan,	Levy,	Readinger,	Wright,
Costanzo,	Lewis,	Reese,	Yanoshat,
Davies,	Long,	Reising,	Yourishin,
DeNote,	Lovett,	Richter,	Zappala,
Dickinson,	Marino,	Robinson,	Furman,

NAYS—60

Allen,	Hamilton, F. P.,	Muir,	Strode,
Arnold,	Hays,	Peale,	Terry,
Atkins,	Hetrick,	Perry,	Trout,
Baker, F. T.,	Hindman,	Royer,	Turner,
Boose,	Huntley,	Schrock,	VanAllsburg,
Boyer	Imbrie,	Schumacher,	Wall,
Cadwalader,	Kane,	Serrill,	Watkins,
Decker,	Kelso,	Shugarts,	Webster,
Dyson,	Kline,	Sloan,	Weidemann,
Eckels,	Leisey,	Smith, John A.,	Wilson,
Elpern,	Lopresti,	Snyder,	Winner,
Fiss,	McCullough,	Sollenberger,	Wood,
Ganser,	McDevitt,	Sproul,	Woodside,
Gillette,	McKinney,	Stackpole,	Yeakel,
Hall,	Merrell,	Stewart,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

SENATE BILL No. 274.

An Act relating to satutory laws prescribing an enacting clause for statutes fixing the effective date and time of statutes hereafter enacted providing for notice of application for local and special legislation for the correction of errors in statutes and for the printing and publication of statutes prescribing rules for the interpretation of statutes defining certain words and phrases when used in statutes and prescribing rules for the construction and operation of amendments re-enactments and repeals of statutes

SENATE BILL No. 610.

An Act providing for the creation of a legal holiday on September 17, 1937 to the known and observed as "Constitution Day"

SENATE BILL No. 643.

An Act regulating and prescribing the computation and running of sentences for criminal offenses

SENATE BILL No. 931.

An Act to validate certain proceedings for municipal improvements muncipal assessments municipal claims and municipal liens in the several cities of the third class boroughs and townships of the first class of this Commonwealth and validating such improvements assessments claims and liens providing for the filing of claims and liens therefor and the proceedings for the collection of such assessments claims and liens

SENATE BILL No. 1047

An Act to amend the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities ac-

counts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's execptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the Court of Common Pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents" as amended by further modifying the terms qualifications and other conditions under which the investment of trust funds may be made by fiduciaries by further providing for additional investments of trust funds by fiduciaries and by further providing with respect to the retention or sale of certain investments in the hands of fiduciaries

SENATE BILL No. 1086.

"An Act validating certain procedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws 65) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof" and the amendments and supplements thereto and validating bonds issued or authorized to be issued in pursuance of such proceedings and elections and in case any bonds have been sold by a municipality and the publication of notices of the sale have been defective to cure such defective publication of sale notices and validate the sale thereof

SENATE BILL No. 1133.

An Act validating certain proceedings and elections of municipalities had and held pursuant to the provisions of an act approved the twentieth day of April, one thousand eight hundred and seventy-four (P. L. 65) entitled, "An act to regulate the manner of increasing the indebtedness of municipalities, to provide for the redemption of the same, and to impose penalties for the illegal increase thereof," and the amendments and supplements thereto, and validating bonds issued or authorizied to be issued in pursuance of such proceedings and elections, and in case any bonds have been sold by a municipality and the publication of notices of the sale have been defective, to cure such defective publication of sale notices and validate the sale thereof.

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF HOUSE BILL No. 1071

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 22, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed in the amount of $500.00, House Bill No. 1071, Printer's No. 822, entitled, "A Joint Resolution Authorizing the appointment of a Commission to make a survey of the topography of the Commonwealth to make recommendations concerning landing fields and aviation facilities and making an appropriation."

GEORGE H. EARLE.

SENATE MESSAGE

CONCURRENCE IN HOUSE RESOLUTION No. 83

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives as follows:

In the House of Representatives, May 11, 1937.

Whereas The Seventh World's Poultry Congress will be held in the United States in the early part of 1939 which will be its first meeting in the United States and

Whereas The United States is now the leading poultry producing and consuming nation of the world and

Whereas Pennsylvania ranks fire among the states in the value of eggs produced fourth in the value of chickens raised fifth in the number of eggs produced and seventh in the number of chickens raised therefore be it

Resolved (if the Senate concur) That the Commonwealth of Pennsylvania hereby invites the Seventh World's Poultry Congress to hold its 1939 exhibition in Pennsylvania and urges favorable consideration of this invitation because of the importance of Pennsylvania in the poultry industry and the suitable exhibition places which are available for such purposes in this State

Resolved That a copy of this resolution be transmitted to the committee in charge of the selection of the place for the holding of this exhibition by the Chief Clerk of this House

REPORTS FROM COMMITTEES

Mr. SHOEMAKER, from the Committee on Motor Vehicles. reported as committed, House Bill No. 2439, (Senate Bill No. 1216) entitled:

An Act to further amend subsection (e) of section eight hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrains and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates alderman justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" requiring all motor vehicles trailers and semi-trailers to have red reflectors at the rear.

Mr. McELROY, from the Committee on Highways, re-reported as amended, House Bill No. 1801, entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing certain routes and adding certain new routes.

STATEMENT BY MR. TROUT

Mr. TROUT asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House I wish to present at this time, the Third Preliminary Report of the Tax Study Commission, authorized by joint resolution of the Senate and the House.

It may be recalled that in the preamble of the resolution under which this commission was appointed, it was stated that there was uncertainty in the minds of the Legislature as to the accuracy of arguments against certain of our State taxes, which arguments were to the effect that those taxes were driving many industries out of Pennsylvania.

The first preliminary report of this committee was made to the Senate on April 19, 1937 by Senator Dent, Chairman. It dealt with the bituminous coal industry in Pennsylvania and is now a part of the legislative journal.

The second preliminary report was likewise made to the Senate on May 17, 1937 by Senator Dent, Chairman, and death with the anthracite coal industry of this State. That report also is a part of the legislative journal.

This third preliminary report of the committee will deal with certain branches of the manufacturing industry in certain sections of our State. In presenting to the Legislature the importance and the significance of facts here submitted, the committee wishes to emphasize that it has been functioning but a very short time. What we set forth in this report, therefore, is little more than a scattered scratching of the surface of this very serious situation. We do desire, however, to give to the Legislature some convincing evidence that its committee is industriously pursuing its task. And even at this early date we are in a position to say that the migration of industries from Pennsylvania has reached a point where all thoughtful citizens, and especially those entrusted with the making of our laws, well may pause to give serious consideration to the causes of these removals and the painful consequences of this continued exodus of production, employment and payrolls from our State.

As a part of this present statement, we give the names, former addresses, number of workers that were employed and the approximate payrolls of twenty-four concerns in a single branch of manufacture that have moved out of Pennsylvania from a single city in this Commonwealth within the last two years. We concede that this list is not complete even for this single branch of enterprise in only one city, for the period of only two years, but we do contend that it is deeply signficant of a tragic trend which we of Pennsylvania cannot longer ignore or accept without some drastic efforts to remove the causes and stop these losses which are draining employment and purchasing power away from our State.

The twenty-four plants which we are listing in this report furnished regular employment to about 6,720 workers, at an annual payroll of $9,828,000. That is yearly amount of actual wages that has been lost by labor in that one city, through the removal of those concerns to other states. It is the sum, therefore, that has been taken from the purchasing power of that community and this State, and which consequently has been lost to a great variety of other entreprises, because those businesses found it to their advantage to leave this Commonwealth and locate elsewhere.

Mr. Speaker and members of the House, I will not take up your time to read a list of the industries that we have recorded here, but a copy of this report will be placed on each desk and you will have an opportunity of reading those when you so desire.

All that has been set forth here cannot be regarded as more than a cursory glance at the Pennsylvania situation; yet these specific migrations, liquidations, transfers and closings account for a total annual payroll, lost or displaced, amounting to more than $16,000,000 a year.

As an illustration of the manner in which Pennsylvania taxes upon business are now operating. in comparison with nearby industrial states, we submit the following letter of the Armstrong Cork Company, Lancaster, Pa., in response to an inquiry by a member of this committee.

The essence of the whole problem is in that line of figures which is captioned "Taxes per $1,000 of Investments."

The letter sets forth the facts of the financial set-ups of the company's plants in Pennsylvania, New Jersey, New York and Massachusetts. In New Jersey the total of its state taxes amounts to 71 cents per one thousand dollars of investments. In Massachusetts it is $3.48; in New York it is $5.95. But in Pennsylvania it amounts to $18.12. In other words, on the investments based, that company's taxes in Pennsylvania are three times the rate prevailing in New York; five times the rate in Massachusetts; and twenty-five and one half times the rate in New Jersey. The figures are all for the year 1936.

We also present here a statement prepared by the Comptroller of The Raybestos-Manhattan, Inc., of Passaic, N. J., showing the Pennsylvania State taxes upon the U. S. Asbestos Division, located at Manheim, Pa., for the years 1932 to 1936, inclusive.

Mr. Speaker and members of the House, the two cases already cited give added significance to the startling disparity between the Pennsylvania State taxes upon the Curtis Publishing Company, Philadelphia, for 1936 as compared with the total of State taxes which that company, with the same financial set-up would have paid for the same year in either of three adjoining states, New Jersey, Delaware or Ohio.

Disregarding the Social Security taxes, which would be the same in any state, the Curtis Publishing Company prepared for this committee an estimate of its 1936 tax bill to the State, which shows that the total taxes paid to the State of Pennsylvania was $716,000. But as between the time that estimate was prepared and its be-

ing forwarded to the committee, the Pennsylvania Department of Revenue made an audit which indicates that those figures will have increased by $35,000, so that the total for 1936 will be $751,000.

That figure is almost precisely one hundred times the total state taxes that would have been imposed upon the Curtis Publishing Company by New Jersey, to which State the company now is making ready to move.

In Delaware the total would have been slightly less than New Jersey, or a trifle more, depending upon whether or not the concern would be subject to the Manufacturers License Tax of that state. Then follows an estimate of the taxes in the State of Delaware.

Another concern that has been driven to serious preparations for leaving this State, and which is in a position to do so without any great difficulty, is the Dixie-Vortex Company, of Easton manufacturers of sanitary drinking cups.

This company was prevailed upon to move into Pennsylvania from New York about fifteen years ago, because of conditions more favorable to industry in this State. It put up a plant which, added to from time to time, has cost about $1,000,000. It started with two hundred employes, and now averages seven hundred fifty the year around, with an annual payroll of approximately $1,000,000. And the important thing about this concern, from a community viewpoint, is that it generates between ten percent and twenty percent of the entire purchasing power created in the Easton industrial area. Also, it was the the only concern in that section which was able to maintain virtually full-time employment throughout the entire period of depression. I have further figures given to us by the President of the concern.

We want to say in conclusion, Mr. Speaker and members of the House, that we have felt that these specific cases, produced within the short period that your committee has been at work, should be presented to the Legislature at once, although they cannot be considered to comprise anything like a complete report. I ask that this report be placed in the Legislative Journal.

The SPEAKER. The Third Preliminary Report of the Tax Study Commission will be noted in the Journals and printed in the Appendix to the Legislative Journal.

QUESTION OF INFORMATION

Mr. HERBERT B. COHEN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from York will state his question of information.

Mr. HERBERT B. COHEN. Mr. Speaker, is the next order of business the first reading of bills on the calendar?

The SPEAKER. That is correct.

Mr. HERBERT B. COHEN. Mr. Speaker. I will not make my motion for a special order of business on certain bills appearing on the second reading and third reading calendars until after the House finishes the first reading calendar.

STATEMENT BY MR. BAINE

Mr. BAINE asked and received unanimous consent to make the following statement:

Mr. Speaker and members of the House, I listened with a great deal of interest to the report submitted by the Tax Study Commission appointed by the House and Senate to investigate and ascertain reasons for the migration of Pennsylvania industries to other states. I just want to point out at this time that perhaps it might be a good idea for the Tax Commission and the committee investigating this matter to write to Mr. Irvin, President of the United States Steel Corporation, and Mr. Fairles, President of the Carnegie-Illinois Steel Corporation, who are contemplating at the present time building a new fifteen million dollar mill on the outskirts of Pittsburgh. I might ask the members of the House if industry is driven out of the State of Pennsylvania by excessive taxation why such a big firm as the United States Steel Corporation would contemplate building a mill of such magnitude in Pennsylvania.

STATEMENT BY MR. HARKINS

Mr. HARKINS asked and received unanimous consent to make the following statement:

Mr. Speaker and members of the House, I merely would like to correct the figure of the gentleman from Allegheny, Mr. Baine, inasmuch as this new mill which is contemplated being built and for which ground has been broken, is in the legislative district represented by my colleague Mr. Boies and myself. The figure given by Mr. Baine was fifteen million dollars, but in the newspaper reports the estimated value ranges from fifty million to sixty million dollars. I would like to have the record carry a closer and more accurate estimate of the value of that mill. I feel that the remarks of the gentleman from Allegheny, Mr. Baine, were very timely with the regard to the so-called flight of industry from Pennsylvania.

BILL AND MESSAGE TAKEN FROM TABLE

Mr. LaRUE. Mr. Speaker, I move that House Bill No. 158, Printer's No. 770, together with the message from the Senate which were laid upon the table be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 158.

An Act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend article III, section 309, page 19, line 10, by striking out after the word "therefor" the word "shall" and inserting in lieu thereof the word "may"; also in line 11, by striking out before the word "sixty" the word "of" and inserting in lieu thereof the words "not exceeding"; also in line 22, by striking out after the word "thereof" the word "shall" and inserting in lieu thereof the word "may"; also in line 23, by striking out the words "less than three months nor"

Amend article III, page 19, by striking out all of lines 25 to 29 inclusive, and on page 20 by striking out all of lines 1 to 3 inclusive as follows:

"Section 310 Acid Mine Drainage The provisions of this article shall not apply to acid mine drainage from coal mines until such time as in the opinion of the Sanitary Water Board practical means for the removal or reduction of the polluting properties of such drainage shall become known", and inserting in lieu thereof the following:

"Section 310 Acid Mine Drainage and Silt The provisions of this article shall not apply to acid mine drainage and silt from coal mines until such time as in the opinion of the Sanitary Water Board practical means for the removal of the polluting properties of such drainage shall become know"

On the question,

Will the House concur in the amendments made by the Senate?

Mr. LaRUE. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

HOUSE BILL No. 1839 MADE A SPECIAL ORDER

Mr. MARINO. Mr. Speaker, I move that House Bill No. 1839, Printer's No. 717, entitled:

An Act to define the power of the Supreme and Superior Courts in declaring laws enacted by the General Assembly to be unconstitutional

on page 45 of today's calendar, bills on final passage postponed be made a special order of business at 11:15 p. m. today.

The motion was agreed to.

SPECIAL ORDER ON FINAL PASSAGE (HOUSE BILL No. 1839)

The SPEAKER. The Chair lays before the House the special order on final passage fixed for this time, House Bill No. 1839, Printer's No. 717, on page 45 of today's calendar.

Agreeably to order,

The bill having been called up from the postponed calendar by Mr. MARINO.

The House resumed the consideration on final passage of House Bill No. 1839, entitled:

An Act to define the power of the Supreme and Superior Courts in declaring laws enacted by the General Assembly to be unconstitutional

On the question recurring,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker and members of the House. this is a bill which was defeated in this House and which provided that constitutional questions must be decided by a six to one vote in the Supreme Court before that court can declare them unconstitutional. I think every member of this House will recall the very eloquent statement and the very logical statement of the gentleman from Allegheny, Mr. Brown, upon this measure when it was before the House before, and I therefore do not believe that it is necessary for me to enter into any extended argument on the merits of the bill.

I think, however, I might summarize it to some extent by repeating that I think the bill is unconstitutional as invading the prerogative and the field of the legislative branch of government. I think in the second place that it is absolutely wrong because on questions involving constitutionality we might just as well provide that those questions shall be decided by a full court of seven as to provide that they shall be decided by a vote of six to one. After all we ought to understand something about the background and history of our Constitution in this country. We must understand that the Constitution is a written set of rules for the government of our people, and that our Constitution delegates to the State only such authority that the people care to give them under the Constitution. It is the great genius of our American system of government, not only in our State, but in the United States as a whole, that provided a separate judicial department quite different from the government which was known to our forefathers in Europe, in which the judiciary did not have its separate and distinct function as it does in this country. Such powers as are given are delegated by the people to the government, but they are limited, and the State government can have only those powers and can only extend them as far as the written rules governing our State policies and our political scheme permits. In such a situation we decide that question as we decide questions here in the House. We decide the questions here in the House by a constitutional majority, which is a majority of the members elected to this body. Therefore, it would seem to me there is no more reason why we should provide that in the Supreme Court constitutional questions should be decided by a six to one vote than we might decide that here in the House the passage of bills must be by a two-thirds vote or by one hundred and eighty votes or something of that kind. We decide our questions here, our constitutional questions, by a constitutional majority, which is a majority of the members elected to this House.

I think, however, there is an additional significance in the bill and that is in the fact that there was a motion that we reconsider the vote by which it passed second reading. There has been abroad in the land in the last few months too much of the spirit of interference with our courts. There has been abroad in the land too much misunderstanding of the functions of our courts. There has been abroad in the land a spirit to tear down the old institutions that have been the bulwark of the liberty of our people.

Those people who call themselves liberal and who pretend to arise in defense of the rights of the ordinary man, those same persons should be the first to defend the cause of the courts because the Supreme Court of the United States has been the last line of defense of the liberties of the people. Many of our people anxious for reforms or such things as they believe to be reforms, seem to be of the opinion that they should tear aside the institution that they believe stands in their way. But I say to you it is far more important to the people of Pennsylvania and to the people of the United States to pro-

tect the liberty of our people than it is to have any of the other questions that you believe will be for the benefit of them as a whole decided in their favor. Legislation should come after consideration and debate on all sides, and in that way I believe in the end we generally arrive at the best conclusions. Perhaps we are sometimes laggard in our realization of that which is for the best interest of the people, and we get rid of many bad pieces of legislation and we do away with legislation that in the end would be to the detriment of the people and not to the benefit of the people. So, the other day I was amazed that immediately after the Supreme Court of the State of Pennsylvania had made a decision to the ripping out of a certain board in the City of Philadelphia, there was immediately a movement and a motion made by one of the members of the House from the floor of the House that the vote by which this bill was defeated be reconsidered, and I have been wondering, as undoubtedly some of the other members of the House have been wondering, whether there was a significant coincidence in the fact that immediately after the Pennsylvania Supreme Court made its decision that a motion was made on the floor of this House that the vote be reconsidered. Is this a threat? Is this a hold-up over the heads of the Supreme Court of Pennsylvania to secure the passage of legislation, and is this a threat on the part of members of this House that if the Supreme Court of Pennsylvania does not do its bidding that we will write into the legislative statutes of Pennsylvania some legislation that shall curtail its activities, that will curtail its functions? If that be true then it behooves every member of the House to stand firm tonight and vote down this bill. It behooves everyone to think hard and to think logically and sensibly at this time upon a measure that will undoubtedly have a great affect upon the future of the people of Pennsylvania, and I trust that under these circumstances this House will do, as it has done in the past, vote "no" upon this bill.

Mr. YOURISHIN. Mr. Speaker and members of the House, I just want to make a short statement to the effect that the Pennsylvania State Federation of Labor has endorsed this bill, and I ask the friends of labor to vote "aye" on this measure.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—105

[illegible],	Dubbs,	McElroy,	Schrope,
[illegible],	Elpern,	McFall,	Shaw,
[illegible],	Falkenstein,	McShane,	Shea,
[illegible],	Finnerty,	Melchiorre,	Shepard,
[illegible],	Fitch,	Moomaw,	Shoemaker,
[illegible],	Flanagan,	Mooney,	Shugarts,
[illegible],	Flannery,	Moran,	Skale,
Bradley	Gerard,	Munley,	Smith, James A.,
Brancato,	Haberlen,	Murrin,	Smith, John A.,
Brigerman,	Hagerty,	Nagel,	Spengler,
Broad,	Hamilton, F. P.,	O'Brien,	Stank,
Brownfield,	Harmuth,	Ominsky,	Thomas,
Caesar,	Hering,	O'Neill,	Toole,
Caputo,	Hindman,	Ostroff,	Tronzo,
Coakley,	Holland,	Patterson, C. S.,	Valibus,
Cohen, H. B.,	Holmes,	Patterson, J. W.,	VanSickle,
Cohen, R. E.,	Holstein,	Pershing,	Vogt,
Coleman,	Hontz,	Piole,	Wagner,
Coolahan,	Horting,	Powers,	Walsh,
Corrigan,	Jirolanio,	Reese,	Weiss, D. H.,
Costanzo,	Keenan,	Reising,	Weiss, S. A.,
Lewis,	Richter,	Wright,	Decker,
Long,	Robinson,	Yanoshat,	DeNote,
Lovett,	Ruffennach,	Yourishin,	Dickinson,
Marino,	Rush,	Zappala,	Donohoe,
McArdle,	Scanlon,	Furman,	Dougherty,
McDermott,	Schor,		Downey,

NAYS—73

Achterman,	Harkins,	O'Connor,	Stockham,
Arnold,	Hess,	Peale,	Strode,
Atkins,	Hetrick,	Pearson,	Terry,
Baker, F. T.,	Huntley,	Perry,	Thompson,
Balthaser,	Imbrie,	Preston,	Trout,
Boltz,	Kane,	Readinger,	Turner,
Boose,	Kelso,	Rothenberger,	VanAllsburg,
Boyer	Kroll,	Royer,	Wall,
Brown,	LaRue,	Schrock,	Watkins,
Cadwalader,	Leisey,	Schumacher,	Webster,
Davies,	Lopresti,	Serrill,	Weidemann,
Dyson,	Lyons,	Siegel,	Welsh,
Eckels,	Matthews, J. F.,	Simon,	Westrick,
Fiss,	McCullough,	Snyder,	Wilson,
Gillette,	McDevitt,	Sollenberger,	Winner,
Gorski,	McKinney,	Sproul,	Wood,
Habbyshaw,	Mellott,	Stackpole,	Woodside,
Hall,	Muir,	Stewart,	Yeakel,
Hamilton, R. S.,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1801, entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws five hundred ninety-four) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing certain routes and adding certain new routes.

And said bill having been read at length the first time,

Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. SIEGEL. Mr. Speaker, I move that this bill be recommitted to the Committee on Highways for the purpose of further study and possible amendment.

The motion was agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. KILROY asked and obtained permission for the Committee on Highways to meet during the session of the House.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2254, (Senate Bill No. 771), entitled:

An Act relating to non-profit cooperative corporations organized to engage in rural electrification providing for

the organization consolidation and dissolution of such corporations prescribing the qualification for membership therein conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing cooperative or non-profit corporations and associations within the provisions of this act conferring powers and imposing duties on certain State departments commissions and officers fixing fees conferring the right of eminent domain prohibiting the use of certain terms in the corporate names of other corporations exempting such corporations from excise taxes imposing on them a license fee and exempting such corporations from the jurisdiction of the Pennsylvania Public Utility Commission and from the provisions of the Securties Act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1838, entitled:

An Act to amend section five of the act approved the first day of May one thousand nine hundred and nineteen (Pamphlet Laws one hundred three) entitled "An act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings requiring the approval of the Commission of the design and location of all public monuments memorials buildings or other structures and certain private structures proposed to be erected anywhere in this Commonwealth other than in cities of the first and second classes" extending the powers of the State Art Commission to bridges and subjects and over bordering streams.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2401, entitled:

An Act validating certain sheriffs' sales of real estate and the title to such real estate in the hands of purchasers their heirs grantees and assigns.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1327, entitled:

An Act providing for the construction of slack water dams in conjunction with State highway bridge and culvert improvements; defining the powers and duties of the Department of Highways, and the Water and Power Resources Board; authorizing political subdivisions, persons, copartnerships, associations, corporations and the Board of Fish Commissioners to contribute to the cost of the construction, maintenance and repair of any such dam; providing for acceptance by agencies of the Commonwealth of gifts and lease of lands; and making appropriations from the Motor License Fund and the Fish Fund.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1776, entitled:

An Act relating to the trade or occupation of shoe rebuilder remodeler or repairman providing for the licensing of persons engaged in such trade or occupation and for the revocation of such licenses subject to appeal and creating the Shoe Rebuilders Remodelers and Repairmen's Licensing Board as a departmental administrative board in the Department of Labor and Industry.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. HERBERT B. COHEN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Boards for the purpose of further study and possible amendment.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2351, (Senate Bill No. 1110), entitled:

An Act to add subdivision (h) to Article fifteen of the act, approved the first day of May, one thousand nine hundred and thirty-three (Pamphlet Laws one hundred three) entitled "An act concerning townships of the second class; and amending, revising, consolidating, and changing the law relating thereto," by providing for a revolving fund for permanent street, sidewalk and sewer improvements.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2355, (Senate Bill No. 1119), entitled:

An Act providing for the qualification, examination, appointment, term of office and removal of Anthracite Mine Inspectors; conferring powers and imposing duties in connection therewith upon the Governor, the Anthracite Mine Inspectors' Examining Board, the Department of Mines and the courts; and imposing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2357, (Senate Bill No. 1137), entitled:

A Joint Resolution proposing an amendment to Article nine of the Constitution of the Commonwealth of Pennsylvania by adding section eighteen.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2350, (Senate Bill No. 1109), entitled:

An Act to amend section two thousand six hundred and one of the act approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws one thousand two hundred six) entitled, "An act concerning townships of the first class; amending, revising, consolidating and changing the law relating thereto," providing for the beginning of a revolving fund for street, sidewalk and sewer improvements by funds raised from bond issues.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2354, (Senate Bill No. 1116), entitled:

An Act to amend section one of the act approved the eighth day of July one thousand nine hundred and nineteen (Pamphlet Laws seven hundred fifty-nine) entitled "An act granting the right and lawful authority to corporations to construct operate and maintain tunnels under the bed of navigable streams where necessary to reach their coal supply subject to the approval of the Water Supply Commission" extending the provisions of said act to additional corporations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2417, (Senate Bill No. 1168), entitled:

An Act to amend section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws six hundred sixty-two) entitled "An act relating to retirement from the Pennsylvania National Guard" as amended by the act approved the twelfth day of July one thousand nine hundred and thirty-five (Pamphlet Laws six hundred eighty-one) by providing that service in excess of thirty-nine years and five months may be counted as more than forty years of service.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2167, (Senate Bill No. 681), entitled:

An Act to amend section five of the act approved the twenty-ninth day of November, one thousand nine hundred thirty-three, (one thousand nine hundred thirty-three-one thousand nine hundred thirty-four—Pamphlet Laws, thirteen) entitled, "An act creating an independent administrative board to be known as the Pennsylvania Liquor Control Board," by making further provisions with respect to the fidelity bonds of the members, secretary and employes of the board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2426, (Senate Bill No. 1304), entitled:

An Act for the conveyance to the United States of America of title in and to certain lands in the Township of Fairview County of York and ceding to the United States jurisdiction over said lands.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2445, (Senate Bill No. 1301), entitled:

An Act providing for the erection construction and equipment of armories for the use of the Pennsylvania National Guard designating the manner of acquiring or setting aside of land for the erection and construction of armories thereon by The General State Authority authorizing the Commonwealth to lease such armories and their grounds from The General State Authority upon their completion and the Armory Board of the State of Pennsylvania to manage an doperate the same and conferring powers and imposing duties upon certain State departments and boards.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SIMON asked and obtained permission for the Committee on Ways and Means to meet during the session of the House.

BILL MADE SPECIAL ORDER

Mr. HERBERT B. COHEN. Mr. Speaker, I move that the following bills on today's calendar be made a special order of business in their order upon the adoption of this motion:

Second Reading:

House Bill No. 2290	(Senate Bill No. 871)
House Bill No. 2291	(Senate Bill No. 872)
House Bill No. 2010	
House Bill No. 2012	
House Bill No. 1262	
House Bill No. 1126	
House Bill No. 1417	(Senate Bill No. 197)
House Bill No. 2334	(Senate Bill No. 199)
House Bill No. 1781	
House Bill No. 2342	(Senate Bill No. 855)
House Bill No. 2328	(Senate Bill No. 1166)
House Bill No. 2255	(Senate Bill No. 875)
House Bill No. 2370	(Senate Bill No. 758)
House Bill No. 1789	
House Bill No. 2436	
House Bill No. 844	
House Bill No. 143	
House Bill No. 1237	
House Bill No. 1135	
House Bill No. 2402	

Bills on Final Passage Recalled from the Governor:

House Bill No. 647	
House Bill No. 2055	

Bills on Final Passage:

House Bill No. 1222	
House Bill No. 2222	(Senate Bill No. 749)

Bills on Third Reading:

House Bill No. 2057	
House Bill No. 2269	(Senate Bill No. 759)
House Bill No. 2253	(Senate Bill No. 358)
House Bill No. 865	
House Bill No. 2252	(Senate Bill No. 357)
House Bill No. 2282	(Senate Bill No. 773)
House Bill No. 2296	(Senate Bill No. 1023)
House Bill No. 1894	
House Bill No. 408	
House Bill No. 1959	
House Bill No. 1817	
House Bill No. 1390	
House Bill No. 2333	(Senate Bill No. 148)
House Bill No. 2188	(Senate Bill No. 679)
House Bill No. 2356	(Senate Bill No. 1122)
House Bill No. 2321	(Senate Bill No. 1121)
House Bill No. 2140	(Senate Bill No. 481)
House Bill No. 2232	(Senate Bill No. 708)
House Bill No. 1640	

On the question,

Will the House agree to the motion?

QUESTION OF INFORMATION

Mr. TURNER. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Delaware will state his question of information.

Mr. TURNER. Mr. Speaker, do I understand that the motion of the gentleman from York carries with it that these bills shall be a special order of business first on the second reading calendar, then without completing the second reading calendar, that there shall be a special order of business on the third reading calendar?

The SPEAKER. In answer to the question of the gentleman from Delawar, the second reading bills will be considered first, then bills on final passage recalled from the Governor, bills on final passage, and last third reading bills.

Mr. TURNER. Mr. Speaker, as I understand the motion of the gentleman from York he did not state any time for the third reading bills or for the appropriation bills.

The SPEAKER. He made them a special order of business in their order on their respective calendars on the adoption of the motion.

Mr. TURNER. In other words, Mr. Speaker, when we have passed all of the second reading bills then we immediately go on special order on third reading.

The SPEAKER. On final passage recalled from the Governor, final passage bills and third reading bills.

On the question recurring,

Will the House agree to the motion?

It was agreed to.

BILLS ON SPECIAL ORDER

The SPEAKER. The Chair now lays before the House the special order of business fixed for this hour, which is the consideration of the bills included in the motion just adopted.

BILLS ON SECOND READING
(SPECIAL ORDER)

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2290, (Senate Bill No. 871), entitled:

An Act to amend the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" by conferring on such counties the power to adopt ordinances and resolutions providing for the zoning and regulation of the location height bulk and use of buildings and other structures and of the uses of land and the requirement of building permits in the portions of counties lying outside of cities boroughs and townships of the first class providing for the creation organization powers and duties of county zoning commissions and boards of adjustment imposing duties on the State Planning Board and on State officials departments and agencies and prescribing penalties

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2291, (Senate Bill No. 872), entitled:

An Act to amend Article six of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" providing for county and regional planning and the creation organization and powers of county and regional planning commissions and imposing duties on certain city borough town and township authorities

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2010, entitled:

An Act to amend section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" as amended by changing certain routes and adding certain new routes

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following routes established by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or

maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" and the amendments thereto are hereby amended to read as follows

Beginning at a point on the Chester Township-Chester City line thence over Flower Street to [an intersection with Ninth Street] the Chester-Bridgeport Ferry in the City of Chester a distance of about [0.05] 0.75 of a mile

Beginning at a point on Kutztown Road on the dividing line between the City of Reading and Muhlenberg Township thence over Kutztown Road to the intersection of Kutztown Road and Ninth Street thence over Ninth Street to the intersection of Ninth Street and Eighth Street thence over Eighth Street to the intersection of Eighth Street and Spring Street thence over Spring Street to the intersection of Spring Street and [Fifth Street] Centre Avenue in the City of Reading a distance of about [1.50] 1.77 miles

Beginning at a point on the line dividing the Township of Cumru and the City of Reading and extending in a northerly direction over Ninth Street to a point at the intersection of Ninth Street and [Penn] Eighth Street in the City of Reading a distance of about [.97 of a mile] 2.0 miles

Beginning at a point on the intersection of Chestnut Street and Bingaman Street thence westerly over Chestnut Street to the intersection of Chestnut Street and Second Street [and Penn Street and extending] thence in a northerly direction over Second Street to a point at the intersection of Second Street and Washington Street thence in a westerly direction over Washington Street to a point at the intersection of Washington Street and Front Street thence in a northerly direction over Front Street to a point at the intersection of Front Street and Schuylkill Avenue thence in a northwesterly direction over Schuylkill Avenue to a point on the line dividing the City of Reading and the Township of [Muhlenberg] Bern in the City of Reading a distance of about [1.95] 3.14 miles

The second section was read as follows:

Section 2 That said section two is hereby amended by adding thereto the following routes

Beginning at a point on the Hanover Township-Allentown City line thence in a southerly direction on North Bradford Street to an intersection with Route 157 at North Bradford Street and Union Boulevard in the City of Allentown Lehigh County a distance of about 0.9 of a mile

Beginning at a point on the city line of Allentown about 0.02 of a mile south of Bogerts Bridge thence easterly to a point on Route 39016 near Bogerts Bridge in the City of Allentown Lehigh County a distance of about 0.01 of a mile

Beginning at a point at the intersection of Plank road and Logan Avenue in the City of Altoona thence in a northerly direction on Logan Avenue and Thirty-sixth Street to a point on Sixth Avenue at the intersection of Thirty-sixth and Race Streets thence in a northerly direction on Race Street to the intersection of Race Street and Broad Avenue in the City of Altoona a distance of about 1.40 miles

Beginning at a point at the intersection of Broad Avenue and Thirty-first Street in Altoona City thence in a northwesterly direction on Thirty-first Street to a point at the intersection of Thirty-first Street and Walnut Avenue in the City of Altoona a distance of about 0.25 of a mile.

Beginning at the intersection of Hellertown Road and Coke Works Road thence easterly and southeasterly on Coke Works Road to a point on Route 48006 at the Lower Saucon Township line in the City of Bethlehem Northampton County a distance of about 1.29 miles

Beginning at a point on the dividing line between Mill Creek Township and the City of Erie thence over South Gore Road to an intersection with Glenwood Park Avenue in the City of Erie a distance of about 0.01 of a mile

Beginning at a point on the West Hazleton Borough-Hazleton City line thence in an easterly direction on Fifteenth Street to the intersection of Fifteenth and Church Streets in the City of Hazleton Luzerne County a distance of about 0.95 of a mile

Beginning at a point on Cliff Street on the dividing line between Johnstown City and Dale Borough thence over Cliff Street to Singer Road thence over Singer Road to a point on the dividing line between Johnstown City and Stonycreek Township in Johnstown City Cambria County a distance of about 0.20 of a mile

Beginning at a point on Park Avenue on the dividing line between West Mead Township and the City of Meadville thence in a southwesterly direction on Park Avenue to a point on Route 84 at the intersection of Park Avenue and Baldwin Street in the City of Meadville Crawford County a distance of about 0.8 of a mile

Beginning at a point on Park Avenue on the dividing line between Carroll Township and Monongahela City thence over Park Avenue to the intersection of Park Avenue and Main Street in the city of Monongahela Washington County a distance of about 0.6 of a mile

Beginning at a point on South Jefferson Street at the intersection of Jefferson Street and the proposed extension of Croton Avenue thence in a northeasterly direction over the proposed extension of Croton Avenue and Croton Avenue to the intersection of Croton Avenue and East Washington Street in the City of New Castle Lawrence County a distance of about 0.3 of a mile provided the above route shall not be taken over until the entire route shall have been laid out and opened to traffic

Beginning at a point at the intersection of Taylor Street Extension and East Washington Street thence southwest on Taylor Street Extension to Cunningham Avenue thence west on Taylor Street to Neal Street thence north on Neal Street to Grove Street thence west on Grove Street to Croton Avenue Extension in the City of New Castle Lawrence County a distance of about 0.9 of a mile provided the above route shall not be taken over until the entire route shall have been laid out and opened to traffic

Beginning at a point on Sampson Street on the line between Union Township and the City of New Castle thence over Sampson Street to the intersection of Sampson Street and Grant Avenue in the city of New Castle Lawrence County a distance of about 0.75 of a mile

Beginning at a point on Baldwin Road on the dividing line between Baldwin Township and Pittsburgh City thence over Baldwin Road to the intersection of Baldwin Road and Cready Street in the City of Pittsburgh Allegheny County a distance of about 0.7 of a mile

Beginning at a point on Montier Street on the dividing line between the Borough of Wilkinsburg and the City of Pittsburgh thence over Montier Street to a second point on the above dividing line in the City of Pittsburgh Allegheny County a distance of about 0.3 of a mile

Beginning at the intersection of Second and Washington Streets thence northerly on Second Street to Walnut Street thence easterly on Walnut Street to Thirteenth Street thence

Beginning at a point on Perkiomen Avenue on the dinortherly on Thirteenth Street to Hampden Boulevard thence northeasterly on Hampden Boulevard to the intersection of Hampden Boulevard and Marion Street in the City of Reading Berks County a distance of about 2.28 miles viding line between Mt. Penn Borough and Reading City thence over Perkiomen Avenue to the intersection of Perkiomen Avenue and Mineral Spring Road in the City of Reading Berks County a distance of about 0.72 of a mile

Beginning at the intersection of Eleventh Street and Penn Street thence over Eleventh Street to the intersection of Eleventh and Walnut Streets in the City of Reading Berks County a distance of about 0.22 of a mile

Beginning at a point on the dividing line between Hickory Township and Sharon City thence over Tenth Avenue to the intersection of Tenth Avenue and State

Street in the City of Sharon Mercer County a distance of about 0.9 of a mile

Beginning at a point on the dividing line between Oil Creek Township and the City of Titusville thence in a southeasterly direction on Union Street to a point on Route 20104 at the intersection of Union Street and Church Run Street in the City of Titusville Creawford County a distance of about 0.2 of a mile

Beginning at the line dividing South Union Township and the city of Uniontown thence in an easterly direction on McClellandstown Road to its point of intersection with Main Street in the City of Uniontown a distance of about 0.5 of a mile

Beginning at Kerr Street on the line between North Union Township and Uniontown City thence over Kerr Street to the intersection of Kerr Street and Gallatin Avenue in the City of Uniontown a distance of about 0.08 of a mile

Beginning at a point on the line between Canton Township and the City of Washington thence over Caldwell and Hayes Avenues to the intersection of Hayes Avenue and Chestnut Street in the City of Washington Washington County a distance of about 0.22 of a mile

Beginning at a point on the line between Canton Township and the City of Washington thence over Wylie Avenue to the intersection of Wylie and Jefferson Avenues in the City of Washington Washington County a distance of about 0.07 of a mile

On the question,

Will the House agree to the section?

Mr. VAN SICKLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 2, page 5 by inserting between lines 24 and 25 the following:

"Beginning at a point on the dividing line between Bradford Township and the City of Bradford; thence over High Street to the intersection of High and Main Streets, in the City of Bradford, McKean County, a distance of about 0.85 of a mile.

Beginning at the intersection of Second Street and Booth Street; thence northerly on Booth Street to the intersection of Booth and Ninth Streets, in the City of Chester, Delaware County, a distance of about 0.4 of a mile."

Amend section 2, page 8 by deleting all of line 2.

Amend sec. 2, page 8 by inserting between lines 6 and 7 the following:

"Beginning at a point on Perkiomen Avenue, on the di-"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section and title were separately read and agreed to as follows:

Section 3 This act shall become effective on the first day of January one thousand nine hundred and thirty-eight

An Act to amend section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 720) entitled "An act providing for the taking over by the Commonwealth under certain terms conditions and limitations of certain streets in cities of the second class second class A and third class as State highways and for the improvement construction reconstruction resurfacing and maintenance by the Commonwealth of certain defined widths of said streets imposing duties on such cities and on public utility companies using such streets providing that no assessment shall be made upon the Commonwealth in the elimination of any grade crossing thereon authorizing cities persons associations or corporations to enter into agreements with the Commonwealth to bear a portion of the cost of construction or maintenance providing for the assessment of certain portions of the cost of street improvements on abutting property owners regulating the replacement of certain facilities of public utility companies prohibiting the opening of said streets after improvement without a permit and providing penalty therefor regulating the maintenance of detours authorizing the increase of city indebtedness in certain cases and appropriating money in the Motor License Fund for the purposes of this act" as amended by changing certain routes and adding certain new routes

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2012, entitled:

An Act to amend section two of the act approved the first day of June one thousand nine hundred and thirty-three (Pamphlet Laws 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" as amended by changing certain routes and adding certain new routes

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Represenatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following routes established by the act approved the first day of June one thousand nine hundred and thirty-three (Pamphlet Laws 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" are hereby amended to read as follows

LEHIGH COUNTY

Coopersburg Borough

Route 39008 Extending Route 39008 Beginning at a point on the Coopersburg Borough Upper Saucon Township line thence in a southwesterly and westerly direction on Station Avenue to an intersection with Route 153 Spur at Station Avenue and [Third] Main Street in the Borough of Coopersburg Lehigh County a distance of about [1.38] 0.7 of a mile

LUZERNE COUNTY

Duryea and Avoca Boroughs

Route 40104 Beginning at a point on Route [40103 at Foote Avenue and McAlpine Streets] 35055 at Phoenix and Main Streets in the Borough of Duryea thence over Phoenix Street and McAlpine Street in the Boroughs of Duryea and [Hughestown] Avoca to an intersection with Route 5 at McAlpine and Main Streets in Avoca Luzerne County a distance of about [1.1] 1.9 miles

MERCER COUNTY

Sharpsville Borough

Route 43008 Extending Route 43008 Beginning at a point on the Sharpsville Borough-Hickory Township line thence in a northerly direction on Mercer Avenue to an intersection with Route [288] 43081 at Mercer Avenue and [Walnut] Main Street in the borough of Sharpsville Mercer County a distance of about [1.7 of a mile] one mile

NORTHUMBERLAND COUNTY

Kulpmont Borough

Route 49085 Exetending Route 49085 Beginning at a

point at or near the intersection of the northern line of Kulpmont Borough and the western line of Marion Heights Borough thence in a southerly direction on [Eleventh] Sixth Street to a point on Route 161 in the Borough of Kulpmont Northumberland County a distance of about [0.03] 0.42 of a mile

Route 49087 Extending Route 49087 Beginning at a point on the Mount Carmel Township-Kulpmont Borough line thence northerly on [Eighth] Sixth Street to an intersection with Route 161 at [Eighth] Sixth and Chestnut Streets in the Borough of Kulpmont Northumberland County a distance of about [0.08] 0.13 of a mile

WESTMORELAND COUNTY

Scottdale Borough

Route 64126 Extending Route 64126 Beginning at a point on the Scottdale Borough-East Huntingdon Township line thence in a westerly direction on [the Mount Pleasant-Scottdale Road] Porter Avenue to an intersection with Route 117 or Broadway Avenue in the Borough of Scottdale Westmoreland County a distance of about [.72] .2 of a mile

YORK COUNTY

Stewartstown Borough

Route 66119 Extending Route 66119 Beginning at a point on the Hopewell Township-Stewartstown Borough line thence northeasterly over a borough street to Hill Street thence easterly over Hill Street to an intersection with Route 66011 at Hill and Mill Streets in the Borough of Stewartstown York County a distance of about 0.43 of a mile

On the question,

Will the House agree to the section?

Mr. VAN SICKLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 2 by inserting between lines 3 and 4 the following:

"Ambridge Borough

Route 04089. Extending Route 04089. Beginning at a point on the Ambridge Borough-Harmony Township line [and extending over Fourth Street]; thence over Wilson Avenue and Glenwood Road to an intersection with Route 641, at [Fourth Street] Glenwood Road and Duss Avenue, in Ambridge Borough, Beaver County, a distance of about [0.2] 0.6 of a mile.

Darlington Borough

[Route 04007. Extending Route 04007. Beginning at a point on the Darlington Borough-Darlington Township line; thence in a northerly direction on Plum Street for a distance of forty feet; thence in a westerly direction on First Street to an intersection with Route 204, in the Borough of Darlington, Beaver County, a distance of about 0.07 of a mile.]

New Brighton Borough

Route 04081. Extending Route 04081. Beginning at a point on the New Brighton Borough-Pulaski Township line; thence in a southerly direction to an intersection with Allegheny Street; thence in a westerly direction on Allegheny Street to its intersection with Ninth Street; thence in a southwesterly direction on Ninth Street to the new location of Route 77, in the Borough of New Brighton, Beaver County, a distance of about [.65] 0.7 of a mile.

Route 482. Extending Route 482. Beginning on Route 482 at the New Brighton Borough line; thence over Mercer Avenue and Fifth Street to the intersection of Fifth Street and the new location of State Highway Route 77, in the Borough of New Brighton, Beaver County, a distance of about [0.97 of a] 1.0 mile.

Canton Borough

Route 08036. Extending Route 08036. Beginning at a point on the Canton Borough-Canton Township line; thence in a southeasterly direction on [Upper Mountain Road] Fall Brook Street to an intersection with Route 20 at [Upper Mountain Road] Fall Brook Street and Troy Street in the Borough of Canton, Bradford County, a distance of about .33 of a mile."

Amend sec. 1, page 2 by inserting between lines 3 and 4 the following:

"Vandling Borough

Route 35039. Extending Route 35039. Beginning at a point on the Vandling Boroug-Fall Township line; thence in a [northwesterly] northerly direction on the Northwest Road; thence in a [westerly] northerly direction on Clinton Street [thence in a northerly direction on Oak Street] to an intersection with [a county road] Route 35047, in the Borough of Vandling, Lackawanna County, a distance of about [.86 of a mile] 1.15 miles."

Amend sec. 1, page 2 by striking out all of line 20.

Amend section 1 page 3 by inserting between lines 14 and 15 the following:

"Penn Borough

[Traffic Route 193] Application 5562. Beginning at a point on the Penn Borough-Hempfield Township line; thence in an easterly direction on [Application 5561 on] Coal Street to an intersection with [the continuation of Rural] Route 64096, at the intersection of [Harrison] Youghiogheny Street and Coal Street, in the Borough of Penn, Westmoreland County, a distance of about [0.02] .21 of a mile.

Route 64026. Extending Route 64026. Beginning at a point on the Penn Borough-Penn Township line; thence in an easterly direction on Emma Street to an intersection with Harrison Street; thence in a [southerly] northerly direction on Harrison Street to an intersection with [Application 5561 or Coal] Locust Street; thence in an easterly direction on [Application 5561] Locust Street to an intersection with [the continuation of Rural] Route [64096 or Youghiogheny Street] 64233 at Locust and Eleventh Streets, in the Borough of Penn, Westmoreland County, a distance of about .53 of a mile.

Penn and Jeannette Boroughs

Route 64096. Extending Route 64096. Beginning at a point on the Penn Borough-Hempfield Township line; thence in a northerly direction on Youghiogheny Street to an intersection with [Application 5581 or] Coal Street [or the continuation of Rural Route 64026]; thence easterly on Coal Street to the Jeannette Borough line; thence easterly on Penn Avenue to Twelfth Street; thence north on Twelfth Street to Clay Avenue Extension; thence east on Clay Avenue Extension to Ninth Street; thence south on Ninth Street to Magee Avenue; thence east on Magee Avenue to a point on Route 64216 at Magee Avenue and Second Street, in the [Borough] Boroughs of Penn and Jeannette, Westmoreland County, a distance of about [.05 of a mile] 2.0 miles."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That said section two is hereby amended by adding thereto the following routes

ADAMS COUNTY

Arendtsville Borough

Route 01071 Extending Route 01071 Beginning at a point on the Franklin Township-Arendtsville Borough line thence over Cashtown Road and North High Street to a point on Route 342 at North High and Main Streets in

the Borough of Arendtsville Adams County a distance of about 0.4 of a mile

Fairfield Borough

Route 01072 Extending Route 01072 Beginning at a point on the Hamiltonban Township-Fairfield Borough line thence over Water Street to an intersection with Route 44 at Water and Main Streets in the Borough of Fairfield Adams County a distance of about 0.4 of a mile

ALLEGHENY COUNTY

Sewickley Heights Borough

Application 134 Beginning at a point on the Edgeworth Borough-Sewickley Heights Borough line thence easterly to Country Club Road in the Borough of Sewickley Heights Allegheny County a distance of about 1.13 miles

Route 02094 Extending Route 02094 Beginning at a point on the eastern line of Sewickley Heights Borough thence northwesterly over Hartel Road to the Sewickley Heights Township line in the Borough of Sewickley Allegheny County a distance of about 0.1 of a mile

Route 02096 Extending Route 02096 Beginning at a point on the southern line of Sewickley Heights Borough thence in a general westerly direction on Ferry Road to a second point on the southern borough line in the Borough of Sewickley Heights Allegheny County a distance of about 0.01 of a mile

Route 02098 Extending Route 02098 Beginning at a point on the southern line of Sewickley Heights Borough thence northwesterly on Merriman Road to an intersection with Glen Mitchell Road in the Borough of Sewickley Heights Allegheny County a distance of about 0.49 of a mile

Route 02117 Extending Route 02117 Beginning at a point on the eastern line of Sewickley Heights Borough thence northwesterly over Beck Hollow Road to the northern borough line in the Borough of Sewickley Heights Allegheny County a distance of about 0.16 of a mile

Application 148 Extending Application 148 Beginning at a point on the Edgeworth Borough-Sewickley Heights Borough line thence easterly over Application 134 to Country Club Road in the Borough of Sewickley Heights Allegheny County a distance of about 1.13 miles

Route 02094 Extending Route 02094 Beginning at a point on the eastern line of Sewickley Heights Borough thence northwesterly over Hartel Road to the Sewickley Heights Township line in the Borough of Sewickley Heights Allegheny County a distance of about 0.1 of a mile

Route 02096 Extending Route 02096 Beginning at a point on the southern line of Sewickley Heights Borough thence in a general westerly direction on Ferry Road to a second point on the southern borough line in the Borough of Sewickley Heights Allegheny County a distance of about 0.01 of a mile

Route 02098 Extending Route 02098 Beginning at a point on the southern line of Sewickley Heights Borough thence northwesterly on Merriman Road to an intersection with Glen Mitchell Road in the Borough of Sewickley Heights Allegheny County a distance of about 0.49 of a mile

Route 02117 Extending Route 02117 Beginning at a point on the eastern line of Sewickley Heights Borough thence northwesterly over Beck Hollow Road to the northern borough line in the Borough of Sewickley Heights Allegheny County a distance of about 0.16 of a mile

Trafford Borough

Route 02226 Extending Route 02226 Beginning at a point on the Patton Township-Trafford Borough line thence over Forbes Road to the Trafford Borough-Penn Township (Westmoreland County) line in the Borough of Trafford Allegheny and Westmoreland Counties a distance of about 1.0 mile

Wilkinsburg Borough

Route 02228 Extending Route 02228 Beginning at a point on the Penn Township-Wilkinsburg Borough line thence over Montier Street to the Pittsburgh City line beginning again at a second point on the Pittsburgh City line thence over Montier and Park Streets and Swissvale Avenue to a point on Route 120 at Swissvale and Penn Avenues in the Borough of Wilkinsburg Allegheny County a distance of about 1.25 miles

BEDFORD COUNTY

Coaldale Borough

Route 05107 Extending Route 05107 Beginning at a point on the Coaldale Borough-Broad Top Township line thence south over Spring Street to an intersection with Route 529 at Spring and Fluck Streets in the Borough of Coaldale Bedford County a distance of about 0.2 of a mile

BERKS COUNTY

Bechtelsville Borough

Route 06195 Extending Route 06195 Beginning at a point on the Washington Township-Bechtelsville Borough Line thence over Mill Street to a point on Route 284 at the intersection of Mill and Main Streets in the Borough of Bechtelsville Berks County a distance of about 0.2 of a mile

Mohnton Borough

Route 06181 Extending Route 06181 Beginning at a point on the Cumru Township-Mohnton Borough line thence over Elm Street to a point on Route 660 at Church Street and Wyomissing Avenue in the Borough of Mohnton Berks County a distance of about 0.3 of a mile

Mount Penn Borough

Route 146 Spur Beginning at a point on the Reading City-Mt Penn Borough line thence over Perkiomen Avenue to a point on Route 146 at Perkiomen Avenue and Howard Boulevard in the Borough of Mt Penn Berks County a distance of about 0.42 of a mile

Shoemakersville Borough

Route 06174 Extending Route 06174 Beginning at a point on the Center Township-Shoemakersville Borough line thence over Second Street to a point on Route 160 at Second and Main Streets in the Borough of Shoemakersville Berks County a distance of about 0.1 of a mile

Temple Borough

Route 06201 Extending Route 06201 Beginning at a point on the Muhlenberg Township-Temple line thence over Leesport Avenue to a point on Route 157 Spur at Leesport Avenue and Kutztown Road in the Borough of Temple Berks County a distance of about 0.1 of a mile

West Lawn Borough

Route 06183 Extending Route 06183 Beginning at a point on the Spring Township-West Lawn Borough line thence northerly on a borough street to a point on Route 149 in the Borough of West Lawn Berks County a distance of about 0.05 of a mile

BLAIR COUNTY

Bellwood Borough

Route 07047 Extending Route 07047 Beginning at a point on the western Bellwood Borough line thence in an easterly direction on West Cambria Street to a point on Route 383 at the intersection of West Cambria and North First Streets in the Borough of Bellwood in Blair County a distance of about 0.51 of a mile

Hollidaysburg Borough

Route 07044 Extending Route 07044 Beginning at a point on the Blair Township-Hollidaysburg Borough line thence over Plank Road Street to a point on Route 833 at Plank Road and Bedford Street in the Borough of Hollidaysburg Blair County a distance of about 0.08 of a mile

Tyrone Borough

Route 07036 Extending Route 07036 Beginning at a point on the Snyder Township-Tyrone Borough line thence over Third Street to a point on Route 55 at Third Street and Washington Avenue in the Borough of Tyrone Blair County a distance of about 0.32 of a mile

BRADFORD COUNTY

New Albany Borough

Route 08121 Extending Route 08121 Beginning at a point on the Albany Township-New Albany Borough line thence over Hatch Hill Street to a point on Route 17 at Hatch Hill and First Streets in the Borough of New Albany Bradford County a distance of about 0.28 of a mile

Towanda Borough

Route 212 Spur Beginning at a point on Route 212 at the intersection of York and Packer Avenues thence over Packer Avenue in the Borough of Towanda Bradford County a distance of about 0.1 of a mile

Route 08131 Extending Route 08131 Beginning at a point on the Towanda Township-Towanda Borough line thence Borough of Towanda Bradford County a distance of about Third Streets in the Borough of Towanda Bradford County a distance of about 0.8 of a mile

Route 08154 Extending Route 08154 Beginning at a point on the north Towanda Township-Towanda Borough line thence over Hawes Street and Pratt Street to a point on Route 212 at Pratt Street and York Avenue in the Borough of Towanda Bradford County a distance of about 0.33 of a mile

BUCKS COUNTY

Doylestown Borough

Route 178 Spur Beginning at a point on Route 178 at Court and State Streets thence over Court Street to a point on Route 151 at Court and Main Streets in the Borough of Doylestown Bucks County a distance of about 0.22 of a mile

Perkasie Borough

Route 09117 Extending Route 09117 Beginning at a point on the East Rockhill Township-Perkasie Borough line thence over Main Street toa point on Route 154 at Main and Walnut Streets in the Borough of Perkasie Bucks County a distance of about 0.56 of a mile

Quakertown Borough

Route 09167 Extending Route 09167 Beginning at a point on the Richland Township-Quakertown Borough line thence over Main Street to an intersection with Routes 386 and 09086 at Main and Broad Streets in the Borough of Quakertown Bucks County a distance of about 0.48 of a mile

Route 09168 Extending Route 09168 Beginning at a point on the Richland Township-Quakertown Borough line thence over Broad Street to an intersection with Routes 386 and 09086 at Main and Broad Streets in the Borough of Quakertown Bucks County a distance of about 0.21 of a mile

Sellersville Borough

Route 09167 Extending Route 09167 Beginning at a point on the northern line of Sellersville Borough thence over Bethlehem Pike to an intersection with Route 153 in the Borough of Tullytown Bucks County a distance of of about 0.1 of a mile

Tullytown Borough

Route 09135 Extending Route 09135 Beginning at a point on the Falls Township-Tullytown Borough line thence over Fallsington Avenue to a point on Route 150 in the borough of Tullytown Bucks County a distance of about 0.78 of a mile

BUTLER COUNTY

Cherry Valley Borough

Route 60007 Extending Route 60007 Beginning at a point on the Venango County-Cherry Valley Borough line thence southerly past the East Unity Church to an intersection with Route 10106 in the Borough of Cherry Valley Butler County a distance of about 0.4 of a mile

Fairview Borough

Route 10089 Extending Route 10089 Beginning at a point on the Fairview Township-Fairview Borough line thence over Main Street to an intersection with Routes 10075 and 10076 at Main and Washington Streets in the Borough of Fairview Butler County a distance of about 0.22 of a mile

Harrisville Borough

Route 10071 Extending Route 10071 Beginning at a point on the Mercer Township-Harrisville Borough line thence northeasterly on a borough street to an intersection with Route 73 in the Borough of Harrisville Butler County a distance of about 0.08 of a mile

Saxonburg Borough

Route 10115 Extending Route 10115 Beginning at a point on the Jefferson Township-Saxonburg Borough line thence over State Street to a point on Route 387 at State and Water Streets in the Borough of Saxonburg Butler County a distance of about 0.21 of a mile

Slippery Rock Borough

Route 10101 Extending Route 10101 Beginning at a point on the Slippery Rock Township-Slippery Rock Borough line thence northerly to an intersection with Route 73 in the Borough of Slippery Rock Butler County a distance of about 0.15 of a mile

Route 10107 Extending Route 10107 Beginning at a point on the Slippery Rock Township-Slippery Rock Borough line thence easterly on West Water Street to an intersection with Route 10066 at Water and Main Streets in the Borough of Slippery Rock Butler County a distance of about 0.63 of a mile

West Liberty Borough

Route 10101 Extending Route 10101 Beginning at a point on the Brady Township-West Liberty Borough line thence over Slippery Rock Road to an intersection with Routes 10058 and 10065 in the borough of West Liberty Butler County a distance of about 1.45 miles

CAMBRIA COUNTY

Barnesboro Borough

Route 11087 Extending Route 11087 Beginning at a point on the Susquehanna Township-Barnesboro Borough line thence southwesterly on a borough Street to a point on Route 165 at Sheppard Avenue in the borough of Barnesboro Cambria County a distance of about 0.5 of a mile

Dale Borough

Route 11085 Extending Route 11085 Beginning at a point on Route 222 at the intersection of Bedford and Strayer Streets thence in an easterly and southeasterly direction on Strayer Street to its intersection with Hummel and Singer Streets thence in a northeasterly direction on Singer Street to its intersection with Cliff Street thence in a southeasterly direction on Cliff Street to a point on the Dale Borough-Johnstown City line in Dale Borough Cambria County a distance of about 0.34 of a mile

Patton Borough

Route 11086 Extending Route 11086 Beginning at a point on the East Carrol Township Patton Borough line thence in an easterly direction on Mellon Street to an intersection with Route 221 in Patton Borough Cambria County a distance of about 0.14 of a mile

CAMERON COUNTY

Emporium Borough

Route 12007 Extending Route 12007 Beginning at a point on the Shippen Township-Emporium Borough line thence northerly on Broad Street to a point on Route 99 at the intersection of Broad and Fourth Streets in the borough of Emporium Cameron County a distance of about 0.25 of a mile

CARBON COUNTY

East Side Borough

Route 13040 Extending Route 13040 Beginning at a point on the south line of East Side Borough thence northerly over a borough street to a point on Route 408 in the borough of East Side Carbon County a distance of about 0.35 of a mile

CENTRE COUNTY

State College Borough

Route 14053 Extending Route 14053 Beginning at a point on the State College Borough-College Township line thence in a northwesterly direction on a street known as Old Boalsburg Road to Allen Street thence in a northwesterly direction on Allen Street to a point on Route 56 at the intersection of Allen Street and East College Avenue in the borough of State College Centre County a distance of about 0.9 of a mile

Route 14016 Extending Route 14016 Beginning at a point on the State College Borough-College Township line thence in a southwesterly direction on East Park Avenue and West Park Avenue to a point on Route 404 at the intersection of West Park Avenue and Atherton Street in the Borough of State College Centre County a distance of about 0.85 of a mile

CHESTER COUNTY

Atglen Borough

Route 15206 Extending Route 15206 Beginning at a point on the west line of Atglen Borough about 0.1 of a mile north of the West Fallowfield Township line thence easterly over a borough street to a point on Route 215 about 0.1 of a mile north of the West Fallowfield Township line in the borough of Atglen Chester County a distance of about 0.4 of a mile

West Grove Borough

Route 15220 Extending Route 15220 Beginning at a point on the north borough line of West Grove Borough thence south over a borough street to a point on Route 131 in the borough of West Grove Chester County a distance of about 0.4 of a mile

CLEARFIELD COUNTY

Coalport Borough

Route 17112 Extending Route 17112 Beginning at a point on the Beccaria Township-Coalport Borough line thence easterly on Mill Street to an intersection with Route 234 at Mill and Main Streets in the Borough of Coalport Clearfield County a distance of about 0.06 of a mile

New Washington Borough

Route 17095 Extending Route 17095 Beginning at a point on the Burnside Township-New Washington Borough line thence southerly on Front Street to an intersection with Route 17070 at Front and Main Streets in the borough of New Washington Clearfield County a distance of about 0.6 of a mile

Osceola Mills Borough

Route 14036 Extending Route 14036 Beginning at a point on the Rush Township (Centre County)-Osceola Mills Borough line thence over Stone Street Extension and Stone Street to a point on Route 234 at Stone and Sarah Streets in the Borough of Osceola Mills Clearfield County a distance of about 0.25 of a mile

CLEARFIELD AND CENTRE COUNTIES

Chester Hill and Philipsburg Boroughs

Route 17058 Spur Beginning at a point on Route 17058 at Decatur and Centre Streets in Chester Hill Borough thence over Centre Laura and Presqueisle Streets to a point on Route 57 in Philipsburg at the intersection of Presqueisle and Front Streets in the boroughs of Chester Hill Clearfield County and Philipsburg Centre County a distance of about 0.8 of a mile

COLUMBIA COUNTY

Berwick Borough

Route 19098 Extending Route 19098 Beginning at a point on the Briar Creek Township-Berwick Borough line thence in a southerly direction on Cemetery Road to Freas Avenue thence on Freas Avenue to its intersection with Route 19045 at Freas Avenue and Dickson Street in Berwick Borough Columbia County a distance of about 1.2 miles

Town of Bloomsburg

Route 4 Spur Beginning on Route 4 at the intersection of East Street and East Fifth Street thence easterly on East Fifth Street to its intersection with Locust Street thence southerly on Locust to Route 4 at the intersection of Locust Street and Berwick Road in the town of Bloomsburg in Columbia County a distance of about 0.4 of a mile

Route 19100 Extending Route 19100 Beginning at a point on the Hemlock Township-Bloomsburg Town line about 200 feet east of the Montour-Hemlock Township line thence in a southeasterly direction to a point on Route 3 in the town of Bloomsburg Columbia County a distance of about 0.03 of a mile

CRAWFORD COUNTY

Hydetown Borough

Route 20133 Extending Route 20133 Beginning at a point on the Oil Creek Township-Hydetown Borough line thence northeasterly on a borough street to Route 271 at Main Street in the Borough of Hydetown Crawford County a distance of about 0.6 of a mile

Jamestown Borough

Route 20138 Extending Route 20138 Beginning at the South Shenango Township-Jamestown Borough line thence in a southerly direction on Denver Street to North Street thence easterly on North Street to Route 238 at the intersection of North and Depot Streets in the Borough of Jamestown Mercer County a distance of about 0.2 of a mile

Saegertown Borough

Route 20141 Extending Route 20141 Beginning at the Woodcock Township-Saegertown Borough line thence in a northerly direction on Center Road [illegible] tion with Route 20066 at Center Road and [illegible] the Borough of Saegertown Crawford C[illegible] of about 0.7 of a mile

DAUPHIN COUNTY

Paxtang Borough

Route 22075 Extending Route 22075 Beginning at a point on the Swatara Township-Paxtang Borough line thence over Twenty-ninth Street to a point on Route 139 at Twenty-ninth and Derry Streets in the Borough of Paxtang Dauphin County a distance of about 0.07 of a mile

DELAWARE COUNTY

Aldan Borough

Route 23068 Extending Route 23068 Beginning at a point on the western line between Upper Darby Township and Aldan Borough thence over Providence Road to the eastern borough line in the Borough of Aldan Delaware County a distance of about 1.1 miles

Clifton Heights Borough

Route 420 Extending Route 420 Beginning at a point on the line between Upper Darby Township and Clifton Heights Borough thence over Oak Lane to a point on Route 23065 at Oak Lane and Springfield Avenue in the Borough of Clifton Heights Delaware County a distance of about 0.25 of a mile

Media Borough

Route 421 Extending Route 421 Beginning at the intersection of Routes 421 and 130 at Providence Road and Washington Street thence northwesterly on Providence Road to a point on Route 144 at Providence Road and Monroe Street in the Borough of Media Delaware County a distance of about 0.9 of a mile

Prospect Park and Norwood Boroughs

Route 23115 Extending Route 23115 Beginning at a point on the line dividing the township of Ridley from the Boroughs of Prospect Park and Norwood thence over Amosland Road to an intersection with Route 189 in the Boroughs of Prospect Park and Norwood Delaware County a distance of about 0.7 of a mile

Ridley Park Borough

Route 23102 Extending Route 23102 Beginning at a point on the above boundary line in the Borough of Ridley Park Borough thence over Haverford Road to a second point on the above boundary line in the Borough of Ridley Park Delaware County a distance of about 0.26 of a mile

Swarthmore Borough

Route 225 Spur Beginning at a point on Route 225 at the intersection of Chester Road and Swarthmore Avenue thence over Chester Road to a point on Route 130 Baltimore Pike in the Borough of Swarthmore Delaware County a distance of about 0.35 of a mile

Trainer Borough

Route 23012 Spur Beginning at a point on Route 23012 at the intersection of Boyds Lane and Langley Street thence over Langley Street to a point on Application 1249 at Langley and Ninth Streets in the Borough of Trainer Delaware County a distance of about 0.4 of a mile

Yeadon Borough

Route 23068 Extending Route 23068 Beginning at a point on the Upper Darby Township-Yeadon Borough line thence over Providence Road to a point on Route 23047 at Providence Road and Lansdowne Avenue in the Borough of Yeadon Delaware County a distance of about 0.2 of a mile

East Lansdowne Borough

Route 23100 Extending Route 23100 Beginning at a point on the Upper Darby Township-East Lansdowne Borough line thence over Church Lane to a point on Route 23064 at Oak Avenue and Church Lane in the Borough of East Lansdowne Delaware County a distance of about 0.15 of a mile

Folcroft Borough

Route 23104 Extending Route 23104 Beginning at a point on the Darby Township-Folcroft Borough line thence northerly over Tribbitt Avenue to an intersection with Route 420 in the Borough of Folcroft Delaware County a distance of about 0.004 of a mile

Marcus Hook Borough

Route 23096 Extending Route 23096 Beginning at a point on the Lower Chichester Township-Marcus Hook Borough line thence over Hewes Street to an intersection with Route 132 in the Borough of Marcus Hook Delaware County a distance of about 0.19 of a mile

ELK COUNTY

Johnsonburg Borough

Route 24021 Extending Route 24021 Beginning at a point on the Ridgway Township-Johnsonburg Borough line thence over Glen Hazel Road Bergen Street First Avenue and Cobb Street to a point on Route 97 at Cobb and Market Streets in the Borough of Johnsonburg Elk County a distance of about 0.95 of a mile

St. Marys Borough

Route 24019 Extending Route 24019 Beginning at a point on the Benzinger Township-St Marys Borough line thence over South Street Michael Street to a point on Route 99 at St Michael and Brussels Streets in the Borough of St Marys Elk County a distance of about 0.39 of a mile

Route 24026 Extending Route 24026 Beginning at point on the Benzinger Township-St Marys Borough line thence southerly on north St Marys Street to Route 24013 at St Marys and Washington Streets in the Borough of St Marys Elk County a distance of about 0.3 of a mile

Route 24027 Extending Route 24027 Beginning at a point on the Benzinger Township-St Marys Borough line thence over Theresia Street to a point on Route 99 at Theresia and Brussels Streets also from a second point on the above boundary line near the northeastern corner of the borough southerly over a borough street to Route 99 in the Borough of St Marys Elk County a distance of about 1.1 miles

Route 24027 Spur Beginning at a point on Route 24027 at the intersection of Theresia Street and Hall Avenue thence in a northwesterly direction on Hall Avenue to the intersection of Hall Avenue and Park Avenue thence in a northeasterly direction on a borough street for about 500 feet thence in a southeasterly direction on a borough street for about 300 feet to a point on Route 24027 on Theresia Street in the Borough of St. Marys Elk County a distance of about 0.2 of a mile

ERIE COUNTY

Wesleyville Borough

Application 4709 Extending Application 4709 Beginning at a point on the Harbor Creek Township-Wesleyville Borough line thence northerly to an intersection with Application 85 in the Borough of Wesleyville Erie County a distance of about 0.01 of a mile

FAYETTE COUNTY

Fayette City Borough

Route 247 Spur Beginning at a point on Route 247 near the bridge over Downer Run thence southwesterly over Second Street Extension to Second and Fording Streets thence southeasterly over Second Street to Second and Cook Streets thence southeasterly over Second Street extension to a point on Route 247 at Second Street Extension and State Street in the borough of Fayette City Fayette County a distance of about 0.4 of a mile

Provided That this route shall not be taken over as a State Highway until the entire route shall have been laid out and opened

Markleysville Borough

Route 26135 Extending Route 26135 Beginning at a point on the Henry Clay Township-Markleysburg Borough line thence in a northeasterly direction on a borough street to an intersection with Route 363 in the Borough of Markleysburg Fayette County a distance of about 0.5 of a mile

Smithfield Borough

Route 26111 Extending Route 26111 Beginning at a point on the Smithfield Borough-Georges Township line thence in a northwesterly direction on Water Street to an intersection with Route 116 at Water and Morgantown Streets in the Borough of Smithfield Fayette County a distance of about 0.49 of a mile

FRANKLIN COUNTY

Mont Alto Borough

Route 28069 Extending Route 28069 Beginning at a point on the south borough line of Mont Alto Borough thence northeasterly over a borough street to a point on Application 5503 in the Borough of Mont Alto Franklin County a distance of about 0.15 of a mile

FULTON COUNTY

McConnellsburg Borough

Route 38 Spur Beginning at a point on Route 38 at the intersection of Second and Common Streets thence in a southeasterly northeasterly and southeasterly direction on Common Street to an intersection at Common Street and an unnamed alley in the Borough of McConnellsburg Fulton County a distance of about 0.25 of a mile

GREENE COUNTY

Waynesburg Borough

Route 325 Spur Beginning at a point on Route 109 at East High and North Richhill Streets thence northerly on North Richhill Street to a point on Route 325 in the Borough of Waynesburg Greene County a distance of about 0.55 of a mile

HUNTINGDON COUNTY

Coalmont Borough

Route 31096 Extending Route 31096 Beginning at the Carbon Township-Coalmont Borough line thence in a northerly direction on Evans Street to a point on Route 721 at the intersection of Evans and Shell Streets in the

Borough of Coalmont Huntingdon County a distance of about 0.3 of a mile

INDIANA COUNTY

Homer City Borough

Route 32123 Extending Route 32123 Beginning at a point on the Center Township-Homer City Borough line thence over Main Street to a point on Route 68 at Main and Indiana Streets in the Borough of Homer City Indiana County a distance of about 0.03 of a mile

Plumville Borough

Route 32157 Extending Route 32157 Beginning at a point on the South Mahoning Township-Plumville Borough Line thence over a borough street to a point at the intersection of Route 981 and Route 189 on Main Street in the Borough of Plumville in Indiana County a distance of about 0.3 mile

JEFFERSON COUNTY

Brockway Borough

Route 33067 Extending Route 33067 Beginning at a point on the Snyder Township-Brockway Borough line thence over First Avenue North Street and Second Avenue to a point on Route 61 at Second Avenue and Main Street in the Borough of Brockway Jefferson County a distance of about 0.27 of a mile

Worthville Borough

Route 33071 Extending Route 33071 Beginning at a point on the Ringgold Township-Worthville Borough Line thence in a northeasterly direction over a borough street to an intersection with Route 33016 at Main Street in the Borough of Worthville in Jefferson County a distance of about 0.7 of a mile

Sykesville Borough

Route 33075 Extending Route 33075 Beginning at a point on the Winslow Township-Sykesville Borough Line thence over a borough street to a point on Route 338 at Main Street in the Borough of Sykesville in Jefferson County a distance of about 0.4 of a mile

LANCASTER COUNTY

Akron Borough

Route 36143 Extending Route 36143 Beginning at a point on the Ephrata Township-Akron Borough line thence in a northeasterly and northerly direction on Ninth Street to the Akron Borough-Ephrata Township line in the Borough of Akron Lancaster County a distance of about 0.4 of a mile

Denver Borough

Route 36129 Extending Route 36129 Beginning at a point on the East Cocalico Township-Denver Borough line thence over Monroe Street to a second point on the borough-township line in the Borough of Denver Lancaster County a distance of about 0.02 of a mile

Route 36178 Extending Route 36178 Beginning at a point on the West Cocalico Township-Denver Borough line thence in a southeasterly direction to a point on Route 36001 in the Borough of Denver Lancaster County a distance of about 0.1 of a mile

Route 36179 Extending Route 36179 Beginning at a point on the East Cocalico Township-Denver Borough line thence in a westerly direction on North Third Street to Route 36046 at Main and Third Streets in the Borough of Denver Lancaster County a distance of about 0.1 of a mile

LEBANON COUNTY

Richland Borough

Route 425 Extending Route 425 Beginning at a point on the Mill Creek Township-Richland Borough line thence over Poplar Street to a point on Route 38011 at Poplar and Linden Streets in the Borough of Richland Lebanon County a distance of about 0.04 of a mile

LEHIGH COUNTY

Emaus Borough

Route 39001 Extending Route 39001 Beginning at a point at the intersection of Vera Cruz Road and Emaus Borough Line thence northerly on Vera Cruz Road to Pennsylvania Avenue thence northeasterly on Pennsylvania Avenue to Tenth Street thence northwesterly on Tenth Street to a point on Route 158 at Tenth and Chestnut Streets in the Borough of Emaus Lehigh County a distance of about 1.0 mile

Slatington Borough

Route 39095 Extending Route 39095 Beginning at a point on the Washington Township-Slatington Borough line thence southerly on Welshtown Road to Chestnut Street thence easterly on Chestnut Street to Diamond Street thence southerly on Diamond Street to a point on Route 163 at Diamond and Main Streets in the Borough of Slatington Lehigh County a distance of about 0.2 of a mile

Application 745 Extending Application 745 Beginning at a point on the Washington Township-Slatington Borough line thence over Church and Dowell Streets on Application 827 to a point on Route 163 at Dowell and Main Streets in the Borough of Slatington Lehigh County a distance of about 0.67 of a mile

LUZERNE COUNTY

Freeland Borough

Route 40113 Extending Route 40113 Beginning at a point on the Foster Township-Freeland Borough line thence over Carbon Street to a point on Route 40007 at Carbon and Centre Streets in the Borough of Freeland Luzerne County a distance of about 0.1 of a mile

Hughestown Borough

Route 40111 Extending Route 40111 Beginning at a point on the southeast borough line of Hughestown Borough thence northerly over Centre Street to a point on Route 40103 at Centre and Parsonage Streets in the Borough of Hughestown Luzern County a distance of about 0.8 of a mile

Nuangola Borough

Route 40034 Extending Route 40034 Beginning at a point on the west line of Nuangola Borough thence southeasterly over a borough street to a point on Route 40026 in the Borough of Nuangola Luzerne County a distance of about 0.3 of a mile

West Hazleton Borough

Route 170 Spur Extending Route 170 Spur Beginning at a point on the Hazleton City-West Hazleton Borough line thence over Washington Avenue to a point on Route 184 at Washington Avenue and Broad Street in the Borough of West Hazleton Luzerne County a distance of about 0.15 of a mile

LYCOMING COUNTY

Montoursville Borough

Route 291 Spur Beginning at a point on Route 18 at the intersection of Broad Street and Allendale Road thence over Allendale Road to a point on Route 291 at the Allendale Road and Loyalsock Avenue in the Borough of Montoursville Lycoming County a distance of about 1.7 miles

Salladasburg Borough

Route 41120 Extending Route 41120 Beginning at a point on the Mifflin Township-Salladasburg Borough line thence northerly on a borough street to a point on Main Street near the intersection of Routes 353 and 41026 in the Borough of Salladasburg Lycoming County a distance of about 0.1 of a mile

McKEAN COUNTY

Mt. Jewett Borough

Route 42044 Extending Route 42044 Beginning at a point on the Hamlin Township-Mt. Jewett Borough line thence over Lindholm Road to a point on Route 97 at Lindholm Road and Main Street in the Borough of Mt. Jewett McKean County a distance of about 0.8 of a mile

MERCER COUNTY

Fredonia Borough

Route 43104 Extending Route 43104 Beginning at a point on the dividing line between the borough of Fredonia and Delaware Township at Main Street thence northerly over Main Street to the intersection with Route 43044 at Main and Mill Streets in the Borough of Fredonia Mercer County a distance of about 0.7 of a mile

Route 43096 Extending Route 43096 Beginning at a point on the Delaware Township-Fredonia Borough line thence over Second Street to a point on Route 43104 at Second and Main Streets in the Borough of Fredonia Mercer County a distance of about 0.3 of a mile

Greenville Borough

Route 43084 Extending Route 43084 Beginning at a point on the West Salem Township-Greenville Borough line thence over Coal Hill Road to a point on Route 238 at Coal Hill Road and Clarksville Street in the Borough of Greenville Mercer County a distance of about 0.05 of a mile

Grove City Borough

Route 43077 Extending Route 43077 Beginning at a point on the Pine Township-Grove City Borough line thence southerly to a point on Route 312 in the Borough of Grove City Mercer County a distance of about 0.03 of a mile

Mercer Borough

Route 43098 Extending Route 43098 Beginning at a point on the Findley Township-Mercer Borough line thence over Home Street to a point on Route 73 at Home and Market Streets in the Borough of Mercer Mercer County a distance of about 0.35 of a mile

Sharpsville Borough

Route 43101 Extending Route 43101 Beginning at a point on the Hickory Township-Sharpsville Borough line thence northerly on Tenth Street to a point on Route 238 at Tenth Street and Ridge Avenue in the Borough of Sharpsville Mercer County a distance of about 0.7 of a mile

Route 43081 Extending Route 43081 Beginning at a point on the South Pymatuning Township-Sharpsville Borough line thence over Mercer Avenue and Main Street to a point on Route 238 at Main and Walnut Streets in the Borough of Sharpsville Mercer County a distance of about 0.54 of a mile

Wheatland Borough

Route 43092 Extending Route 43092 Beginning at a point on the Hickory Township-Wheatland Borough line thence over Ohio and Church Streets to a point on Route 238 Spur D at Church and Broadway Streets in the Borough of Wheatland Mercer County a distance of about 0.6 of a mile

MONTGOMERY COUNTY

Collegeville Borough

Route 202 Spur Beginning at a point on Route 146 at the intersection of Fifth Avenue and Main Street thence in a southerly direction on Fifth Avenue and Park Avenue to the intersection of Park Avenue with Route 202 in the Borough of Collegeville Montgomery County a distance of about 0.8 of a mile

NORTHAMPTON COUNTY

Bangor Borough

Route 48089 Extending Route 48089 Beginning at a point on the Washington Township-Bangor Borough line thence southwesterly on Ridge Street to a point on Route 48035 at Ridge and North Main Streets in the Borough of Bangor Northampton County a distance of about 0.3 of a mile

Nazareth Borough

Route 48082 Extending Route 48082 Beginning at a point on the Upper Nazareth Township-Nazareth Borough line thence over Mauch Chunk Street to a point on Route 48070 at Mauch Chunk and Spring Streets in the Borough of Nazareth Northampton County a distance of about 0.2 of a mile

Pen Argyl Borough

Route 48079 Extending Route 48079 Beginning at a point on the Plainfield Township-Pen Argyl Borough line thence over George Street to a point on Route 48038 at George and "E" Streets in the Borough of Pen Argyl Northampton County a distance of about 0.1 of a mile

Wilson Borough

Route 48084 Extending Route 48084 Beginning at a point on the Palmer township-Wilson Borough line thence easterly and northeasterly on Wood Avenue to a point on Route 48019 at Wood and Hackett Avenues in the borough of Wilson Northampton County a distance of about 0.7 of a mile

Wind Gap Borough

Route 48088 Extending Route 48088 Beginning at a point on the Plainfield Township-Wind Gap Borough line thence easterly on Center Street to a point on Route 166 at Center Street and Broadway in the Borough of Wind Gap Northampton County a distance of about 0.35 of a mile

SCHUYLKILL COUNTY

Cressona Borough

Route 53079 Extending Route 53079 Beginning at a point on the North Manheim Township-Cressona Borough line thence over Wilder Street to a point on Route 417 at Wilder and Chestnut Streets in the Borough of Cressona Schuylkill County a distance of about 0.54 of a mile

Gordon Borough

Route 53094 Extending Route 53094 Beginning at a point on the Butler Township-Gordon Borough line thence in a southwesterly direction on Biddle Street to a point on Route 53001 at the intersection of Mountain Road and Biddle Street in the Borough of Gordon Schuylkill County a distance of about 0.3 of a mile

Minersville Borough

Route 53095 Extending Route 53095 Beginning at a point on the Cass Township-Minersville Borough line thence in a southwesterly direction on Front Street to a point on Route 199 at the intersection of Front and Sunbury Streets in the Borough of Minersville Schuylkill County a distance of about 0.4 of a mile

New Philadelphia Borough

Route 53098 Extending Route 53098 Beginning at a point on the Blythe Township-New Philadelphia Borough line thence in a northwesterly direction on Water Street to a point on Route 162 at the intersection of Water and Valley Streets in the Borough of New Philadelphia Schuylkill County a distance of about 1.1 miles

Orwigsburg Borough

Route 53103 Extending Route 53103 Beginning at a point on the North Manheim Township-Orwigsburg Borough line thence over Market Street to the Orwigsburg Borough-West Brunswick Township line in the Borough of Orwigsburg Schuylkill County a distance of about 2.03 miles

Saint Clair Borough

Route 53087 Extending Route 53087 Beginning at a point on the East Norwegian Township-Saint Clair Borough line thence over Hancock Street to the intersection of Routes 161 and 53033 at Hancock and Second Streets in the Borough of Saint Clair Schuylkill County a distance of about 0.56 of a mile

Frackville Borough

Route 53106 Extending Route 53106 Beginning at a point on the West Mahanoy Township-Frackville Borough line about 0.1 of a mile west of Route 161 thence in a southerly direction to a point on Route 161 about 300 feet east of the Frackville Underpass in the Borough of Frackville Schuylkill County a distance of about 0.1 of a mile

Gilberton Borough

Route 53106 Extending Route 53106 Beginning at a point on the West Mahanoy Township-Gilberton Borough line about 0.1 of a mile west of Route 161 thence in a northwesterly direction to a point on Route 161 about 0.9 of a mile west of the intersection of Route 161 and Route 290 Spur in the Borough of Gilberton Schuylkill County a distance of about 0.7 of a mile

Schuylkill Haven Borough

Route 53102 Extending Route 53102 Beginning at a point on the North Manheim Township-Schuylkill Haven Borough line thence in a southwesterly direction on East Main Street to a point on Route 140 at the intersection of East Main and Dock Streets in the Borough of Schuylkill Haven Schuylkill County a distance of about 0.4 of a mile

SNYDER COUNTY

Selinsgrove Borough

Route 54061 Extending Route 54061 Beginning at a point on the Penn Township-Selinsgrove Borough line thence in an easterly direction on Sassafras Street to Route 194 at Market and Sassafras Streets in the Borough of Selinsgrove Snyder County a distance of about 0.4 of a mile

Route 25-Spur Beginning at point on Route 25 at Pine and Market Streets thence in a westerly direction to a point on Route 25 at Pine and Walnut Streets in the Borough of Selinsgrove Snyder County a distance of about 0.4 of a mile

Route 455-Spur Beginning at a point on Route 25 at Mill and Market Streets thence in a westerly direction through Selinsgrove Borough to a point on Route 455 at Broad and Mill Streets in Snyder County a distance of about 0.4 of a mile

Shamokin Dam Borough

Route 54056 Extending Route 54056 Beginning at a point on Shamokin Dam Borough line thence in a southeasterly direction on Eleventh Avenue to a point on Route 25 at Eleventh Avenue and Market Street in the Borough of Shamokin Dam in Snyder County a distance of about 0.3 of a mile

SOMERSET COUNTY

Boswell Borough

Route 55082 Extending Route 55082 Beginning at a point on the Jenner Township-Boswell Borough line thence over a borough street to a point on Route 52 in the Borough of Boswell Somerset County a distance of about 0.1 of a mile

SULLIVAN COUNTY

Laporte Borough

Route 17 Spur Beginning at a point on Route 17 at the intersection of Main and Maple Streets thence northerly on Maple Street to its intersection with Park Street thence westerly on Park Street to the Department of Highways' property in the Borough of Laporte Sullivan County a distance of about 0.1 of a mile

TIOGA COUNTY

Blossburg Borough

Route 58104 Extending Route 58104 Beginning at a point on Route 21 commonly known as the entrance to the Blossburg State Hospital thence in a northeasterly direction through Blossburg Borough to a point on the Covington Township line in Blossburg Borough Tioga County a distance of about 0.4 of a mile

Elkland Borough

Route 58091 Extending Route 58091 Beginning at the south borough line of Elkland Borough near the Osceola-Elkland Township line thence extending in a northerly direction through Elkland Borough to a point on Route 103 on East Main Street in Tioga County a distance of about 0.7 of a mile

Knoxville Borough

Route 58089 Extending Route 58089 Beginning at a point on the Deerfield Township-Knoxville Borough line thence northerly on South Water Street to an intersection with Route 103 at Water Street and Main Street in the Borough of Knoxville Tioga County a distance of about 0.3 of a mile

Mansfield Borough

Route 58088 Extending Route 58088 Beginning at a point on the Richmond Township-Mansfield Borough line thence in a northeasterly direction on West Elmira Street to an intersection with Route 196 and Route 58063 at West Elmira Street and North Main Street in the Borough of Mansfield Tioga County a distance of about 0.7 of a mile

Wellsboro Borough

Rout 21-Spur A Beginning at a point on Route 21-Spur at the intersection of Kelsey and Conway Streets thence easterly on Conway Street to its intersection with Berwart Street thence northerly on Berwart Street to Route 21-Spur at the intersection of Berwart Street and West Avenus in the borough of Wellsboro Tioga County a distance of about 0.4 of a mile

UNION COUNTY

Route 59037 Extending Route 59037 Beginning at a point on the East Buffalo Township-Lewisburg Borough line thence over Brown and Third Streets to the intersection of Routes 26 259 and 628 at Third and Market Streets in the Borough of Lewisburg Union County a distance of about 0.64 of a mile

VENANGO COUNTY

Emlenton Borough

Route 60064 Extending Route 60064 Beginning at a point on the Richland Township-Emlenton Borough line thence over College Street to an intersection with Route 60013 at College Street and Shippen Avenue in the Borough of Emlenton Venango County a distance of about 0.5 of a mile

Pleasantville Borough

Route 60074 Extending Route 60074 Beginning at a point on the Pleasantville Borough-Oil Creek Township line thence in a northerly direction on Main Street to a point on Route 89 at Main and State Streets in the borough of Pleasantville Venango County a distance of about 0.4 of a mile

Polk Borough

Route 60073 Extending Route 60073 Beginning at a point on the French Creek Township-Polk Borough line thence in a southeasterly direction in Polk Borough over a continuation of the Savannah road to a point on Route 208 and continuing from Route 208 over the Sandy Creek road to a point on the Sandy Creek Township-Polk Borough line in the Borough of Polk Venango County a distance of about 1.5 miles

Utica Borough

Route 60067 Extending Route 60067 Beginning at a point on the Utica Borough-French Creek Township line thence in a northerly direction on the Polk Road to an intersection with Route 60019 at Polk and New Lebanon Roads in the Borough of Utica Venango County a distance of about 0.2 of a mile

WARREN COUNTY

Youngsville Borough

Route 61058 Extending Route 61058 Beginning at a point on the Brokenstraw Township-Youngsville Borough line thence in a northeasterly direction on West Main Street to a point on Route 88 at the intersection of West Main and State Streets in the Borough of Youngsville Warren County a distance of about 0.2 of a mile

WASHINGTON COUNTY

Beallsville Borough

Route 62176 Extending Route 62176 Beginning at a point

on the Deemston-Beallsville Borough line thence northwesterly over a borough street to a point on Route 62018 at Maiden Street in the Borough of Beallsville Washington County a distance of about 0.3 of a mile

Burgettstown Borough

Route 62180 Extending Route 62180 Beginning at a point on the Smith Township-Burgettstown Borough line thence in a southwesterly direction on Center Avenue to an intersection with Route 115 at Center Avenue and Main Street in the Borough of Burgettstown Washington County a distance of about 0.63 of a mile

Route 62182 Extending Route 62182 Beginning at a point on the Smith Township-Burgettstown Borough line thence in a northeasterly direction on Race Street to Market Street thence in an easterly direction on Market Street to an intersection with Route 115 at Market and Main Streets in the Borough of Burgettstown Washington County a distance of about 0.14 of a mile

Canonsburg Borough

Route 62163 Extending Route 62163 Beginning at a point on the North Strabane Township-Canonsburg Borough line thence over Chartiers and Strabane Avenues to a point on Route 802 at Strabane Avenue and Pike Street in the Borough of Canonsburg Washington County a distance of about 0.24 of a mile

Route 62181 Extending Route 62181 Beginning at a point on the Cecil Township-Canonsburg Borough line thence in a southeasterly direction on First Street to Euclid Avenue thence in a southwesterly and southeasterly direction on Euclid Avenue to Adams Avenue thence in a southwesterly direction on Adams Avenue to an intersection with Route 108 at Adams Avenue and East Pike Street in the Borough of Canonsburg Washington County a distance of about 0.75 of a mile

Centerville Borough

Route 62178 Extending Route 62178 Beginning at a point on the northeastern East Pike Run Township-Centerville Borough line thence in a southwesterly direction over Malden Road to an intersection with Route 113 in the Borough of Centerville Washington County a distance of about 0.5 of a mile

Deemston Borough

Route 62176 Extending Route 62176 Beginning at a point on the East Bethlehem Township-Deemston Borough line thence northwesterly over a borough street to the Beallsville Borough line in the Borough of Deemston Washington County a distance of about 3.0 miles

Donora Borough

Route 62145 Extending Route 62145 Beginning at a point on the Carroll Township-Donora Borough line thence southwesterly on Castner Avenue to Sixth Street and continuing in an easterly direction on Sixth Street to an intersection with Route 247 Spur at Sixth Street and Meldon Avenue in the Borough of Donora Washington County a distance of about 0.54 of a mile

Finleyville Borough

Route 62034 Extending Route 62034 Beginning at a point on the Union Township-Finleyville Borough line thence easterly over Washington Avenue to a point on Route 247 at Washington and Brownsville Avenues in the Borough of Finleyville Washington County a distance of about 0.3 of a mile

Route 62174 Extending Route 62174 Beginning at a point on the Union Township-Finleyville Borough line thence westerly over Washington Avenue to a point on Route 247 at Washington and Sheridan Avenues in the Borough of Finleyville Washington County a distance of about 0.35 of a mile

McDonald Borough

Route 62180 Extending Route 62180 Beginning at a point on the Cecil Township-McDonald Borough line thence in a northeasterly direction on West Lincoln Avenue to an intersection with Route 62004 at Lincoln Avenue South Main Street and North McDonald Avenue in the Borough of McDonald Washington County a distance of about 0.5 of a mile

Route 62004 Extending Route 62004 Beginning at a point on the Robinson Township-McDonald Borough line thence in a southwesterly direction on Valley Street to North McDonald Avenue thence in a southerly direction on North McDonald Avenue to South Main Street thence in a southerly direction on South Main Street to a point on the McDonald Borough-Cecil Township line in the Borough of McDonald Washington County a distance of about 0.75 of a mile

Midway Borough

Route 62180 Extending Route 62180 Beginning at a point on the Western Robinson Township-Midway Borough line thence in an easterly direction on Dickson Street to John Street thence in a northeasterly direction on John Street to Railroad Street thence in a southeasterly direction on Railroad Street to a point on the Eastern McDonald Borough-Robinson Township line in the Borough of Midway Washington County a distance of about 0.62 of a mile

West Alexander Borough

Route 62111 Extending Route 62111 Beginning at a point on the northern Donegal Township-West Alexander Borough line thence in a southerly direction on Liberty Street to an intersection with Route 114 at Liberty and Main Streets in the Borough of West Alexander Washington County a distance of about 0.1 of a mile

Route 62184 Extending Route 62184 Beginning at a point on the southern Donegal Township-West Alexander Borough line thence in a northerly direction on Maple Avenue to an intersection with Route 114 at Maple Avenue and East Main Street in the Borough of West Alexander Washington County a distance of about 0.3 of a mile

West Brownsville Borough

Route 62179 Extending Route 62179 Beginning at a point on the West Brownsville Borough-East Pike Run Township line thence in a southwesterly direction on Second Street to Watt Street thence in a southeasterly direction on Watt Street to Railroad Street thence in a southwesterly direction on Railroad Street to an intersection with Route 268 at Railroad Street and Pittsburgh Road in the Borough of West Brownsville Washington County a distance of about 0.41 of a mile

WAYNE COUNTY

Honesdale Borough

Route 63073 Extending Route 63073 Beginning at a point on the Texas Township-Honesdale Borough line thence over High Street to a point on Route 173 at High and Main Streets in the Borough of Honesdale Wayne County a distance of about 1.03 miles

WESTMORELAND COUNTY

Avonmore Borough

Route 64031 Extending Route 64031 Beginning at a point on the Bell Township-Avonmore Borough line thence in a northerly direction along Second Street Extension to Westmoreland Avenue thence along Westmoreland Avenue to Sixth Street thence along Sixth Street to the borough line at the inter-county bridge across the Kiskiminetas River in the Borough of Avonmore Westmoreland County a distance of about 1.75 miles

New Florence Borough

Route 32009 Extending Route 32009 Beginning at a point on Route 302 at the intersection of Thirteenth and Ligonier Streets thence over Ligonier Street to the bridge over the Conemaugh River at the Indiana County line in the Borough of New Florence Westmoreland County a distance of about 0.4 of a mile

Latrobe Borough

Route 64235 Extending Route 64235 Beginning at a point on the Derry Township-Latrobe Borough line thence

over Harrison Avenue and Ligonier Street to a point on Route 480 at Ligonier and Depot Streets in the Borough of Latrobe Westmoreland County a distance of about 1 mile

Penn Borough

Route 64233 Extending Route 64233 Beginning at a point on the Penn Township-Penn Borough line thence over Locust and Harrison Streets to a point on Route 64026 at Harrison and Emma Streets in the Borough of Penn Westmoreland County a distance of about 0.35 of a mile

Scottdale Borough

Route 26131 Extending Route 26131 Beginning at a point on the Fayette County-Scottdale Borough line thence over 5th Avenue to a point on Route 64083 at 5th Avenue and Broadway in the Borough of Scottdale Westmoreland County a distance of about 0.2 miles

Sutersville Borough

Route 64226 Extending Route 64226 Beginning at a point on the Sewickley Township-Sutersville Borough line thence over First Street to a point on the Youghiogheny River bridge at the western borough line in the Borough of Sutersville Westmoreland County a distance of about 0.5 of a mile

YORK COUNTY

Glen Rock Borough

Route 66159 Extending Route 66159 Beginning at a point on the Shrewsbury Township-Glen Rock Borough line thence in a southwesterly direction on Church Street to a point on Route 715 at Church and Main Streets in the Borough of Glen Rock York County a distance of about 0.3 of a mile

Jacobus Borough

Route 66139 Extending Route 66139 Beginning at a point on the Springfield Township-Jacobus Borough line thence in a southerly direction over York Road to an intersection with Routes 127 and 66048 at Main Street Gladfelter Station Road and York Road in the Borough of Jacobus York County a distance of about 0.67 of a mile

Mount Wolf Borough

Route 66153 Extending Route 66153 Beginning at a point on the East Manchester Township-Mount Wolf Borough line thence in a southwesterly direction over Main Street to an intersection with Route 716 at Main and Centre Streets in the Borough of Mount Wolf York County a distance of about 0.3 of a mile

Yoe Borough

Route 66181 Extending Route 66181 Beginning at the York Township-Yoe Borough line thence northwesterly on South George Street to Route 66004 at South George and Main Streets in the Borough of Yoe York County a distance of about 0.25 of a mile

York Haven Borough

Route 66153 Extending Route 66153 Beginning at the East Manchester Township-York Haven Borough line thence northerly westerly and northerly over Locust Street to Landvale Avenue thence southwesterly over Landvale Avenue to an intersection with Route 250 at Landvale Avenue and Pennsylvania Avenue in the Borough of York Haven York County a distance of about 0.6 of a mile

Route 66184 Extending Route 66184 Beginning at the Newberry Township-York Haven Borough line thence northerly over Dover Road to an intersection with Route 250 at Dover Road and Landvale Avenue in the Borough of York Haven York County a distance of about 0.02 of a mile

Route 66185 Extending Route 66185 Beginning at the Newberry Township-York Haven Borough line thence southeasterly over Goldsboro Road to an intersection with Route 66153 at Goldsboro Road and Landvale Avenue in the Borough of York Haven York County a distance of about 0.3 of a mile

On the question,

Will the House agree to the section?

Mr. VAN SICKLE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 2, page 4, line 26, by inserting after the word "Sewickley" and before the word "Alle-" the following: "Heights"

Amend sec. 2, page 5, by striking out all of lines 16 to 29, inclusive.

Amend sec. 2, page 6 by striking out all of lines 1 to 13, inclusive.

Amend sec. 2, page 6 by inserting between lines 20 and 21 the following:

"Whitaker Borough

Route 736 Spur. Beginning at a point on Route 736, about 0.3 of a mile southeast of the Rankin Bridge; thence southwesterly through Whitaker Borough to a point on Route 02185 at its intersection with Mifflin Avenue, in the borough of Whitaker, Allegheny County, a distance of 0.3 of a mile; provided that this route shall not be taken over as a State Highway until the entire road shall have been laid out and opened."

Amend sec. 2, page 6 by inserting after line 29 the following:

"BEAVER COUNTY

Rochester Borough

Route 04104. Extending Route 04104 Beginning at a point on the Rochester Township-Rochester Borough line; thence over Deer Lane to a point on Route 78, in the Borough of Rochester, Beaver County, a distance of about 0.002 of a mile."

Amend sec. 2, page 7, line 5, by inserting after the word "over" and before the word "Spring" the following: "South"

Amend sec. 2, page 8, line 9, by inserting after the word "Temple" and before the word "line" the following: "Borough"

Amend sec. 2, page 9, line 1, by striking out the numerals "833" and inserting in lieu thereof the following numerals: "883"

Amend sec. 2, page 13 by inserting between lines 10 and 11 the following:

"Chest Springs Borough

Route 11082. Extending Route 11082. Beginning at a point on the Chest Springs Borough-Allegheny Township line; thence in a northwesterly direction on a borough street to an intersection with Route 406 at Columbia Street, in the Borough of Chest Springs, Cambria County, a distance of about 0.11 of a mile."

Amend sec 2, page 1, line 23, by inserting a dash after the word "Township" and before the word "Patton."

Amend sec. 2, page 16, line 26, by inserting after the word "thence" and before the word "on" the following: "easterly"

Amend sec. 2, page 17, line 5, by inserting after the word "Locust" and before the word "to" the following: "Street"

Amend sec. 2, page 17 by inserting between lines 15 and 16 the following:

"Cambridge Springs Borough

Route 84 Spur. Beginning at a point on Route 84, at the intersection of Venango Avenue and Grant Street; thence northerly over Grant Street to Kearney Avenue; thence over Kearney Avenue to the intersection of Route 20056 at Kearney Avenue and McClelland Street, in the Borough of Cambridge Springs, Crawford County, a distance of about 0.5 of a mile.

Centerville Borough

Route 20145. Extending Route 20145. Beginning at a point on the Rome Township-Centerville Borough line; thence southwesterly over Sparta Street to Route 20106 at Sparta and Garland Streets, in the Borough of Centerville, Crawford County, a distance of about 0.8 of a mile.

Geneva Borough

Route 20147. Extending Route 20147. Beginning at a point on the Greenwood Township-Geneva Borough line; thence northerly over Main Street to Routes 20017, 20018 and 20020 at Main and Center Streets, in the Borough of Geneva, Crawford County, a distance of about 0.2 of a mile."

Amend sec. 2 page 18 by inserting between lines 9 and 10 the following:

"CUMBERLAND COUNTY

Carlisle Borough

Route 21066. Extending Route 21066. Beginning at a point on the North Middleton Township-Carlisle Borough line; thence over Poorhouse Road and North Street to a point on Route 34 at North and Hanover Streets, in the Borough of Carlisle, Cumberland County, a distance of about 0.83 of a mile.

Mechanicsburg Borough

Route 21076. Extending Route 21076. Beginning at a point on the Upper Allen Township-Mechanicsburg Borough line; thence in a northerly direction over York Street to an intersection with Route 507 at the intersection of West Main and York Streets, in the Borough of Mechanicsburg, Cumberland County, a distance of about 0.6 of a mile."

Amend sec. 2, page 20, line 5, by striking out the word "Lengley" and inserting in lieu thereof the following: "Langley"

Amend sec. 2, page 20 by striking out all of line 13.

Amend sec. 2, page 21, line 15, by striking out after the word "South" and before the word "Michael" the word "Street" and inserting in lieu thereof the word "Saint"

Amend sec. 2, page 24, line 11, by inserting a dash after the word "Township" and before the word "Coalmont".

Amend sec. 2, page 25 by inserting between lines 21 and 22 the following:

"LACKAWANNA COUNTY

Blakely and Winton Boroughs

Route 35061. Beginning at the intersection of Main and Bridge Streets in the borough of Blakely; thence in a southerly direction over Deckers Bridge to Hill Street in Winton Borough; thence over Hill Street to an intersection with Route 35041 at Hill Street and Grassy Island Avenue, in the Boroughs of Blakely and Winton, Lackawanna County, a distance of about 1.0 mile.

Dalton Borough

Route 35058. Extending Route 35058. Beginning at a point on the Dalton Borough-La Plume Township line; thence southeasterly over Main Street to an intersection with Route 35024 at Main and Bank Streets, in the Borough of Dalton, Lackawanna County, a distance of about 1.6 miles.

Moosic and Old Forge Boroughs

Route 35063. Beginning on Route 5 at the intersection of Spring and Main Streets, in Moosic Borough; thence northwesterly on Spring Street to Lonesome Road; thence northwesterly and northeasterly on Lonesome Road to an intersection with Route 35055, at Lonesome Road and Main Street, Old Forge Borough, in Lackawanna County, a distance of about 0.75 of a mile.

Route 35034. Beginning at a point on Route 35055 at Main Street and Moosic Road, in Old Forge; thence southerly on Moosic Road to a point on Route 5 in Moosic, Lackawanna County, a distance of about 1.5 miles.

Olyphant and Winton Boroughs

Route 35062. Beginning at a point on Route 168 Extension at Lackawanna Street and Delaware Avenue; thence [illegible] section on [illegible] Avenue and [illegible] Valley Avenue, in the borough of Olyphant, and on Moosic Street in the Borough of Winton, to a point on Route 35041 at Moosic and Bridge Streets, in Lackawanna County, a distance of about 1.7 miles."

Amend sec. 2, page 28 by inserting between lines 22 and 23 the following:

"Route 18 Spur. Beginning on Route 18 at the intersection of Broad and Arch Streets; thence southerly on Arch Street to its intersection with Jordan Avenue; thence easterly on Jordan Avenue to a point near Tombs Lane, in the Borough of Montoursville, Lycoming County, a distance of about 0.4 of a mile."

Amend sec. 2, page 29 by inserting between lines 7 and and 8 the following:

"South Williamsport Borough

Route 289 Spur. Beginning at a point on the Armstrong Township-South Williamsport Borough line; thence over Eighth Avenue, on Application 6958, to a point on Route 289 at Eighth Avenue and Market Street, in the Borough of South Williamsport, Lycoming County, a distance of about 0.58 of a mile."

Amend sec. 2, page 31 by inserting between lines 10 and 11 the following:

"MONROE COUNTY

East Stroudsburg Borough

Route 45059. Extending Route 45059. Beginning at a point on the Smithfield Township-East Stroudsburg Borough Line; thence over Sixth Street to a point on Route 167 at Sixth and Courtland Streets, in the Borough of East Stroudsburg, Monroe County, a distance of about 0.24 of a mile.

Stroudsburg Borough

Route 45054. Extending Route 45054. Beginning at a point on the Stroud Township-Stroudsburg Borough line; thence over Cherry Lane to a point on Route 498 at Cherry Lane and Foxtown Road, in the Borough of Stroudsburg, Monroe County, a distance of about 0.21 of a mile."

Amend sec. 2, page 31 by inserting between lines 11 and 12 the following:

"Bridgeport Borough

Route 143 Spur. Beginning at a point on Route 143 at the intersection of Fourth and Ford Streets, in the Borough northeasterly over Ford Street to a point on Route 225 at the intersection of Fourth and Ford Streets, in the Borough of Bridgeport, Montgomery County, a distance of about 0.81 of a mile."

Amend sec 2, page 32 by inserting between lines 24 and 25 the following:

"POTTER COUNTY

Coudersport Borough

Route 101 Spur. Beginning at a point on Route 101 at the intersection of Main and Chestnut Streets; thence in a southerly direction on Main Street, about 2,350 feet; thence in a westerly direction to Vine Street; thence northeasterly on Vine Street to Locust Street; thence easterly on Locust Street to Main Street, in the Borough of Coudersport, Potter County, a distance of about 0.9 of a mile.

Route 52048. Extending Route 52048. Beginning at a point on the Eulalia Township-Coudersport Borough line; thence in a southwesterly direction on Buffalo Street to Route 102, at the intersection of Second and Buffalo Streets, in the Borough of Coudersport, Potter County, a distance of about 0.5 of a mile.

Shinglehouse Borough

Route 236 Spur. Beginning at a point on Route 52014, at the intersection of Stevens and Honeoye Streets; thence in a southwesterly direction on Honeoye Street to a point on Route 236, at the intersection of Honeoye and Oswayo Streets, in the Borough of Shinglehouse, Potter County, a distance of about 0.7 of a mile."

Amend sec. 2, page 26 by inserting between lines 14 and 15 the following:

"SUSQUEHANNA COUNTY

Friendsville Borough

Route 57118. Extending Route 57118. Beginning at a

point on the Friendsville Borough-Apolscon Township line; thence in a northeasterly direction over North Branch Street to a point on Route 944, at North Branch and Turnpike Streets, in the Borough of Friendsville, Susquehanna County, a distance of about 0.5 of a mile.

Montrose Borough

Route 57132. Extending Route 57132. Beginning at a point on Bridgewater Township-Montrose Borough line; thence westerly to a point on Route 57024, in the Borough of Montrose, Susquehanna County, a distance of about 0.1 of a mile.

Route 57024. Beginning at a point on Route 57024 at Lake Avenue and Maple Street; thence over Maple Street to a point on Route 9 at Maple Street and Grow Avenue, in the Borough of Montrose, Susquehanna County, a distance of about 0.2 of a mile."

Amend section 2, page 37 by inserting between lines 22 and 23 the following: "Lewisburg Borough"

Amend section 2, page 39, line 12, by striking out the word "Bealsville" and inserting in lieu thereof the following: "Beallsville"

Amend section 2, page 44 by striking out all of lines 25 to 28, inclusive.

Amend section 2, page 45 by striking out all of lines 1 and 2 and inserting in lieu thereof the following:

"Penn and Jeannette Boroughs

Route 64233. Extending Route 64233. Beginning at a point on the Penn Township-Penn Borough line; thence over Eleventh Street, over the Burrell Bridge, to a point on Route 64096, at Penn Avenue, in the Boroughs of Penn and Jeannette, Westmoreland County, a distance of about 0.4 of a mile."

Amend section 2, page 45 by inserting between lines 3 and 4 the following:

"Route 64124. Extending Route 64124. Beginning at the west line of Scottdale Borough; thence easterly over Pittsburgh and Chestnut Streets to an intersection with Route 117 at the inersection of Chestnut Street and Broadway, in the Borough of Scottdale, Westmoreland County, a distance of about 1.1 miles."

Amend section 2, page 45, line 8, by striking out the word "miles" and inserting in lieu thereof the following: "of a mile."

Amend section 2, page 46 by inserting between lines 9 and 10 the following:

"Red Lion Borough

Route 66181. Extending Route 66181. Beginning at the York Township-Red Lion Borough line; thence easterly on West High Street to Application 402 at West High and North Main Streets, in the Borough of Red Lion, York County, a distance of about 0.5 of a mile."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section and title were separately read and agreed to as follows:

Section 3 This act shall become effective on the first day of January one thousand nine hundred and thirty-eight

An Act to amend section two of the act approved the first day of June one thousand nine hundred and thirty-three (Pamphlet Laws 1172) entitled "An act establishing certain streets in boroughs and incorporated towns as State highways and providing for their construction and maintenance at the expense of the Commonwealth" as amended by changing certain routes and adding certain new routes

And said bill having been read at length the second time and agreed to as amended.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1262 as follows:

An Act to amend section seven of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws 427) entitled "An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" by vesting in coroners the power to admit to bail persons accused of manslaughter

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws 427) entitled "An act to consolidate revise and amend the laws of this Commonwealth relating to penal proceedings and pleadings" is hereby amended to read as follows

Section 7 In all cases the party accused on oath or affirmation of any crime or misdemeanor against the laws shall be admitted to bail by one or more sufficient sureties to be taken before any judge justice mayor recorder or alderman where the offense charged has been committed except such persons as are precluded from being bailed by the constitution of this Commonwealth Provided also That persons accused as aforesaid of murder or manslaughter shall only be admitted to bail by the Supreme Court or one of the judges thereof or a president or associate law judge of a Court of Common Pleas or in the case of manslaughter only by the coroner Persons accused as aforesaid of arson rape mayhem sodomy buggery robbery or burglary shall only be bailable by the Supreme Court the Court of Common Pleas or any of the judges thereof or a mayor or recorder of a city

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1126, as follows:

An Act to amend section four hundred five of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by requiring that coaches of athletics shall be teachers regularly employed by the school district

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred and five of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the

method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended to read as follows

Section 405 The board of school directors in every school district of the first or second class shall and in every district of the third and fourth class may prescribe adopt and enforce such reasonable rules and regulations as it may deem proper regarding the management control or prohibition of exercises athletics or games of any kind taken part in or played by any pupils as members of or in connection with any public school and regarding the organization management supervision control or prohibition of school publications and of organizations or societies of the members of any class or school and may provide for the suspension dismissal or other reasonable penalty in the case of any superintendent teacher appointee employe or pupil who violates any of such rules and regulations

In any school district only a teacher who is employed by the school and who is certificated by the Department of Public Instruction and for whose services said district receives reimbursement from the Commonwealth shall coach direct or assist in coaching or directing athletic teams of the public schools in said school district

A teacher who is employed jointly by two or more districts in such a manner as entitles the said districts to reimbursement from the Commonwealth on account of such joint employment shall be construed as a teacher in any or all of the districts of joint employment

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred and thirty-seven

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. HARKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on Education for the purpose of further study and possible amendment.

The motion was agreed to.

BILL PASSED OVER

Mr. TURNER. Mr. Speaker, I ask that House Bill No. 1417, Senate Bill No. 197, Printer's No. 668, be passed over in its order.

The SPEAKER. The gentleman from Delaware asks unanimous consent to have Senate Bill No. 197 go over in its order. Will the House give its unanimous consent?

Mr. YOURISHIN. Will the gentleman from Delaware, Mr. Turner, see whether his amendments fit Printer's No. 668?

The SPEAKER. That is the purpose of passing the bill over. Will the House give its unanimous consent?

Mr. YOURISHIN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objections and consent is not granted.

QUESTION OF INFORMATION

Mr. TURNER. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. TURNER. Mr. Speaker, I was securing the amendments. I do not know who objected to passing the bill over.

The SPEAKER. The gentleman from Luzerne, Mr. Yourishin.

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from Luzerene, Mr. Yourishin.

The SPEAKER. Will the gentleman from Luzerne permit himself to be interrogated?

Mr. YOURISHIN. I will, Mr. Speaker.

Mr. TURNER, Mr. Speaker, I would like to say to the gentleman from Luzerne, Mr. Yourishin, that I have amendments prepared in my desk on Printer's No. 98. The Printer's Number now before us is No. 668. I am certain that the amendments can be changed in a very few minutes, and therefore, I am wondering whether the gentleman from Luzerne wants to prevent me from having an opportunity of offering my amendments purely because I have the wrong Printer's number, or whether under the circumstances he will not withdraw his objection.

Mr. YOURISHIN. Mr. Speaker, I will agree providing we come back when we are through with our special order.

The SPEAKER. The gentleman withdraws his objection. The bill will go over in its order.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2334, (Senate Bill No. 199), entitled:

An act to amend section one section three as amended sections seven and thirteen and section seventeen as amended and to repeal section six of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (Pamphlet Laws 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof as amended by excepting from the provisions of the act certain occupations and professions further regulating the hours of labor eliminating existing provisions permitting over time work in certain cases and the exemption for the canning industry imposing duties on employers and conferring powers and imposing duties on the Department of Labor and Industry and providing penalties.

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-fifth day of July one thousand nine hundred thirteen (Pamphlet Laws 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Commissioner of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent

with the provisions thereof" is hereby amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the term "establishment" when used in this act shall mean any place within this Commonwealth where work is done for compensation of any sort to whenever payable [Provided That this act shall not apply to work in private homes and farming]

The term "person" when used in this act shall be construed to include any individual partnership or other unincorporated association corporation [and municipality] Commonwealth and any political subdivision thereof.

The term "week" when used in this act shall mean any seven consecutive days and the term "day" shall mean any twenty-four consecutive hours.

The second section was read as follows:

Section 2 That section three of said act as amended by the act approved the first day of June one thousand nine hundred fifteen (Pamphlet Laws 709) is hereby further amended to read as follows:

Section 3 (a) [No] Except as hereinafter provided no female shall be employed or permitted to work in or in connection with any establishment for more than [six] five and one-half days in any one week or more than [fifty-four] forty-four hours in any one week or more than [ten] eight hours in any one day [Provided That during weeks in which a legal holiday occurs and is observed by an establishment any female may be employed by such establishment during three days of such week for a longer period of time than is allowed by this act but no female shall be premitted to work more than two hours overtime during any one of such three days nor more than the maximum hours per week specified in this act.

The employment of such persons at any other time than as stated herein shall be deemed a violation of teh provisions of this section unless it appears that such employment was to make up time lost in the same week in consequence of the alteration repairs or accidents to machinery or plant upon which she was employed and dependent for thirty consecutive minutes shall justify such overtime employment nor shall such overtime employment be legal unless a written report of the same is sent to the Commissioner of Labor and Industry but no female shall be permitted to work more than two hours overtime during any one day nor more than the maximum number of hours per week specified in this act Provided That aforesaid restrictions as to hours shall not apply to females engaged in the canning of fruit and vegetable products And provided further That the one day of holiday in seven may be subdivided into two days of twelve hours each women employes in hotels boarding houses and in charitable educational and religious institutions at the discretion of the Industrial Board of the Department of Labor and Industry Provided That if it should be hereafter held by the courts of this Commonwealth that the power herein sought to be granted to the said board is for any reason invalid such holding shall not be taken in any case to effect or impair the remaining provisions of this section] provided that one day of rest may be subdivided into two days of twelve hours each for women employes in hotels boarding houses and in charitable educational and religious institutions at the discretion of the Department of Labor and Industry with the approval of the Industrial Board.

Where the strict application of the schedule of hours provided for by this section imposes an unnecessary hardship and violates the intent and purpose of this act the Department of Labor and Industry with the approval of the Industrial Board may make alter amend and repeal general rules and regulations prescribing variations from said schedule of hours Provided that if it should be held hereafter by the courts of this Commonwealth that the power herein sought to be granted to the said Department of Labor and Industry is for any reason invalid such holding shall not be taken in any case to affect or impair the remaining provisions of this section.

(b) Whenever any female shall be employed or permitted to work in or in connection with more than one establishment in any one week or in any one day the aggregate number of hours during which she shall be employed or permitted to work in or in connection with such establishments shall not exceed [the number of hours prescribed in this section for such females] forty-four in any one week or eight in any one day.

(c) Nothing in this section or any other provisions of this act shall apply to the employment of females in agricultural field occupations or in domestic service in private homes nor shall any provision of this act which relates to the regulation of hours of employment [The provisions of this section shall not] apply to the work of nurses in hospitals.

(d) It shall be unlawful for any female to be employed or permitted to work in any occupation dangerous to life or limb or injurious to the health or morals as such occupation shall from time to time be determined and declared by the Industrial Board.

On the question,

Will the House agree to the section?

Mr. YOURISHIN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 2, page 7, line 17 by inserting at the end of the line the following: "or to the work of females over twenty-one years of age earning at least twenty-five dollars a week in executive positions."

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

Mr. WOODSIDE. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec 2 (sec. 3), page 7, line 11 by inserting after the word "homes" the following: "or to the work of females employed in orphans homes and industrial schools.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

Mr. FLINCHBAUGH. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 2 (sec. 3), page 7, line 10, by inserting after the word "occupations" the following: "or to the employment of females by the first processors of perishable fruits and vegetables."

On the question,

Will the House agree to the amendment?

Mr. YOURISHIN. Mr. Speaker, I object to the insertion of this amendment in that on page 6 of the bill, starting at line 15 it says "Where the strict application of the schedule of hours provided for by this section imposes an unnecessary hardship and violates the intent and purpose of this act, the Department of Labor and Industry, with

the approval of the Industrial Board, may make, alter, amend and repeal the general rules and regulations," which would take car eof any situation of that kind. I ask the House to vote down the amendment.

Mr. FLINCHBAUGH. Mr. Speaker, ladies and gentlemen of the House, as the bill came over the Senate it exempted females engaged in canning and packing of perishable fruits and vegetables, an exemption which they had in the original bill, enacted, I think, in 1913 or 1915. It is true, as the gentleman from Luzerne, Mr. Yourishin says, that an amendment may go before the Industrial Board or before the Department of Labor and Industry, but we have no assurance that such request will be granted by the Department of Labor and Industry, and a condition may arise which makes it imperative that action be taken immediately, because fruits and vegetables may ripen so rapidly that we cannot wait until we go before a board and secure their approval. This amendment is very important. This industry has been growing rapidly in the State of Pennsylvania. A few years ago it was a minor industry. Today it is one of the major industries of the State of Pennsylvania. The packing of fruits and vegetables has brought about the building of numerous canneries in new sections of the State. It is an industry which is bringing very many thousands of dollars to the farmers of the State of Pennsylvania. We have in Pennsylvania great sections today in which vegetables are grown, in which fruits are grown, and it is very important for the preservation of this industry that these amendments be included in the bill, and I ask the members of the House to vote "aye" on these amendments.

Mr. YOURISHIN. Mr. Speaker, that is one of the reasons why the bill was amended as it was in the committee of the House. There were several amendments proposed exempting several of the industries of the State, for instance, the grocers who have the same complaint that the canning industry has. Hence, the Committee on Labor, thought that the only way to straighten this matter out, the only way to take care of the situation, so that no one may suffer in the State as a result of the forty-four hour bill, was to put in this general amendment, giving the Department of Labor and Industry the right to immediately exempt any one where it may work a hardship with the consent, of course, of the Industrial Board. I cannot see any sense in exempting any particular industry with that one amendment in the bill.

The Department of Labor and Industry does not want to see any of the farmers lose any of their tomatoes or strawberries or anything of that kind, neither does the Department of Labor and Industry want to work a hardship on anyone, nor does labor want to do so. Labor is willing that certain exemptions be granted but you cannot grant an exception to one industry, or one section of an industry, and not grant it to the rest of them. I say to you that the amendment placed in this bill by the Committee on Labor, which gives to the Department of Labor and Industry the right to exempt, the right to stretch the hours, the right to even extent the five and one half day week, where it is going to work a hardship on any industry, is the only amendment that should be in the bill, in order that it may make the bill workable.

I ask the members of the House to vote this amendment down.

On the question recurring,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring.

Will the House agree to the section as amended?

It was agreed to.

Mr. FLINCHBAUGH. Mr. Speaker, I withdraw the remainder of my amendments to the bill.

The third to the sixth sections were separately read and agreed to as follows:

Section 3 That section six of said act be and the same is hereby repealed

Section 4 That section seven of said act is hereby amended to read as follows

Section 7 No female shall be employed or permitted to work for more than [six] five hours continuously in or in connection with any establishment without [an interval of at least forty-five minutes] a meal or rest period of at least thirty minutes which period shall not be considered a part of the hours of labor and no period of less than [forty-five] thirty minutes shall be deemed to interrupt a continuous period of work [Provided That whenever any female shall be employed or permitted to work in or in connection with any establishment for less than eight hours in any one day the interval between work periods may be reduced to not less than thirty minutes]

Employes shall not be required to remain in the workrooms during the meal or rest periods required by this section

Section 5 That section thirteen of said act is hereby amended to read as follows

Section 13 Every person employing or permitting any female to work in any establishment shall keep posted in a conspicuous place in the room where such female shall be employed or permitted to work a printed abstract of the provisions of this act and a schedule of the hours of labor of such female Provided That when any female shall be employed or permitted to work in more than one room in any establishment the aforesaid abstract and schedule shall be required in only one of the said rooms If any female shall be employed or permitted to work in connection with any establishment but not in such establishment the aforesaid abstract and schedule shall be kept posted in a conspicuous place in the office of such establishment

The schedule of hours of labor herein required shall contain [the name of the female employed or permitted to work the] maximum number of hours [such] each female shall be required or permited to work on each day of the week with the total for the week the hours of commencing and stopping work and the hours when the time allowed for [meals] meal or rest periods shall begin and end for each day of the week If more than one schedule of hours is in operation in or in connection with any establishment the posted schedule shall also contain the names of the female employes working on the different shifts and shall clearly indicate the hours required of each female or group of females [Such female] females may begin work after the time for beginning and stop before the time for ending work stated in each schedule but [she] no female shall [not] otherwise be employed or permitted to work in or in connection with any establishment except as stated in such schedule

The [Commissioner] Department of Labor and Industry shall prepare the abstract of the provisions of this act and a form for the schedule of hours of labor required by this section Copies of such abstract and such form shall be printed in accordance with the laws of this Commonwealth regulating printing and publishing [under the supervision of the Superintendent of Public Printing and Binding] and the [Commissioner] Department of Labor and Industry shall supply the same upon application to all persons required to post the abstract and schedule aforesaid Said schedule shall remain the property of the Department of Labor and Industry

Section 6 That section seventeen of said act as

amended by the act approved the eighteenth day of April one thousand nine hundred twenty-nine (P. L. 617) is hereby further amended to read as follows

Section 17 All prosecutions for violations of this act shall be instituted by the Department of Labor and Industry before a magistrate alderman or justice of the peace [who shall issue a summons commanding the person charged with a violation of the act to appear within not less than five nor more than eight days] and shall be in the form of summary proceedings Upon conviction after hearing the penalties provided in this act shall be imposed and shall be final jurisdiction within twenty days after the imposition of the penalties aforesaid in the manner already provided by law in appeals from penalties

The seventh section was read as follows:

Section 7 This act shall become effective immediately upon final enactment

On the question,

Will the House agree to the section?

Mr. YOURISHIN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 7, page 11 by striking out lines 28 and 29.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend section one, section three, as amended, sections seven and thirteen, and section seventeen as amended, and to repeal section six of the act approved the twenty-fifth day of July, one thousand nine hundred and thirteen (P. L. 1024) entitled "An act to protect the public health and welfare by regulating the employment of females in certain establishments, with respect to their hours of labor and the conditions of their employment; by establishing certain sanitary regulations in the establishments in which they work; by requiring certain abstracts and notices to be posted; by providing for the enforcement of this act by the Commissioner of Labor and Industry and others; by prescribing penalties for violations thereof; by defining the procedure in prosecutions; and by repealing all acts and parts of acts inconsistent with the provisions thereof," as amended, by excepting from the provisions of the act certain occupations and professions, further regulating the hours of labor; eliminating existing provisions permitting overtime work in certain cases and the exemption for the canning industry; imposing duties on employers and conferring powers and imposing duties on the Department of Labor and Industry; and providing penalties.

On the question,

Will the House agree to the title?

Mr. YOURISHIN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend page 2, line 7 of the title, by striking out at the end of the line the following: "[and the exemption for]"

Amend page 2, line 8 of the title, by striking out at the beginning of the line the following: "[the canning industry]"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1781, as follows:

An Act to amend sections two and three of the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1721) entitled 'An act providing for the service of process in civil suits on non-resident operators or non-resident owners of motor vehicles operated within the Commonwealth of Pennsylvania and making the operation of such a motor vehicle on the public highways of the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of Revenue of the Commonwealth of Pennsylvania as the agent of the said non-resident upon whom civil process may be served and providing for further notice to the defendant in any such suit" as amended by providing further for the return of and fees for service

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the fourteenth day of May one thousand nine hundred twenty-nine (P. L. 1721) entitled "An act providing for the service of process in civil suits on non-resident operators or non-resident owners of motor vehicles operated within the Commonwealth of Pennsylvania and making the operation of such a motor vehicle on the public highways of the Commonwealth of Pennsylvania the equivalent of the appointment of the Secretary of Revenue of the Commonwealth of Pennsylvania as the agent of the said non-resident upon whom civil process may be served and providing for further notice to the defendant in any such suit" as last amended by the act approved the sixteenth day of May one thousand nine hundred thirty-five (P. L. 174) is hereby further amended to read as follows

Section 2 Such process shall be served by the officer to whom the same shall be directed upon the Secretary of Revenue of the Commonwealth of Pennsylvania by sending by registered mail postage prepaid at least fifteen (15) days before the return day of such process a true and attested copy thereof and by sending to the defendant by registered mail postage prepaid a like true and attested copy with an endorsement thereon of the service upon said Secretary of Revenue addressed to such defendant at his last known address The registered mail return receipts of the Secretary of Revenue and of such defendant shall be attached to and made a part of the return of service of such process provided that if the defendant refuses to accept the notice mailed or cannot be found at his last known address the registered mail return receipt or other evidence of such facts shall be attached to and made a part of the return and shall constitute sufficient service under the provisions of this section

Section 2 That section three of the said act is hereby amended to read as follows

Section 3 The officer serving such process upon the Secretary of Revenue shall pay to said secretary at the time of service a fee of two dollars ($2.00) for each process served which fee shall be taxed as costs in the case The Secretary of Revenue shall keep a record of each such process and the day and hour of the service thereof upon him

Section 3 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2342, (Senate Bill No. 855), entitled:

An Act supplementing the act approved the twenty-eighth day of July one thousand nine hundred and thirty-six (P. L. 79) and authorizing the Governor directly or through such agency as he may designate to provide plan prepare supervise and carry out a suitable program within and without Pennsylvania for the commemoration by the Commonwealth of Pennsylvania of the three hundredth anniversary of the earliest settlement the first courts of law and the first capital within what is now Pennsylvania and making an appropriation therefor out of the General Fund

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the directly or through such agency as he may designate is authorized and directed to make supervise execute and carry out such plans and preparations as may be necessary for the proper celebration of the said tercentenary anniversary to cooperate with the United States Delaware Valley Tencentenary Commission with the Commission of Sweden Finland and other countries the Tercentenary Commission of the States of Delaware New Jersey and Maryland the Pennsylvania Federation of Historical Societies the Historical Society of Pennsylvania the Swedish Colonial Society the American Swedish Historical Museum and other Historical Associations and county municipal and other authorities committees or commissions now existing or hereafter to be appointed to send a representative or representatives to Sweden there in the City of Gothenberg to dedicate a tablet or memorial in commenoration of the three hundredth anniversary of the sailing of the ships Kalmar Nyckel and Foge] Grip in November one thousand six hundred and thirty-seven or to any other country or countries from whic hthe earliest settlers came to our shores prior to the advent of William Penn to buy from the United States sell distribute and present commemorate coins and to create such offices and to select such assistants and personnel tand to pay such reasonable and fair compensation therefor as in its judgment may be proper and necessary

On the question,

Will the House agree to the section?

Mr. HERBERT B. COHEN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 4, line 5, by inserting before the word "directly" the following: "Governor"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second to the fifth sections inclusive, the preamble and title were separately read and agreed to as follows:

Section 2 In executing and carrying out the provisions of this act the Governor shall have authority to incur costs and expenses and to expend the appropriation herewith authorized for the formulation and execution of plans the organization and presentation of pageants and parades the organizing operating and conducting of declamatory essay oratorical and history contests in any or all schools located within this Commonwealth and the award of prizes medals and certificates therefor the arranging and holding of receptions in honor of the representatives of Sweden Finland and other mother countries officials of the Government of the United States the Governors of other states the Mayors of Philadelphia and Chester and other distinguished guests cooperation and participation in local and county events in this Commonwealth the cost of designing constructing erecting and dedicating historic memorial tablets markers or monuments the costs of research into and of transplanting publishing and distributing historic documents or records used upon the history of New Sweden and the early history of Pennsylvania whether such historic records exist within or without the Commonwealth or abroad the costs of advertising printing and publishing including the costs of advertising and publishing within and without the Commonwealth the historical agricultural commercial and industrial values and attractions of Pennsylvania of renting equipping and furnishing offices and office supplies and materials of designating manufacturing and presenting souvenir medals badges and other emblems of traveling and other costs within and without the Commonwealth and other expenses and costs as the Governor in his discretion may deem necessary for the proper conduct and operation of the said celebration

Section 3 The Governor in his discretion may contact with the American Swedish Historical Museum now established in Philadelphia for the constructing equipping and setting up of a room in the said Museum to be known as "The Pennsylvania Room" which room shall be under the control of the Pennsylvania Historical Commission or such articles or historic relics connected with the dawn of history in New Sweden or Pennsylvania or other objects relevant in connection therewith may be displayed such contract however to be in such legal form as meets the requirements and approval of the Department of Justice

Section 4 The sum of forty thousands dollars ($40,000) is hereby specifically appropriated out of the General Fund to the Governor to be paid out by the Auditor General on teh requisitions of the said commission for the purpose of carrying out the provisions of this act

Section 5 This act shall become effective immediately upon its final enactment and the appropriation made by this act shall be available for expenditure from said effective date until the close of the fiscal period ending May thirty-first one thousand nine hundred and thirty-nine

Whereas, The General Assembly by the act approved the twenty-eighth day of July one thousand nine hundred and thirty-six (P. L. 79) authorized and directed the Pennsylvania Historical Commission of the Department of Public Instruction to set for and on behalf of the Commonwealth of Pennsylvania in arranging a suitable commemoration of the three hundredth anniversary of the landing of the ships Kalmar Nyckel and Fogel Grip on the Delaware in March one thousand six hundred and thirty-eight and the establishment of the colony of New Sweden as well as the coming of the first Dutch English German Welsh Irish and other settlers by whom were established the earliest settlements the first courts of law and the first capital within what is now Pennsylvania and

Whereas, This General Assembly being mindful of the character and qualities of our founders and forefathers and of their achievement in establishing the colony of New Sweden and of maintaining and preserving peaceful and harmonious relations with the Indians and the neighboring colonies thereby laying the foundations for the subsequent colony of the Commonwealth of Pennsylvania

and enabling it to develop quickly into the greatest richest and most populous province among the Original Thirteen Colonies and making possible Philadelphia's rise as the greatest city of colonial America and the establishment of the Commonwealth of Pennsylvania as the Keystone in the great arch of states and this General Assembly being mindful also that such character qualities pioneering efforts and achievements were the foundations upon which our Pennsylvania civilization is based and being mindful of the honorable pride and great interest of our citizens therein desires to make said tercentenary celebration an occasion of State National and world-wide reunion to commemorate those inspiring and momentous events and

Whereas the said tercentenary anniversary celebration will arouse stimulate and encourage the interest of all of our citizens and the citizens of other states and countries young and old in a knowledge and study of the inspiring history of the founding establishing and development of this Commonwealth and will interpret and emphasize the spiritual and educational forces of the past and

Whereas, It is anticipated that the said commemoration will bring to the Commonwealth a great influx of visitors from the nation and the entire world who will learn of the historical agricultural commercial and industrial values and attractions here to be found resulting in aid and stimulation of the general business improvement of the State thereby increasing the State revenues derived from the gasoline and other taxes and

Whereas, The Governments of Sweden and Finland have accepted invitations to participate in the said Tercentenary celebrations and

Whereas, The President and Congress of the United States of America have appointed a Delaware Valley Tercentenary Commission to participate in the said celebration in behalf of the United States of America and

Whereas, The Government of Sweden has created a Swedish-American Tercentenary Commission to cooperate with the Commonwealth of Pennsylvania and

Whereas, Distinguished representatives of the Swedish Government and its Tercentenary Commission are perfecting arrangements to pay an official visit to this Commonwealth in one thousand nine hundred and thirty-eight therefore

An Act supplementing the act approved the twenty-eighth day of July, one thousand nine hundred and thirty-six, (P. L. 79), and authorizing the Governor directly or through such agency as he may designate to provide, plan, prepare, supervise and carry out a suitable program within and without Pennsylvania for the commemoration by the Commonwealth of Pennsylvania of the three hundredth anniversary of the earliest settlement, the first courts of law and the first capital within what is now Pennsylvania; and making an appropriation therefor out of the General Fund.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2323, (Senate Bill No. 1166), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the California State Teachers College to acquire a certain tract of land for the use of said college and making an appropriation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being inthis case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2255, (Senate Bill No. 875), as follows:

An Act to cede jurisdiction to the United States over lands embraced within the boundaries of Carlisle Barracks located in Cumberland County and over the tract of land and buildings occupied by the New Cumberland General Depot located in York County

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the jurisdiction of the State of Pennsylvania is hereby ceded to the United States of America for the occupation and use for purposes of national defense and for the erection and maintenance of the necessary buildings for the military or other public use of the United States over all the lands now embraced within the boundaries of Carlisle Barracks Military Reservation situate in Cumberland County State of Pennsylvania excepting roads abutting on said reservation and that portion of the Carlisle-Harrisburg turnpike located within the boundaries thereof and over all that tract of land comprising the New Cumberland General Depot situate in York County State of Pennsylvania excepting roads abutting thereon and those portions of the Marsh Run Road which lie within the boundaries thereof and that portion of U. S. Highway No. 111 (old State Highway No. 333) which extends across the southeast corner for a distance of approximately two hundred seventy and one-half (270½) feet

Section 2 The jurisdiction so ceded to the United States of America is granted upon the express condition that the said State of Pennsylvania shall retain concurrent jurisdiction with the United States in and over the tracts of land aforesaid in so far that civil process in all cases and such criminal process as may issue under the authority of the State of Pennsylvania against any person or persons charged with crimes committed outside the limits of said lands may be executed thereon in the same way and manner as if this jurisdiction had not been ceded The United States shall retain such jurisdiction so long as the said tracts or parcels of land shall be used for the purposes for which jurisdiction is ceded and no longer

Section 3 That if at any time hereafter any additional lands adjoining those above described shall be purchased by the United States for use of the said Carlisle Barracks Military Reservation or the New Cumberland General Depot respectively or for any other military purpose this act shall be construed to vest in the United States jurisdiction over such additional lands to the same extent as is vested by this act over the tracts or parcels above described

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

BILL PASSED OVER

There being no objection House Bill No. 2370, Senate Bill No. 758, Printer's No. 588, was passed over at the request of The SPEAKER.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1789, entitled:

An Act limiting the term of years of any agreement contract or lease to which any city of the first class shall be a party and making certain exceptions

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That all cities of the first class are hereby prohibited from entering into any agreement contract or lease if the terms thereof shall bind such cities for a period of time in excess of three years

On the question,

Will the House agree to the section?

Mr. OMINSKY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 1, page 1, line 7 by striking out after the word "day]" and before the word "years" the word "[three]" and inserting in lieu thereof the word "ten"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second and third sections and title were separately read and agreed to as follows:

Section 2 The provisions of this act shall not apply to any agreement under which such cities borrow funds and provide for the repayment thereof

Section 3 This act shall become effective immediately upon final enactment

An Act limiting the term of years of any agreement contract or lease to which any city of the first class shall be a party and making certain exceptions

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

The SPEAKER. The remaining bills on the second reading calendar which were made special orders are not on file and will therefore be passed over for the present.

House Bills Nos. 647 and 2055, bills on final passage recalled from the Governor are not on file and will be passed over.

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The House proceeded to the consideration on final passage of House Bill No. 1222, as follows:

An Act to amend section three of the act approved the third day of May one thousand eight hundred fifty (P. L. 654) entitled "An act providing for the election of district attorneys" by changing the power of appointment in cases of vacancies in the office of district attorney in counties of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the third day of May one thousand eight hundred fifty (P. L. 654) entitled "An act providing for the election of district attorneys" is hereby amended to read as follows

Section 3 All elections of district attorneys shall be contested and decided in the same manner as is now provided by law for contesting the election of county officers and if any vacancy shall occur either by death resignation removal from office or from the county or otherwise the judges of the Court of Common Pleas shall supply such vacancy by the appointment of a competent person to fill the office until the next general election except that in counties of the first class the Governor by and with the advice and consent of the Senate shall appoint a competent person to fill the office until the next general election Provided in either event that such vacancy happens thirty days before the next general election and if not then until the next general election thereafter and until a successor is duly elected and qualified

Section 2 This act shall become effective immediately upon its final enactment

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—152

Achterman,	Elpern,	McArdle,	Scanlon,
Alexander,	Falkenstein,	McCullough,	Schor,
Allen,	Finnerty,	McDermott,	Schrope,
Allmond,	Fitch,	McElroy,	Shaw,
Arnold,	Flanagan,	McFall,	Shea,
Aukerman,	Flannery,	McShane,	Shepard,
Baine,	Flinchbaugh,	Melchiorre,	Shoemaker,
Baker, J. J.,	Ganser,	Mellott,	Shugarts,
Balthaser,	Gerard,	Mihm,	Siegel,
Bierly,	Gorski,	Moomaw,	Simon,
Blank,	Haberlen,	Mooney,	Skale,
Bohn,	Hagerty,	Moran,	Smith, James A.,
Bois,	Hamilton, F. P.,	Moul,	Smith, John A.,
Boltz,	Harkins,	Munley,	Spengler,
Bradley	Harmuth,	Murrin,	Stank,
Brancato,	Hays,	Nagel,	Thomas,
Brigerman,	Hering,	O'Brien,	Thompson,
Broad,	Hess,	O'Connor,	Toole,
Brown,	Hetrick,	O'Keefe,	Tronzo,
Brownfield,	Hindman,	Ominsky,	Tumelty,
Burrows,	Hirsch,	O'Neill,	Valibus,
Caesar,	Holland,	Ostroff,	VanSickle,
Caputo,	Holmes,	Patterson, C. S.,	Vogt,
Coakley,	Holstrom,	Patterson, J. W.,	Wagner,
Cohen, H. B.,	Hontz,	Pearson,	Walsh,
Cohen, R. E.,	Horting,	Pershing,	Weiss, D. H.,
Coleman,	Jirolanio,	Piole,	Weiss, S. A.,
Coolahan,	Keenan,	Powers,	Welliver,
Corrigan,	Kelso,	Preston,	Welsh,
Costanzo,	Kilroy,	Readinger,	Westrick,
Decker,	Kroll,	Reese,	Whalen,
DeNote,	LaRue,	Reising,	Whitenight,
Dickinson,	Levy,	Richter,	Wright,
Donohoe,	Lewis,	Robinson,	Yanoshat,
Dougherty,	Long,	Rothenberger,	Yourishin,
Downey,	Lopresti,	Ruffennach,	Zappala,
Dubbs,	Lovett,	Rush,	Furman,
Dyson,	Marino,	Sarraf,	

NAYS—50

Atkins,	Imbrie,	Schrock,	Trout,
Baker, F. T.,	Kane,	Schumacher,	Turner,
Boose,	Kline,	Serrill,	VanAllsburg,
Boyer	Leisey,	Sloan,	Wall,
Cadwalader,	Lyons,	Snyder,	Watkins,
Davies,	Matthews, J. F.,	Sollenberger,	Webster,
Eckels,	McDevitt,	Sproul,	Weidemann,
Fiss,	McKinney,	Stackpole,	Wilson,
Gillette,	Merrell,	Stewart,	Winner,
Habbyshaw,	Muir,	Stockham,	Wood,
Hall,	Peale,	Strode,	Woodside,
Hamilton, R. S.,	Perry,	Terry,	Yeakel,
Huntley,	Royer,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the consideration on final passage House Bill No. 2222, (Senate Bill No. 749), as follows:

An Act to amend sections four hundred ten as amended and four hundred eleven of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" requiring companies of other states and foreign governments to make a provision for loans in policies of life insurance prohibiting any provision by which a policy of life insurance would take effect before the original application was made

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections four hundred and ten of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by the act approved the fifteenth day of July one thousand nine hundred and thirty-five (P. L. 1020) is hereby further amended to read as follows

Section 410 Uniform Policy Provisions No policy of life or endowment insurance except policies of industrial insurance where the premiums are payable monthly or oftener shall hereafter be issued or delivered by any stock or mutual life insurance company in this Commonwealth unless it contains in substance the following provisions

(a) A provision that all premiums shall be payable in advance either at the home office of the company or to an agent of the company upon delivery of a receipt signed by one or more of the officers of the company who shall be named in the policy

(b) A provision that the insured is entitled to a grace either of thirty days or one month within which the payment of any premium after the first year may be made subject at the option of the company to an interest charge not in excess of six per centum per annum for the number of days of grace elapsing before the payment of the premium during which period of grace the policy shall continue in full force but in case the policy becomes a claim during the said period of grace before the overdue premium or the deferred premiums of the current policy year if any are paid the amount of such premiums with interest on any overdue premiums may be deducted in any settlement under the policy

(c) A provision that the policy shall be incontestable after it has been in force during the life-time of the insured two years from its date of issue except for nonpayment of premiums and for engaging in military or naval service in time of war without the consent in writing of an executive officer of the company and that at the option of the company provisions relative to benefits in the event of total and permanent disability and provisions which grant additional insurance specifically against death by accident may also be excepted

(d) A provision that the policy shall constitute the entire contract between the parties but if the company desires to make the application a part of the contract it may do so provided a copy of such application shall be endorsed upon or attached to the policy when issued and in such case the policy shall contain a provision that the policy and the application therefor shall constitute the entire contract between the parties

(e) A provision that if the age of the insured has been mis-stated the amount payable under the policy shall be such as the premium would have purchased at the correct age

(f) A provision that the policy shall participate in the surplus of the company and that beginning not later than the end of the third policy-year the company will annually determine the portion of the divisible surplus accruing on the policy and that the owner of the policy shall have the right to have the dividend arising from such participation paid in cash or applied to the payment of premium or the purchase of paid up additions to the policy as the policyholder may elect

In lieu of the foregoing provisions the policy may contain a provision that the policy shall participate in the surplus of the company and that beginning not later than the end of the fifth policy-year the company will determine the portion of the divisible surplus accruing on the policy and that the owner of the policy shall have the right to have the current dividend arising from such participation paid in cash and that at periods of not more than five years thereafter such apportionment and payment at the option of the policy-holder shall be had

Renewable term policies of ten years or less may provide that the surplus accruing to such policies shall be determined and apportioned each year after the second policy-year and accumulated during each renewal period and that at the end of any renewal period or renewal of the policy by the insured the company shall apply the accumulated surplus as an annuity for the next succeeding renewal term in the reduction of premiums

(g) A provision specifying the options to which the policyholder is entitled in the event of default in a premium payment after three full annual premiums shall have been paid

(h) A provision that after three full years' premiums have been paid the company at any time while the policy is in force will advance on proper assignment or pledge of the policy and on the sole security thereof at a specified rate of interest a sum equal to or at the option of the owner of the policy less than the reserve at the end of the current policy year on the policy and on any dividend additions thereto less a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto and that the company will deduct from such loan value any existing indebtedness on the policy and any unpaid balance of the premium for the current policy-year and may collect interest in advance on the loan to the end of the current policy-year which provision may further provide that such loan may be deferred for not exceeding six months after the application therefor is made A company may in lieu of the provision hereinabove permitted for the deduction from a loan on the policy of a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto insert in the policy a provision that one-fifth of the entire reserve may be deducted in case of a loan under the policy or may provide therein that the deduction may be the said two and one-half per centum or the one-fifth of the said entire reserve at the option of the company

(i) A provision which in event of default in premium payments after premiums shall have been paid for three years shall secure to the owner of the policy a stipulated form of insurance the net value of which shall be at least equal to the reserve at the date of default on the policy and on any dividend additions thereto specifying the mortality table and rate of interest adopted for computing such reserves less a sum not more than two and one-half per centum of the amount insured by the policy and of any existing dividend additions thereto and less any existing indebtedness to the company on the policy Such provision shall stipulate that the policy may be surrendered to the company at its home office within one month from date of default for a specified cash value at least equal to

the sum which would otherwise be available for the purchase of insurance as aforesaid and may stipulate that the company may defer payment for not more than six (6) months after the application therefor is made This provision shall not be required in term insurance of twenty years or less

(j) A table showing in figures the loan value if any and the options available under the policy each year upon default in premium payments during at least the first twenty years of the policy and if the proceeds of the policy are payable in installments or as an annuity a table showing the amount of the installment or annuity payment

(k) A provision that the holder of a policy shall be entitled to have the policy re-instated at any time within three years from the date of default in premium payments unless the policy has been duly surrendered or the extension period expired upon the production of evidence of insurability satisfactory to the company and the payment of all overdue premiums and any other indebtedness to the company upon said policy with interest at the rate of not exceeding six per centum per annum

(l) A provision that when a policy shall become a claim by the death of the insured settlement shall be made upon receipt of due proof of death

Any of the foregoing provisions or parts thereof not applicable to single premium or non-participating or term policies shall to that extent not be incorporated therein [and paragraph (h) shall not apply to companies of other states and foreign governments] provided however That the policies of an insurance company organized under the laws of any state or foreign government may contain when issued in this Commonwealth any provision which may be prescribed by laws of the state or government under which the company is organized and the policies of a life insurance company organized under the laws of this Commonwealth may when issued in any other state territory or foreign country contain any provision required by the laws of such state territory or foreign country to be contained in policies issued therein

Section 2 That section four hundred and eleven of said act is hereby amended to read as follows

Section 411 Prohibited Policy Provisions No policy of life insurance shall be issued or delivered in this Commonwealth by any stock or mutual life insurance company organized under the laws of any other state or country or be issued by any stock or mutual life insurance company organized under the laws of this Commonwealth except policies of industrial insurance where the premiums are payable monthly or oftener if it contain any of the following provisions

(a) Any provision for forfeiture of the policy for failure to repay any loan on the policy or to pay interest on any such loan while the total indebtedness on the policy is less than the cash value thereof In ascertaining the indebtedness due upon the policy loan the interest if not paid when due shall be added to the principal of such loan and shall bear interest at the rate specified in the note or loan agreement

(b) Any provision limiting the time within which any action at law or equity may be commenced to less than two years after the cause of action shall accrue

(c) Any provision by which the policy shall purport to be issued or to take effect [more than six months] before the original application for the insurance was made if thereby the assured would rate at an age younger than his age at date when the application was made according to his age at nearest birthday

(d) Any provision for a mode of settlement at maturity of less value than the amount insured on the face of the policy plus dividend additions if any less the indebtedness to the company on the policy and less any premiums that may by the terms of the policy be deducted

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—202

Achterman,	Flannery,	McKinney,	Siegel,
Alexander,	Flinchbaugh,	McShane,	Simon,
Allen,	Ganser,	Melchiorre,	Skale,
Allmond,	Gerard,	Mellott,	Sloan,
Arnold,	Gillette,	Merrell,	Smith, James A.,
Atkins,	Gorski,	Mihm,	Smith, John A.,
Aukerman,	Habbyshaw,	Moomaw,	Snyder,
Baine,	Haberlen,	Mooney,	Sollenberger,
Baker, F. T.,	Hagerty,	Moran,	Spengler,
Baker, J. J.,	Hall,	Moul,	Sproul,
Balthaser,	Hamilton, F. P.,	Muir,	Stackpole,
Bierly,	Hamilton, R. S.,	Munley,	Stank,
Blank,	Harkins,	Murrin,	Stewart,
Bohn,	Harmuth,	Nagel,	Stockham,
Bois,	Hays,	O'Brien,	Strode,
Boltz,	Hering,	O'Connor,	Terry,
Boose,	Hess,	O'Keefe,	Thomas,
Boyer	Hetrick,	Ominsky,	Thompson,
Bradley	Hindman,	O'Neill,	Toole,
Brancato,	Hirsch,	Ostroff,	Tronzo,
Brigerman,	Holland,	Patterson, C. S.,	Trout,
Broad,	Holmes,	Patterson, J. W.,	Tumelty,
Brown,	Holstrom,	Peale,	Turner,
Brownfield,	Hontz,	Pearson,	Valibus,
Burrows,	Horting,	Perry,	VanAllsburg,
Cadwalader,	Huntley,	Pershing,	VanSickle,
Caesar,	Imbrie,	Piole,	Vogt,
Caputo,	Jirolanio,	Powers,	Wagner,
Coakley,	Kane,	Preston,	Wall,
Cohen, H. B.,	Keenan,	Readinger,	Walsh,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Lopresti,	Scanlon,	Whitenight,
Dougherty,	Lovett,	Schor,	Wilson,
Downey,	Lyons,	Schrock,	Winner,
Dubbs,	Marino,	Schrope,	Wood,
Dyson,	Matthews, H. T.,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,
Flanagan,	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendment in which the concurrence of the Senate is requested.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2057, as follows:

An Act to protect the public against fraud and deception regulating the business of selling liquid fuels by requiring persons engaged in the sale storage use or distribution of liquid fuels to secure a permit or permits from pumps or outlets used therein prescribing the method and manner of obtaining such permit or permits and prescribing the fees for the issuance thereof conferring powers and imposing duties on the Department of Revenue and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That as used in this act the term "liquid fuels" shall include all distillates of and condensates from petroleum natural gas coal tar vegetable

ferments and other oils including among others gasoline naphtha benzol benzine or alcohols which are ordinarily practically and commercially usable in internal combustion engines for the generation of power except kerosene fuel oil and gas oil Provided That petroleum naphtha which distil by American Society of Testing Materials Methods D 86-27 or United States Bureau of Mines Method 100.13 not more than nine (9) per centum at 176° F sold for any purpose other than use in internal combustion engines for the generation of power and which are not orinarily practically and commercially usable in internal combustion engines are not included in the definition of "liquid fuels" Provided further That kerosene fuel oil and gas oil used in internal combustion engines for the generation of power to propel vehicles of any kind or character which use the public highways in this Commonwealth shall be included within the definition of "liquid fuels"

The word "person" shall include natural persons copartnerships associations and corporations.

Section 2 (a) On and after the effective date of this act it shall be unlawful for any persons to use or operate a liquid fuels pump or outlet within this Commonwealth unless a liquid fuels pump or outlet permit or permits shall have been issued to him as hereinafter prescribed

(b) Every person desiring to use or operate any liquid fuels pump or outlet from which liquid fuels are sold within this Commonwealth shall file an application for a liquid fuels pump or outlet permit or permits with the department Every application for a liquid fuels pump or outlet permit shall be made upon a form prescribed prepared and furnished by the department and shall set forth the name under which the applicant transacts or intends to transact business the location of his place of business within this Commonwealth and the number and location of each pump or outlet whether or not the applicant is the holder of a mercantile license in effect when the application is made and if so the number of such license and the county for which such license was issued and such other information as the department may require If the applicant has or intends to have more than one place of business within the Commonwealth the application shall state the location of each place of business If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association and if a corporation the names and addresses of the principal officers thereof and any other information prescribed by the department for purposes of identification The application shall be signed and verified by oath or affirmation by the owner if a natural person and in the case of an association by a member or partner thereof and in the case of a corporation by an executive officer thereof or some person specifically authorized by the corporation to sign the application to which shall be attached the written evidence of his authority

At the time of making such application the applicant shall pay to the department a permit fee of one dollar ($1.00) for each permit and a separate permit shall be required for each pump or outlet provided

Upon approval of the application and the payment of the permit fee or fees herein required the department shall grant and issue to each aplicant a liquid fuels pump or outlet permit for each liquid fuels pump or outlet at each place of business within the Commonwealth set forth in his application Liquid Fuels pump or outlet permits shall not be assignable and shall be valid only for the persons in whose names issued and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed upon the pumps or outlets for which issued

All permits shall expire on the thirtieth day of June next succeeding the date upon which they are issued unless sooner suspended surrendered or revoked for cause by the department

(c) Permits issued under the provisions of this act may be renewed annually before the first day of July upon application made to the department and the payment of a renewal fee of one dollar ($1.00)

Whenever any permit issued under the provisions of this act is defaced destroyed or lost the department may issue a duplicate permit to the holder of the defaced destroyed or lost permit upon the payment of a fee of fifty cents ($.50)

(d) The department may suspend or after hearing revoke a liquid fuels pump or outlet permit whenever it finds that the holder thereof has failed to comply with any of the provisions of this act or any rules or regulations of the department prescribed adopted and promulgated under this act Upon suspending or revoking any liquid fuels pump or outlet permit the department shall request the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him and the holder shall surrender promptly all such permits to the department as requested Whenever the department suspends a liquid fuels pump or outlet permit it shall notify the holder immediately and afford him a hearing if desired and if a hearing has not already been afforded After such hearing the department shall either rescind its order of suspension or good cause appearing therefor shall continue the suspension or revoke the permit

Section 3 (a) Every person engaged in the business of selling liquid fuels to the consumer shall at all times have posted at his place of business in a conspicuous place at or near the pumps or containers from which such products are dispensed a sign showing the price for which said liquid fuel is sold

(b) No person shall sell or offer to sell or cause to be sold any liquid fuels at a price different from the price thereof so posted as required by this act

(c) No person shall in an attempt to evade the provisions of this act give or offer to give any liquid fuels or any merchandise or anything of value or any service for which payment is ordinarily required to any purchaser or prospective purchaser of any liquid fuels

Section 4 It shall be unlawful for any person to sell offer to sell or cause to be sold any liquid fuel unless the price thereof is plainly posted as herein provided

Section 5 It shall be unlawful for any person to sell deliver cause or permit to be sold any liquid fuel manufactured under a specific trade mark or distinctive trade name unless there shall be attached to or near the point or outlet from which liquid fuel is drawn for sale or delivery a sign or label comprising the trade name or trade mark of said liquid fuel

Section 6 It shall be unlawful for any person to sell offer to sell or cause to be sold any liquid fuels less than at the price posted in accordance with the requirements of this act

Section 7 It shall be unlawful for any person in an attempt to evade the provisions of this act to give or offer to give any liquid fuels or any merchandise or anything of value or any service for which payment is ordinarily required to any purchaser or prospective purchaser of any liquid fuels

Section 8 Whenever any liquid fuel shall be designated by a trade mark or distinctive trade name it shall be unlawful for any person to sell deliver cause or permit to be sold any liquid fuel not made by the producer using said trade mark or trade name

Section 9 It shall be unlawful for any person to sell or offer for sale any liquid fuel in any manner whatsoever which may deceive tend to deceive or have the effect of deceiving the purchaser of such products as to the nature quality or quantity of the products so sold exposed or offered for sale and where a branded product is offered for sale either by sign poster or advertisement it shall specify the name or trade name of such product and where the product is not of a particular brand such sign poster or advertisement shall designate the same as "unbranded"

Section 10 It shall be unlawful for any person to disguise or camouflage his own equipment by imitating the design symbol or trade name of the equipment under which recognized brands of liquid fuels are general marketed

Section 11 It shall be unlawful for any person to mix blend or compound liquid fuels of any manufacturer or distributor with the products of any other manufacturer or distributor or to adulerate the same or to expose or offer for sale or sell such mixed blended or compounded

products under the trade name trade mark or other distinguishing mark of either of such manufacturers or distributors or as the adulterated products of such manufacturer or distributor Provided however That nothing herein shall prevent the lawful owner thereof from applying its trade mark trade name or symbol to any product or material manufactured by him

Section 12 It shall be unlawful for any person or persons to aid or assist any other person in violating any of the provisions of this act by the depositing or delivering into any tank or receptacle or other container any liquid fuels other than those indicated by trade name trade mark or other distinguishing mark displayed on the container itself or on the pump or other distributing device used in connection therewith or by any other means to aid or assist another in the violation of any of the provisions of this act

Section 13 Any person copartnership association or corporation violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five thousand dollars ($5,000) or in the case of individuals the members of copartnerships and associations and the officers and managers of corporations to undergo imprisonment for not more than one year or both in the discretion of the court The Department of Revenue is hereby charged wih the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe adopt promulgate and enforce the rules and regulations for any matter or thing pertaining to the administration and enforcement of the provisions of this act

Section 14 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 15 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

Section 16 This act shall become effective upon the first day of July one thousand nine hundred and thirty-seven

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—110

Allmond,	Falkenstein,	McCullough,	Sarraf,
Arnold,	Fitch,	McDermott,	Scanlon,
Aukerman,	Flanagan,	McFall,	Schor,
Baine,	Flannery,	Melchiorre,	Schrope,
Baker, J. J.,	Ganser,	Mellott,	Shaw,
Balthaser,	Gerard,	Mihm,	Shea,
Bohn,	Gorski,	Moomaw,	Shepard,
Boltz,	Haberlen,	Mooney,	Shoemaker,
Bradley	Hagerty,	Moran,	Siegel,
Brancato,	Harkins,	Munley,	Simon,
Brigerman,	Harmuth,	Murrin,	Spengler,
Broad,	Hess,	O'Connor,	Thomas,
Brownfield,	Hindman,	O'Keefe,	Thompson,
Burrows,	Holland,	Ominsky,	Toole,
Caesar,	Holmes,	O'Neill,	Tumelty,
Coakley,	Hontz,	Ostroff,	Valibus,
Cohen, H. B.,	Jirolanio,	Patterson, C. S.,	VanSickle,
Cohen, R. E.,	Keenan,	Pearson,	Vogt,
Coleman,	Kilroy,	Piole,	Wagner,
Coolahan,	LaRue,	Powers,	Weiss, D. H.,
Corrigan,	Levy,	Preston,	Weiss, S. A.,
Costanzo,	Lewis,	Readinger,	Welliver,
DeNote,	Long,	Reese,	Whalen,
Dickinson,	Lopresti,	Richter,	Wright,
Dubbs,	Lovett,	Robinson,	Yanoshat,
Ehrn,	Marino,	Ruffennach,	Yourishin,
Donohoe,	Matthews, J. F.,	Rush,	Zappala,
Dougherty,	McArdle,		

NAYS—64

Achterman,	Hamilton, F. P.,	Perry,	Strode,
Alexander,	Hamilton, R. S.,	Reising,	Terry,
Allen,	Hays,	Rothenberger,	Trout,
Atkins,	Hering,	Royer,	Turner,
Baker, F. T.,	Huntley,	Schrock,	VanAllsburg,
Boose,	Imbrie,	Schumacher,	Wall,
Boyer	Kane,	Serrill,	Walsh,
Cadwalader,	Kelso,	Shugarts,	Watkins,
Davies,	Kline,	Smith, John A.,	Webster,
Decker,	Kroll,	Snyder,	Weidemann,
Dyson,	Leisey,	Sollenberger,	Wilson,
Eckels,	Lyons,	Sproul,	Winner,
Fiss,	McDevitt,	Stackpole,	Wood,
Gillette,	Muir,	Stank,	Woodside,
Habbyshaw,	Nagel,	Stewart,	Yeakel,
Hall,	Peale,	Stockham,	Furman,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2268, (Senate Bill No. 759), entitled:

An Act to amend sections one two seven and nineteen of the act approved the second day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand five hundred thirteen) entitled "An act regulating the construction equipment maintenance operation and inspection of boilers granting certain authority to and imposing certain duties upon the Department of Labor and Industry providing penalties for violations of this act and repealing all acts or parts of acts inconsistent with this act" by further regulating the construction and maintenance of boilers and extending the provisions of the act to certain boilers heretofore exempt therefrom and repealing existing laws

On the question,

Will the House agree to the bill on third reading?

Mr. MOOMAW. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 23 by striking out the word "hay" the following: "or straw"

Amend section 1, page 2, line 23 by striking out the word "and"

Amend section 1, page 2, lines 24 and 25 by striking out after the word "fodder" the following: "when such boilers are used only on the farm of the boiler owner" and substituting in lieu thereof the following: "grinding feed, sawing wood, crushing or pulverizing stone, operating dairy equipment or other similar agricultutal operations except boilers owned or operated by any person regularly engaged in such business."

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time?

Is there objection?

The Chair hears none and the amendments will be inserted in accordance with the instructions of the House?

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2253, (Senate Bill No. 358), as follows:

An Act to amend section five hundred forty-seven as amended and sections eight hundred two and nine hundred two of and to add section nine hundred and two A to the act approved the first day of May one thousand nine hundred thirty-three (Pamphlet Laws one hundred three) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for and regulating the method of making appropriations expenditures contracts employments and purchases by the townships relating to the preparation of the annual budget on forms to be prepared by representatives of the State Association of Township Supervisors the Department of Highways and the Department of Internal Affairs providing for public notice of the preparation of such budget relating to the filing of such budget with the Department of Internal Affairs requiring auditors to file an annual report with such Department conferring jurisdiction of certain cases upon alderman magistrates and justices of the peace and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (Pamphlet Laws one hundred three) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" which was last amended by section one of the act approved the eighteenth day of July one thousand nine hundred thirty-five (Pamphlet Laws twelve hundred ninety-nine) is hereby further amended to read as follows

Section 547 Completion Publication and Filing of Auditors' Statement Filing of Report with Department of Internal Affairs The auditors shall complete their audit settlement and adjustment within as short a time as possible and in no case shall more than twenty days be expended on such audit They shall within ten days thereafter publish by advertisement in at least one newspaper of general circulation printed in the township or county or by posting at least five copies in public places in the township a concise itemized statement of the receipts and expenditures of the several officers for the preceding fiscal year They shall also within ten days hereafter file a copy of such statement with the secretary and another copy of such statement with the clerk of the Court of Quarter Sessions When any two offices are exercised by the same person only one statement shall be required

The auditors shall also annually make a report of the financial condition of the township to the Department of Internal Affairs within sixty days after the close of the fiscal year signed by each auditor and duly verified by the oath of one of the auditors Any auditor refusing or wilfully neglecting to file such report shall upon conviction thereof in a summary proceeding brought at the instance of the Department of Internal Affairs be sentenced to pay a fine of five dollars for each day's delay beyond said sixty days and costs All fines recovered shall be for the use of the Commonwealth

The report to the Department of Internal Affairs shall be presented on a uniform form prepared and furnished as herein provided

Section 2 That section eight hundred two of said act is hereby amended to read as follows

Section 802 Letting Contracts All purchases of materials equipment [and/or] and machinery for the construction struction reconstruction and improvement of roads and bridges involving an expenditure in excess of two hundred dollars shall be by contract in writing and shall be made only after competitive bidding The secretary of the board shall either advertise once a week for two weeks in one or more newspapers of general circulation in the township for competitive bids or shall obtain quotations from at least 3 responsible concerns It shall be unlawful for the supervisors to evade the provisions of this section by making two or more contracts for small amounts which should have been in one If the auditors find there has been any such evasion they shall refuse to approve the same

The supervisors shall not hire any work to be done purchase any material or make any contract in any amount which will cause the sums appropriated for such purposes to be exceeded No contracts or purchases not provided for by an appropriation or which shall cause any appropriation to be exceeded shall be valid

All [such] contracts which in this section are required to be in writing and all contracts for the construction reconstruction and improvement of roads and bridges shall be valid only when approved by the Department of Highways of the Commonwealth

A record of all purchases of material equipment [and/or] and machinery for road purposes involving an expenditure of less than two hundred dollars shall be kept by the supervisors and furnished to the Department of Highways in the annual report

Section 3 That section nine hundred two of said act is hereby amended to read as follows

Section 902 Annual Budget The board of township supervisors of townships of the second class shall annually before their organization meeting in January or as soon thereafter as practicable [make a written estimate of the] [amount of money required] and at least thirty days prior to the adoption of the annual budget prepare a proposed budget or annual estimate of revenues and expenditures for the [ensuing] fiscal year beginning on the first Monday of January which shall be filed with the treasurer In all townships in which the estimated expenditures in the budget exceed five thousand dollars ($5,000) the budget shall be prepared on a uniform form prepared and furnished as hereafter provided [Such] The estimates in the budget for the purpose of aiding the board in determining how much road [tax] and other taxes to levy shall specify

(a) The amount of money necessary for the maintenance repair and improvement of highways including sluices

(b) The amount of money necessary for the repair and construction of culverts and bridges

(c) The amount of money necessary for the purchase hire repair and custody of tools implements and machinery

(d) The amount of money necessary for each other governmental activity of the township for which a special tax levy may or may not be authorized

[(d)] (e) The amount of money necessary for the payment of debts or other miscellaneous purposes

Upon the preparation of a proposed budget in which the estimated expenditures exceed five thousand dollars ($5,000) the supervisors shall either give public notice of the detailed contents thereof or of the fact that the proposed budge will be available for public inspection at a designated place in the township After the expiration of twenty (20) days following the giving of public notice of the detailed contents of the budget or after the budget has been available for twenty (20) days as herein provided such supervisors shall after making such revisions therein as appear advisable adopt the budget and the necessary appropriation measures required to put it into effect In townships in which the estimated expenditures do not exceed five thousand dollars ($5,000) the supervisors shall as soon as possible after the expiration of thirty days following the preparation of the proposed budget adopt the budget and the necessary appropriation measurers required to put it into effect

The total appropriation shall not exceed the revenues estimated as available for the fiscal year In all townships in which the estimated expenditures in the budget exceed five thousand dollars ($5.000) the board of supervisors shall within fifteen days after the adoption of the budget file a copy of the same in the office of the Department of Internal Affairs

The supervisors may by resolution transfer unencumbered moneys from one [fund] road tax account to another but no moneys shall be transferred [except] from the

fund allocated for the payment of debts or from any fund raised by a special tax levy for a particular purpose Such transfers shall not be made during the first three months of the fiscal year No money shall be paid out of the township treasury except upon appropriation made according to law

Section 4 That said act is hereby amended by adding thereto the following section

Section 902A The uniform forms for the annual budget and for the annual report to the Department of Internal Affairs to be used as herein provided shall be prepared by a committee consisting of four representatives from the Pennsylvania State Association of Township Supervisors one representative from the State Department of Highways and the Secretary of Internal Affairs or his agent

Such representatives of the Association of Township Supervisors shall be appointed by the president of the organization within sixty days after the effective date of this act As far as possible such representatives shall be chosen to represent townships in the various population groups among the range of townships of the second class The president of the organization shall supply to the Secretary of Internal Affairs the names and addresses of such representatives immediately upon their appointment The representative of the Department of Highways shall be appointed by the Secretary of Highways

Such representatives of the townships shall serve without compensation but shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee The committee shall meet at the call of the Secretary of Internal Affairs or his agent who shall serve as Chairman of the Committee

In preparing the uniform forms for both budgets and annual reports the committee shall give careful consideration to the fiscal needs and procedure of townships of the various population groups producing separate forms if necessary to meet the needs of townships of varying sizes In the preparation of forms for financial reports the same shall be so arranged that corresponding information required to be reported to the Department of Highways may be used for the information required to be furnished to the Department of Internal Affairs

It shall be the duty of the Secretary of Internal Affairs or his agent to see to it that the forms required by this act are prepared in cooperation with such committee In the event that such committee should for any reason fail to furnish such cooperation the Secretary of Internal Affairs or his agent shall prepare the forms After they are prepared he shall issue such forms and distribute them annually as needed to the proper township officers

Section 5 The provisions of this act shall become effective immediately upon its approval by the Governor They shall be first put into operation in connection with the preparation of budgets for the fiscal year nineteen hundred thirty-eight and the preparation of annual reports of financial transactions for the fiscal year nineteen hundred thirty-seven

And said bill having read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—155

Achterman,	Falkenstein	McCullough,	Schor,
Alexander,	Finnerty,	McDermott,	Schrope,
Allen,	Fitch,	McElroy,	Shaw,
Allmond,	Flanagan,	McFall,	Shea,
Arnold,	Flannery,	McShane,	Shepard,
Aukerman,	Flinchbaugh,	Melchiorre,	Shoemaker,
Baine,	Ganser,	Mellott,	Shugarts,
Baker, J. J.,	Gerard,	Mihm,	Siegel,
Balthaser,	Gorski,	Moomaw,	Simon,
Bierly,	Haberlen,	Mooney,	Skale,
Blank,	Hagerty,	Moran,	Smith, James A.,
Bohn,	Hamilton, F. P.,	Moul,	Smith, John A.,
Bois,	Hamilton, R. S.,	Munley,	Spengler,
Boltz,	Harkins,	Murrin,	Sproul,
Bradley	Harmuth,	Nagel,	Stank,
Brancato,	Hays,	O'Brien,	Thomas,
Brigerman,	Hering,	O'Connor,	Thompson,
Broad,	Hess,	O'Keefe,	Toole,
Brown,	Hetrick,	Ominsky,	Tronzo,
Brownfield,	Hindman,	O'Neill,	Tumelty,
Burrows,	Hirsch,	Ostroff,	Valibus,
Caesar,	Holland,	Patterson, C. S.,	VanSickle,
Caputo,	Holmes,	Patterson, J. W.,	Vogt,
Coakley,	Holstrom,	Pearson,	Wagner,
Cohen, H. B.,	Hontz,	Pershing,	Walsh,
Cohen, R. E.,	Horting,	Piole,	Weidemann,
Coleman,	Jirolanio,	Powers,	Weiss, D. H.,
Coolahan,	Keenan,	Preston,	Weiss, S. A.,
Corrigan,	Kelso,	Readinger,	Welliver,
Costanzo,	Kilroy,	Reese,	Welsh,
Decker,	Kroll,	Reising,	Westrick,
DeNote,	LaRue,	Richter,	Whalen,
Dickinson,	Levy,	Robinson,	Whitenight,
Donohoe,	Lewis,	Rothenberger,	Wright,
Dougherty,	Long,	Ruffennach,	Yanoshat,
Downey,	Lopresti,	Rush,	Yourishin,
Dubbs,	Lovett,	Sarraf,	Zappala,
Dyson,	Marino,	Scanlon,	Furman,
Elpern,	McArdle,		

NAYS—46

Atkins,	Imbrie,	Royer,	Trout,
Baker, F. T.,	Kane,	Schrock,	Turner,
Bcose,	Kline,	Schumacher,	VanAllsburg,
Boyer	Leisey,	Serrill,	Wall,
Cadwalader,	Lyons,	Sloan,	Watkins,
Davies,	Matthews, J. F.,	Snyder,	Webster,
Eckels,	McDevitt,	Sollenberger,	Wilson,
Fiss,	McKinney,	Stackpole,	Winner,
Gillette,	Merrell,	Stewart,	Wood,
Habbyshaw,	Muir,	Stockham,	Woodside,
Hall,	Peale,	Strode,	Yeakel,
Huntley,	Perry,	Terry,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it with amendment in which the concurrence of the Senate is requested.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 865, as follows:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an appropriation be made to the Elwyn Training School of Elwyn in the County of Delaware and Commonwealth of Pennsylvania for the maintenance of wards of the State at three hundred and fifty dollars per capita per annum and that the sum of four hundred and twenty thousand dollars ($420,000) or so much thereof as may be necessary is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred and thirty-seven.

Section 2 The appropriation made by section one of this act is made on the condition that each and every mental defective admitted to the Elwyn Training School after the effective date of this act as a ward of the Commonwealth.

1 Shall be selected by the Department of Welfare from a list submitted from time to time to the department by the board of directors of the school

2 Shall in the opinion of the department be susceptible to the training afforded by the school.

3 Shall have been previously investigated by the Department of Revenue for the purpose of determining the extent if any such mental defective or those legally liable for his or her support may be financially able to pay the cost of the maintenance of such person in the school.

On the question,

Will the House agree to the bill on third reading?

Mr. TURNER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend sec. 2, page 2, by striking out all of lines 8 to 12 inclusive.

Amend sec. 2, page 2, line 13, by striking out the figure "3".

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time?

Is there objection?

Mr. HERBERT B. COHEN. Mr. Speaker, reserving the right to object, I desire to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I will, Mr. Speaker.

Mr. HERBERT B. COHEN. Mr. Speaker, would the effect of the amendments offered by the gentleman from Delaware be to eliminate on page 2, subsections 1 and 2 all of lines 8 to 12 inclusive?

Mr. TURNER. That is correct, Mr. Speaker.

Mr. HERBERT B. COHEN. Mr. Speaker, do I understand that that would deprive the Department of Welfare from making a selection from the list prepared by the Board of Directors of the school.

Mr. TURNER. Absolutely, Mr. Speaker.

Mr. HERBERT B. COHEN. And Mr. Speaker, it would further deprive the Department of Welfare of passing on the eligibility of the training of the applicants?

Mr. TURNER. That is right, Mr. Speaker. It should be.

Mr. HERBERT B. COHEN. Mr. Speaker, does the gentleman from Delaware know the Board of Directors of the Elwyn Training School agreed to that procedure.

Mr. TURNER. Mr. Speaker, I understand from the Board of Directors that they did not agree to that procedure. What they agreed to is what is contained in the section that the Revenue Department should pass upon the question of the financial responsibility of these people, but to put in this section would mean that the Department of Welfare would pass absolutely on all of the applicants. That was not contemplated in the original amendment as drafted nor was it in the agreement of the Directors with the budget officer upon the occasion that they were here.

Mr. HERBERT B. COHEN. Mr. Speaker, does not the bill as it is drawn require the Department of Welfare to select from a list submitted to them by the Board of Directors of Elwyn Training School?

Mr. TURNER. Mr. Speaker, it does, and I think that is absolutely incorrect, and I think the gentleman from York will agree with me that the Elwyn Training School has been a remarkably well conducted institution of long standing, and that it is perfectly capable of passing on the qualification of those who should be admitted. To permit this to be done by the Department of Welfare I think would complicate the situation and would be a very unfair proposition to the institution. A question was raised by some one here that they felt that the financial responsibility should be passed upon the Department of Revenue. The Board of Directors discussed that and they were perfectly willing that that should be passed upon by the Department of Revenue, because as I recall it, you raised the same question as to the collections made by the institution from those who were supposed to pay.

Mr. HERBERT B. COHEN. Mr. Speaker, that is all. Mr. Speaker and members of the House, I object, and in objecting to the insertion of these amendments I wish to state the following: When I spoke to the Board of Directors of the Elwyn Training School I indicated to them that the Department of Welfare would select from the lists submitted by the Board of Directors of the Ewlyn Training School the individuals who would be admitted to the institution. I might say that we are appropriating to this institution something like $420,000, as contained in the bill, and I feel that the Department of Welfare, in the exercise of their obligation to the needy of the Commonwealth, should have some power in selecting out of a list that had been previously approved by the Board of Directors of the Elwyn Training School.

Mr. TURNER. Mr. Speaker and members of the House I feel that the gentleman from York is very sincere in his belief in this matter. I know that he gave it very careful consideration. I also know from the fact that this institution is from my own county and I introduced the bill that he has been very considerate of the institution. But here is an institution of long standing and experience in handling these problems. Mr. Speaker and members of the House this may seem like a very small proposition in the very extensive program we have before us and the urgency of time, but I trust you will indulge me for just a few moments because I am speaking of a very fine and a very old institution that has for years dealt with the problem of the child who is defective mentally. It is not an institution for delinquents, it is an institution that deals with the defective child, and while the Commonwealth of Pennsylvania pays a part of the support of that child in the institution, a part of the cost is paid by the counties who send these children to the institution, and a large number of them are sent from the City of Philadelphia. There has never been any question raised in the time that I have been in this House and in the time that I have presented the appropriation bills of the Elwyn Training School, as to the character and reputation of this school. Some question was raised in this session as to the control by the Commonwealth of the people who were sent to this institution. I should use instead of the word "sent" the word "admitted". I want to say to you that the Board of Directors of this institution are men of the very highest type in the County of Delaware and in the City of Philadelphia. This institution is a private institution and not a public institution; it has endowment funds and it has private patients who pay large sums of money to the institution for these defective children. I would like to have the opportunity of taking you to this institution in order that you might see the kind of work that they do with these children. They train them. They get them to do many things in basket weaving and in the repair of different articles and things of that kind. They work upon the farm that is connected with the institution. They go to school in this institution. They receive an education. They have a band. They have a girl's hockey team that would be the delight of many an educational institution in the Commonwealth of Pennsylvania. It is a marvelous institution, run by men of the very highest calibre, and it is super-

intended by a doctor who is a specialist in the problem of the defective child.

Now, in this session of the Legislature questions were raised as to whether there should not be some control from the State. The Board of Directors came here and met with the Budget Secretary, the Welfare Secretary and the Chairman of the Appropriations Committee. It was felt at that time that the Department of Revenue should have some check on the financial responsibility of those admitted to the institution, and under the circumstances the board of directors were entirely willing that the Department of Revenue should have some check. I might say to you that in 1935, when the Democratic group of this House first came into control of the department here, Mr. Swope, who was then the Budget Secretary, sent an investigator to this institution to invesigate its accounts, its manner of handling its finances, and he gave it a clean bill of health after that investigation. This board has nothing to hide. It is perfectly willing to cooperate in every way but it does believe that its vital to this institution that its control over the kind of people that shall be admitted to the institution shall not be taken away from them. I might say to you that I know from past experience that on monay occasions as a member of the Legislature, people have come to me, members of the Legislature have come to me, and asked that certain individuals be admitted to this institution. I know of no occasion when they have not been subjected to the regular process of application and investigation to determine whether they were the kind of persons that they should admit. They do not take children with certain degrees of defective mentality; they do not take children who have certain standards that they believe are higher standards than they can admit. They do not take, for instance, the epileptic, at the institution because they believe the epileptic belongs to another institution. If the Department of Welfare is going to select the boy or girl for admission to the institution from a list, it seems to me that is taking over the control of the institution from its board of managers, whose operation of this institution has never been questioned in the past, and to say that the Department of Welfare shall make the selection I think is putting the State in a position of control of this institution in a managerial position that it should not take. We are perfectly willing that the Department of Revenue shall pass upon the question of financial responsibility. We are perfectly willing that any department shall inspect this institution from any angle. We are perfectly willing that if they think that the proper persons are not being admitted, that that matter be straightened out, to say that they shall be the ones to pass upon the applicants is taking the control away from the institution which has been operating satisfactorily for years in the Commonwealth of Pennsylvania, a prerogative that I believe belongs to them. Therefore, I think that you should vote in favor of this amendment.

Mr. HERBERT B. COHEN. Mr. Speaker, I object.

The SPEAKER. The Chair hears objection and consent is not granted.

On the question recurring,

Will the House agree to the bill on third reading?

RECONSIDERATION OF VOTE

Mr. TURNER. Mr. Speaker, I move that the vote by which this bill was transcribed for third reading be reconsidered.

Mr. SPROUL. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Delaware, Mr. Turner, vote on this motion?

Mr. TURNER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Delaware, Mr. Sproul, vote on this motion?

Mr. SPROUL. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

The SPEAKER declared the nays appeared to have it,

Whereupon, a division was called for and one hundred seven members having voted in the affirmative and one in the negative, the question was determined in the affirmative and the motion was agreed to.

Mr. TURNER. Mr. Speaker, I move that the vote by which this bill passed second reading be reconsidered.

On the question,

Will the House agree to the motion?

QUESTION OF PARLIAMENTARY INQUIRY

Mr. HERBERT B. COHEN. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from York will state his question of parliamentary inquiry.

Mr. HERBERT B. COHEN. Mr. Speaker, do I understand that the bill is now in a position that it had been when we first took it up under the special order of business?

The SPEAKER. No, the bill is in reverse, going backwards now.

Mr. HERBERT B. COHEN. How far back, Mr. Speaker?

The SPEAKER. About half way back to second reading.

Mr. HERBERT B. COHEN. Mr. Speaker, I object to the motion submitted by the gentleman from Delaware, and in substantiation of my objection I wish to call to the attention of the membership of the House some very patent errors in the argument of the gentleman from Delaware. In the first place, it is not the intention of this House, I assure you, in any manner to impinge upon the selection of the delinquents who are to be admitted into the Elwyn Training School. I do not think it will require a careful reading of the bill, but that a casual reading of the bill will indicate that the only function that the Department of Welfare will utilize in this matter is to select the individuals who will be admitted to the Elwyn Training School from a list that has been approved by the board of directors of the Elwyn Training School. Under the bill as it stands at the present time the directors of the Elwyn Training School would select the individuals who they thought would be susceptible to the training that the school had to offer, and after they approve of that list, the list in its entirety would be sent to the Department of Welfare from which the Department of Welfare would make the required investigation and the Department of Revenue would in addition make the required investigation. The reason for the institution of that rule apparently is not patent on the face of the bill and requires some explanation, and I will quote some figures from memory. In the past year, as I recall, the Elwyn Training School had a budget of approximately

$280,000. $170,000 was provided by the State; $70,000 was provided by the county and city of Philadelphia, and $40,000 was the income of the institution as the result of the care and treatment of private patients. Out of their total budget requirements more than sixty percent was paid by the Commonwealth of Pennsylvania; $70,000 came from the city of Philadelphia, and $40,000 was the result from income of private patients. The Elwyn Training School informed the Appropriations Committee that they possibly had available for the care of delinquent children some sixty or seventy or one hundred beds, which could be made available for the treatment of delinquent children. As a result of trying to utilize the available bed space we increased the appropriation over the budget from $340,000 to something like $420,000. We did not feel that it would be necessary to raise any additional revenues in order to make that increased appropriation to the Elwyn Training School because we felt that by the proper investigation by both the Department of Welfare and the Department of Revenue, and by the collections by the Department of Revenue, that would overcome the additional appropriation and would therefore leave the budget of the Commonwealth in balance. We therefore felt we were able to take care of those patients in the Elwyn Training school without the necessity of increasing the taxes of the Commonwealth, and we felt that we could increase the appropriation and simultaneously increase the income. The gentlemen from Delaware has indicated that we should not attempt to take away from the board of managers of the trustees of the Elwyn Training School their power to select the individuals who they feel are susceptible to training in the school. We are not doing that, and I assure the gentleman from Delaware and I assure the entire membership of this House that that thought was farthest from our minds. We realize that the Elwyn Training School only receives a certain type of delinquent child, and as a result of that we allow the Elwyn Training School in the first instance to indicate whether or not the child is susceptible to training in the institution. If the board of directors feel that the child is susceptible to the training then we say, send that list of children who are susceptible to training to the Department of Welfare. The Department of Welfare, acting from a state-wide viewpoint, might feel it is better to have a group of children from Dauphin, York or Lancaster or some of the coal region counties sent to the institution rather than the children that the board of directors might select from the immediate contiguous territory surrounding the institution. They might feel that they might possibly want to go out to Allegheny County and take care of some particular type of defective child. To allow the board of directors of the Elwyn Training School to say whether or not the child is susceptible to training and to select the individual itself, would be giving to the board of directors of the Elwyn Training School a power which I am sure the gentleman from Delaware does not wish to give them. This bill, I feel, as amended and as at present before the House, is equitable and deserves the support of the entire membership, and I therefore oppose any further motion to reconsider any action that has been taken on this side of the House, and to place the bill in a position so it can pass third reading and final passage.

Mr. TURNER. Mr. Speaker and members of the House, the gentleman from York is always very adroit in his argument, but he does not quite understand all of the different aspects in this matter, and you can readily see why he does not. He is not in touch with the exact situation. The reason why the institution has asked for an increased appropriation is not because it raises the amount that the institution is to receive itself, but because it enables them to care for a greater number of children and it reduces the per capita cost per child. Therefore, when the gentleman from York says that it will not create a greater burden, may I state that this institution always has more applications than it can possibly take care of. In 1935 I sought to have this appropriation increased. With 550 students the amount was $365 per student. The 1935 appropriation, I think, was $385,000, and that took care of only 514 patients in the institution. With the appropriation of $420,000 it would mean that it would relieve the very great congestion and the very great problem that now exists in taking care of these children. The whole attitude of this Legislature has been to take care of the unfortunate. You can see that the State alone does not contribute all, as the gentleman from York has said, but Philadelphia also contributes and other counties contribute. The Philadelphia contribution, I might say, is very much in arrears because of the financial difficulties of the city of Philadelphia. In the second place, the gentleman from York has failed to recognize that the equipment is privately owned and paid for out of donations, out of the past experience of the institution. This institution moved from Germantown to this location in 1853. The whole issue in this matter started because somebody raised the question that there was politics in the institution. Let me say to you that most of the employes of this institution are Democrats. I have been very severely censured by the Republican leaders of the township where the Elwyn school is located because in the past a great many of the people in this institution voted the Democratic ticket. As far as the organization in Delaware County is concerned, I never knew it to ask a job there. I don't know that they ever had an appointment. There has never been any question raised about the selection of the applicants. If there is no question about the selection of these people why, in Heaven's Name, should the system be changed? These applications come rolling in one and two at a time, and every time an applicant came in they would have to submit it to the Department of Welfare. If you give the selection of the applicants, into the Department of Welfare and that Department gets into the control of men who do not have the high standard which some of our departments have had in the past, and which the Department of Welfare may have at the present time, how can you be certain that politics will not enter into the selection of the people? I think that the gentleman from York will agree with me in this matter if he were not obsessed with the idea on the side that there was somebody here that ought to be further regulated by the State authorities. This institution is a marvelous institution. It is an institution that is administered by a board of directors of the highest type. No one is admitted unless they are of the type that should be admitted, and I think the gentleman from York ought to go along with me on these amendments.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the nays appeared to have it,

Whereupon, a division was called for, sixty-nine members having voted in the affirmative and fifty-six in the negative, the question was determined in the affirmative and the motion was agreed to.

Mr. TURNER. Mr. Speaker, I move that the vote by which the House agreed to the title be reconsidered.

The motion was agreed to.

Mr. TURNER. Mr. Speaker, I move that the vote by which the various sections were agreed to be reconsidered.

The motion was agreed to.

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an appropriation be made to the Elwyn Training School of Elwyn in the County of Delaware and Commonwealth of Pennsylvania for the maintenance of wards of the State at three hundred and fifty dollars per capita per annum and that the sum of four hundred and twenty thousand dollars ($420,000) or so much thereof as may be necessary is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred and thirty-seven

The second section was read as follows:

Section 2 The appropriation made by section one of this act is made on the condition that each and every mental defective admitted to the Elwyn Training School after the effective date of this act as a ward of the Commonwealth

1 Shall be selected by the Department of Welfare from a list submitted from time to time to the department by the board of directors of the school

2 Shall in the opinion of the department be susceptible to the training afforded by the school

3 Shall have been previously investigated by the Department of Revenue for the purpose of determining the extent if any such mental defective or those legally liable for his or her support may be financially able to pay the cost of the maintenance of such person in the school

On the question,

Will the House agree to the section?

Mr. TURNER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 2, page 2, by striking out all lines 8 to 12 inclusive

Amend sec. 2, page 2, by striking out the figure "3."

On the question,

Will the House agree to the amendments?

Mr. HERBERT B. COHEN. Mr. Speaker, I just reiterate what I said before.

Mr. TURNER. Mr. Speaker, I have nothing further to say.

On the question recurring,

Will the House agree to the amendments?

The SPEAKER declared the ayes appeared to have it,

Whereupon, a division was called for, one hundred eight members or more than a majority having voted in the affirmative and twelve in the negative, the question was determined in the affirmative and the amendments were agreed to.

On the questic

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. ACHTERMAN asked and obtained permission for the Committee on State Government to meet during the session of the House.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2252, (Senate Bill No. 357), entitled

An Act to amend sections one thousand six and one thousand thirty-five as amended and section one thousand sixty-two of the Act approved the fourth day of May one thousand nine hundred twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" providing for and regulating the method of making appropriations expenditures employments contracts and purchases by boroughs relating to the preparation of the annual budget on forms to be prepared by representatives of the State Association of Boroughs and Department of Internal Affairs providing for public notice of the preparation of such budget relating to the filing of such budget with the Department of Internal Affairs regulating the preparation of the auditor's statement requiring the controller or secretary to file an annual report with such department conferring jurisdiction of certain cases upon aldermen magistrates and justices of the peace and providing penalties

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—196.

Achterman,	Fitch,	McElroy,	Siegel,
Alexander,	Flanagan,	McFall,	Simon,
Allen,	Flannery,	McShane,	Skale,
Allmond,	Flinchbaugh,	Melchiorre,	Sloan,
Arnold,	Ganser,	Mellott,	Smith, James A.,
Atkins,	Gerard,	Merrell,	Smith, John A.,
Aukerman,	Gillette,	Mihm,	Snyder,
Baine,	Gorski,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Munley,	Stank,
Blank,	Hamilton, R. S.,	Murrin,	Stewart,
Bohn,	Harkins,	Nagel,	Stockham,
Bois,	Harmuth,	O'Brien,	Strode,
Boltz,	Hays,	O'Connor,	Terry,
Boose,	Hering,	O'Keefe,	Thomas,
Boyer	Hess,	Ominsky,	Thompson,
Bradley	Hetrick,	O'Neill,	Toole,
Brancato,	Hindman,	Ostroff,	Tronzo,
Brigerman,	Hirsch,	Patterson, C. S.,	Trout,
Broad,	Holland,	Patterson, J. W.,	Tumelty,
	Holmes,	Peale,	Valibus,

Brown,	Holstrom,	Pearson,	VanAllsburg,
Brownfield,	Hontz,	Perry,	VanSickle,
Burrows,	Horting,	Pershing,	Vogt,
Cadwalader,	Huntley,	Piole,	Wagner,
Caesar,	Imbrie,	Powers,	Wall,
Caputo,	Jirolanio,	Preston,	Walsh,
Coakley,	Kane,	Readinger,	Watkins,
Cohen, H. B.,	Keenan,	Reese,	Webster,
Cohen, R. E.,	Kelso,	Reising,	Weidemann,
Coleman,	Kilroy,	Richter,	Weiss, D. H.,
Coolahan,	Kline,	Robinson,	Weiss, S. A.,
Corrigan,	Kroll,	Rothenberger,	Welliver,
Costanzo,	LaRue,	Royer,	Welsh,
Davies,	Leisey,	Ruffennach,	Westrick,
Decker,	Levy,	Rush,	Whalen,
DeNote,	Lewis,	Sarraf,	Whitenight,
Dickinson,	Long,	Scanlon,	Wilson,
Donohoe,	Lopresti,	Schor,	Winner,
Dougherty,	Lovett,	Schrope,	Wood,
Downey,	Lyons,	Schumacher,	Woodside,
Dubbs,	Marino,	Serrill,	Wright,
Dyson,	Matthews, J. F.,	Shaw,	Yanoshat,
Eckels,	McArdle,	Shea,	Yeakel,
Elpern,	McCullough,	Shepard,	Yourishin,
Falkenstein,	McDermott,	Shoemaker,	Zappala,
Finnerty,	McDevitt,	Shugarts,	Furman,
Fiss,			

NAYS—5.

Habbyshaw,	Muir,	Schrock,	Turner,
McKinney,			

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2282, (Senate Bill No. 773), entitled:

An Act relating to the disemination of information pertaining to affairs of the Commonwealth including information pertaining to civil rights and constitutional guarantees and conferring powers and duties with respect thereto upon the Department of State

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, may I ask whether there is any one in the House who can explain this bill

Mr. HERBERT B. COHEN. Mr. Speaker, having just suffered a very stinging defeat I yield to the gentleman from Franklin, Mr. Moomaw, who will explain the bill.

The SPEAKER. Will the gentleman from Franklin, Mr. Moomaw, permit himself to be interrogated?

Mr. MOOMAW. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to know whether the gentleman from Franklin, Mr. Moomaw, can explain this bill. I might say in parenthesis that several of us on this side have tried to understand it but we cannot.

Mr. MOOMAW. Mr. Speaker, for the benefit of the gentleman from Delaware, Mr. Turner, this bill sets up an appropriation of seventeen thousand five hundred dollars to the Department of State for administering the act. The purpose of the act is to give people throughout the State some place to send their complaints, in case there has been an effort on the part of any local authorities, or by coercion, I might say, of any town or community who control some prominent industrial organization, to try to hold up on the freedom of speech, the freedom of the press and things of that sort. This affords a central agency at Harrisburg where they can make their complaints, and those complaints can be investigated by this department to ascertain whether or not those communities are being deprived of the freedom of speech and so forth. Out in one of the steel mill towns in Allegheny County I think the name of the town is Aliquippa, a photographer from some reliable magazine attempted to take same photographs for use in the magazine, and he was mal treated there. I do not know the extent of the injury but I do know he was prevented from obtaining these photographs for us in the publication.

Mr. TURNER. Mr. Speaker, I thank the gentleman from Franklin. I am away down in the depths and so I might as well go on. If that purpose is in the bill I don't know how anybody could ever discover it. This bill starts out by saying "Upon request in writing to furnish or cause to be furnished to any person, association or corporation data and information pertaining to the various affairs of the Commonwealth, "That seems to be all right. Then it says, 'To make public any data or information in the possession of the Commonwealth that is declared by law to be confidential." In other words, if the Governor or some other department has any confidential information, then they have to make it public. I am not always in accord with the Governor, but I will be hanged if I believe that the Legislature ought to stick their fingers into his affairs, and I am not going to be in favor of sticking our noses into the Executive branch of the government. Even though I may have some difference of opinion with the Governor I am still for maintaining the integrity of the Executive branch of the Government. It says "To render or furnish any opinion on any legal matter." I have always thought that all matters pertaining to legal questions belonged to the Attorney General's deparment. Here they are going to set up in the Departmnt of State an office that is to render an opinion or furnish any information on any legal matters. That is infringing on the rights of the members of the Bar and no member of the Bar is going to be in favor of having the Secretary of the Commonwealth render legal opinions. In addition to that, if it pertains to the State, the proper place to go would be to the Atorney General's office. I am no going to invade the prerogative of the Attorney General's office and I do not think that the Legislature should. The Attorney General's office knows how to conduct its affairs.

The bill says this, "upon written complaint filed with the department to refer to such civil groups or organizations as the department deems appropriate alleged violations of the rights of free speech and assembly the rights of labor to organize and bargain collectively and other civil rights and constitutional guarantees". In addition to acting as a protector of the right of free speech and giving to labor under the Wagner Act and the new McGinnis Act which we are going to pass, the right to bargain collectively, we are going to set up an officer in the Secretary of the Commonwealth's office whose duty it will be to run around the Commonwealth and refer to these organizations such alleged violations of the rights of free speech and assembly.

Section 2 provides, "It shall be the duty of the various administrative departments, boards and commissions or other agencies of the Commonwealth to cooperate". That sounds all right.

That means that they are all made subservient to the Department of State on all these questions.

Then lastly, and this is really the worst thing in the bill, it provides as follows: "the Department of State is hereby authorizes to adopt rules and regulations pertaining to its powers and duties under this act.'" You are setting up a Department of State under this bill, and I am sure if Senator Cavalcante ever wrote this bill, he never would want that in it. The Department of State is going to make its own rules and regulations pertaining to its powers, which means the powers under the act.

Last but not least, the sum of $17,500 is appropriated. Senator Cavalcante has always been very kind to me. He has gotten a lot of bills out of committee for me and I do not like to oppose a bill of his. This bill must have been born in some moment when the person who wrote it did not think of what the bill is going to do. Therefore I think the bill ought not to pass.

Mr. MOOMAW. Mr. Speaker and members of the House, I believe that the gentleman from Delaware, Mr. Turner, evidently misread the first section of this bill when he pointed out the provision contained therein to authorize the department to render and furnish any opinion or any legal matter. It says that nothing contained herein would permit that to be done. If you read the first part of that section it says, "provided that nothing herein contained shall be deemed to authorize or require the department (1) to make public any data or information in the possession of the Commonwealth that is declared by law to be confidential or (2) to render or furnish any opinion on on any legal matter.

Mr. TURNER. Mr. Speaker, even if the gentleman from Franklin is right on that, the rest of it is wrong.

Mr. MOOMAW. Mr. Speaker, and members of the House as far as the Secretary of the Commonwealth or the Department of State being able to run over the Commonwealth, I think that you will find that this shall appropriation of $17,500 will be consumed by the handling of the correspondence that comes to the office. There has been no agency in the Commonwealth where people can make their complaints and where they may get justice. I think that the employment of a stenographer and probably one legal mind will consume all of that very small appropriation. I ask the membership of the House to support this bill.

Mr. TURNER. Mr. Speaker and members of the House, Senator Cavalcante explained to me that his real reason behind this bill was that there were a lot of letters that came into the department and nobody knew how to answer them. People got phoney answers to their letters. People do get phoney answers especially anybody that gets a letter from a legislator. I feel that the bill does not carry out what the Senator wants, it does not say what he wanted to say.

On the question recurring,

Shall the bill pass finally?

MOTION TO POSTPONE BILL

Mr. TURNER. Mr. Speaker, I move that this bill be placed upon the postponed calendar.

The motion was not agreed to.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—120

Allen,	Fitch,	McFall,	Shaw,
Allmond,	Flanagan,	McShane,	Shea,
Arnold,	Flannery,	Melchiorre,	Shoemaker,
Aukerman,	Flinchbaugh,	Mellott,	Shugarts,
Baine,	Ganser,	Moomaw,	Siegel,
Bierly,	Gorski,	Mooney,	Simon,
Blank,	Haberlen,	Moran,	Skale,
Bohn,	Hagerty,	Munley,	Smith, James A.,
Bois,	Hamilton, F. P.,	Murrin,	Smith, John A.,
Bradley	Harkins,	O'Keefe,	Spengler,
Brancato,	Harmuth,	Ominsky,	Stank,
Brigerman,	Hays,	O'Neill,	Thompson,
Broad,	Hering,	Ostroff,	Toole,
Brownfield,	Hess,	Patterson, C. S.,	Tronzo,
Burrows,	Hetrick,	Patterson, J. W.,	Tumelty,
Caesar,	Hindman,	Pearson,	Valibus,
Cohen, H. B.,	Hirsch,	Pershing,	VanSickle,
Cohen, R. E.,	Holland,	Piole,	Vogt,
Coleman,	Holmes,	Powers,	Wagner,
Coolahan,	Holstrom,	Preston,	Walsh,
Corrigan,	Hontz,	Readinger,	Weiss, D. H.,
Costanzo,	Horting,	Reese,	Weiss, S. A.,
Decker,	Jirolanio,	Reising,	Welliver,
DeNote,	Keenan,	Richter,	Welsh,
Dickinson,	Kelso,	Robinson,	Whalen,
Donohoe,	Kilroy,	Ruffennach,	Whitenight,
Dougherty,	Lopresti,	Rush,	Wright,
Downey,	Lovett,	Sarraf,	Yanoshat,
Dubbs,	Marino,	Scanlon,	Yourishin,
Falkenstein,	McDermott,	Schor,	Zappala,
Finnerty,	McElroy,	Schrope,	Furman,

NAYS—46

Baker, F. T.,	Kline,	Royer,	Trout,
Boose,	LaRue,	Schrock,	Turner,
Boyer	Leisey,	Serrill,	VanAllsburg,
Cadwalader,	Levy,	Snyder,	Wall,
Davies,	Lyons,	Sollenberger,	Watkins,
Eckels,	Matthews, J. F.,	Sproul,	Webster,
Elpern,	McDevitt,	Stackpole,	Weidemann,
Fiss,	McKinney,	Stewart,	Wilson,
Gillette,	Muir,	Stockham,	Wood,
Habbyshaw,	Peale,	Terry,	Woodside,
Hall,	Perry,	Thomas,	Yeakel,
Hamilton, R. S.,	Rothenberger,		

The majority by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2296, (Senate Bill No. 1023), entitled:

An Act to amend section six hundred and nine of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (Pamphlet Laws six hundred and eighty-two) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges including insurance carried by the State Workmen's Insurance Fund; providing penalties; and repealing existing laws," requiring certain existing corporations to comply with the provisions of the aforementioned act.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Flanagan,	McKinney,	Siegel,
Alexander,	Flannery,	McShane,	Simon,
Allen,	Flinchbaugh,	Melchiorre,	Skale,
Allmond,	Ganser,	Mellott,	Sloan,
Arnold,	Gerard,	Merrell,	Smith, James A.,
Atkins,	Gillette,	Mihm,	Smith, John A.,
Aukerman,	Gorski,	Mcomaw,	Snyder,
Baine,	Habbyshaw,	Mconey,	Sollenberger,
Baker, F. T.,	Haberlen,	Moran,	Spengler,
Baker, J. J.,	Hagerty,	Moul,	Sproul,
Balthaser,	Hall,	Muir,	Stackpole,
Berly,	Hamilton, F. P.,	Munley,	Stank,
Blank,	Hamilton, R. S.,	Murrin,	Stewart,
Bohn,	Harkins,	Nagel,	Stockham,
Bois,	Harmuth,	O'Brien,	Strode,
Boltz,	Hays,	O'Connor,	Terry,
Boose,	Hering,	O'Keefe,	Thomas,
Boyer	Hess,	Ominsky,	Thompson,
Bradley	Hetrick,	O'Neill,	Toole,
Brancato,	Hindman,	Ostroff,	Tronzo,
Brigerman,	Hirsch,	Patterson, C. S.,	Trout,
Broad,	Holland,	Patterson, J. W.,	Tumelty,
Brown,	Holmes,	Peale,	Turner,
Brownfield,	Holstrom,	Pearson,	Valibus,
Burrows,	Hontz,	Perry,	VanAllsburg,
Cadwalader,	Horting,	Pershing,	VanSickle,
Caesar,	Huntley,	Piole,	Vogt,
Caputo,	Imbrie,	Powers,	Wagner,
Coakley,	Jirolanio,	Preston,	Wall,
Cohen, H. B.,	Kane,	Readinger,	Walsh,
Cohen, R. E.,	Keenan,	Reese,	Watkins,
Coleman,	Kelso,	Reising,	Webster,
Coolahan,	Kilroy,	Richter,	Weidemann,
Corrigan,	Kline,	Robinson,	Weiss, D. H.,
Costanzo,	Kroll,	Rothenberger,	Weiss, S. A.,
Davies,	LaRue,	Royer,	Welliver,
Decker,	Leisey,	Ruffennach,	Welsh,
DeNote,	Levy,	Rush,	Westrick,
Dickinson,	Lewis,	Sarraf,	Whalen,
Donohoe,	Long,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,
	McFall,		

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk return the same to the Senate with information that the House has passed it without amendment.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1894, as follows:

An Act relating to soil conservation and soil erosion and regulating land use practices contributing to soil wastage and soil erosion providing for the organization of soil consevation districts as governmental subdivisions of the Commonwealth with powers of enacting ordinances and regulations for the prevention and control of soil erosion and the conservation of soil resources prescribing the officers and employes thereof and defining their powers and duties creating the State Soil Conservation Board in the Department of Agriculture and imposing powers and prescribing duties thereon relative to the enforcement of this act providing financial assistance to such soil conservation districts prescribing penalties and making an appropriation

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 Short Title This act may be known and cited as the "Soil Conservation Districts Law"

Section 2 Legislatve Determinations and Declaration of Policy It is hereby declared as a matter of legislative determination

A The condition That the farm and grazing lands of this Commonwealth are among the basic assets of the Commonwealth and that the preservation of these lands is necessary to protect and promote the health safety and general welfare of its people that improper land-use practices have caused and have contributed to and are now causing and contributing to a progressively more serious erosion of the farm and grazing lands of this Commonwealth by wind and water that the breaking of natural grass plant and forest cover have interfered with the natural factors of soil stabilization causing loosening of soil and exhaustion of humus and developing a soil condition that favors erosion that the topsoil is being blown and washed out of fields and pastures that there has been an accelerated washing of sloping fields that these processes of erosion by wind and water speed up with removal of absorptive topsoil causing exposure of less absorptive and less protected but more erosive subsoil that failure by any land occupier to conserve the soil and control erosion upon his lands causes a washing and blowing of soil and water from his lands onto other lands and makes the conservation of soil and control of erosion on such other lands difficult or impossible

B The consequences That the consequences of such soil erosion in the form of soil-bowing and soil-washing are the silting and sedimentation of stream channels reservoirs dams ditches and harbors the loss of fertile soil material in dust storms the piling up of soil on lower slopes and its deposit over alluvial plains the reduction in productivity or out-right ruin of rich bottom lands by overwash of poor sub-soil material sand and gravel swept out of the hills deterioration of soil and its fertility deterioration of crops grown thereon and declining acre yields despite development of scientific processes for increasing such yields loss of soil and water which causes destruction of food and cover for wildfire a blowing and washing of soil into streams which silts over spawning beds and destroys water plants diminishing the food supply of fish a diminishing of the underground water reserve which causes water shortages intensifies periods of drought and causes crop failures an increase in the speed and volume of rainfall run-off causing severe and increasing floods which bring suffering disease and death impoverishment of families attempting to farm eroding and eroded lands damage to roads highways railways farm buildings and other property from floods and from dust storms and losses in navigation hydo-electric power municipal water supply irrigation developments farming and grazing

C The appropriate corrective methods That to conserve soil resources and control and prevent soil erosion it is necessary that land-use practices contributing to soil wastage and soil erosion be discouraged and discontinued and appropriate soil-conserving land-use practices be adopted and carried out that among the procedures necessary for wide-spread adoption are the carrying on of engineering operations such as the construction of terraces terrace outlets check-dams dikes ponds ditches and the like the utilization of strip cropping lister furrowing contour cultivating and contour furrowing land irrigation seeding and planting of waste sloping abandoned or eroded lands to water conserving and erosion-preventing plants trees and grasses forestation and reforestation rotation of crops soil stabilization with trees grasses legumes and other thick-growing soil-holding crops retardation of runoff by increasing absorption of rainfall and retirement from cultivation of steep highly erosive areas and areas now badly gullied or otherwise eroded

D Declaration of policy It is hereby declared to be the policy of the legislature to provide for the conserva-

tion of the soil and soil resources of this Commonwealth and for the control and prevention of soil erosion and thereby to preserve natural resources control floods prevent impairment of dams and reservoirs assist in maintaining the navigability of rivers and harbors preserve wild-life protect the tax base protect public lands and protect and promote the health safety and general welfare of the people of this Commonwealth

Section 3 Definitions Wherever used or referred to in this act unless a different meaning clearly appears from the context

(1) "District" or "soil conservation district" means a governmental subdivision of this Commonwealth and a public body corporate and politic organized in accordance with the provisions of this act for the purposes with the powers and subject to the restrictions hereinafter set forth

(2) "Supervisor" means one of the members of the governing body of a district elected or appointed in accordance with the provisions of this act

(3) "Board" means the State soil conservation board created in section 4 of this act

(4) "Petition" means a petition filed under the provisions of subsection A of section 5 of this act for the creation of a district

(5) "Nominating petition" means a petition filed under the provisions of section 6 of this act to nominate candidates for the office of supervisor of a soil conservation district

(6) "Commonwealth" means the Commonwealth of Pennsylvania

(7) "Agency of this Commonwealth" includes the government of this Commonwealth and any subdivision agency or instrumentality corporate or otherwise of the government of this Commonwealth

(8) "United States" or "agencies of the United States" includes the United States of America the Soil Conservation Service of the United States Department of Agriculture and any other agency or instrumentality corporate or otherwise of the United States of America

(9) "Government" or "governmental" includes the government of this Commonwealth the Government of the United States and any subdivisio agency or instrumentality corporate or otherwise of either of them

(10) "Land occupier" or "occupier of land" includes any person firm or corporation who shall hold title to or shall be in possession of any lands lying within a district organized under the provisions of this act whether as owner lessee renter tenant or otherwise

(11) "Due notice" means notice published at least twice with an interval of at least 7 days between the two publication dates in a newspaper or other publication of general circulation within the appropriate area or if no such publication of general circulation be available by posting at a reasonable number of conspicuous places within the appropriate area such posting to include where possible posting at public places where it may be customary to post notices concerning county or municipal affairs generally At any hearing held pursuant to such notice at the time and place designated in such notice adjournment may be made from time to time without the necessity of renewing such notice for such adjourned dates

Section 4 A State Soil Conservation Board There is hereby created in the Department of Agriculture the State soil conservation board which shall be a departmental administrative board with all the powers and duties generally vested in and imposed upon such boards by the administrative code of 1929 and its amendments The board shall consist of the Secretary of Forests and Waters Secretary of Highways Director of State College Experimental Station Chief Engineer of the Water and Power Resources Board and The Secretary of Agriculture ex officio The Board shall perform the functions conferred upon it in this act and may invite the Secretary of Agriculture of the United States of America to appoint one person to serve with the above mentioned members as a member of the Committee The Board shall keep a record of its official actions shall adopt a seal which seal shall be judicially noticed and may perform such acts hold such public hearings and promulgate such rules and regulations as may be necessary for the execution of its functions under this act

B The State soil conservation board may employ an administrative officer and such technical experts and such other agents and employees permanent and temporary as it may require and shall determine their qualifications duties and compensation The board shall call upon the attorney general of the Commonwealth for such legal services as it may require It shall have authority to delegate to its chairman to one or more of its members or to one or more agents or employees such powers and duties as it may deem proper It shall be supplied with suitable office accommodations at the State Capitol and shall be furnished with the necessary supplies and equipment Upon request of the board for the purpose of carrying out any of its functions the supervising officer of any agency of the Commonwealth or of any State institution of learning shall insofar as may be possible under available appropriations and having due regard to the needs of the agency to which the request is directed assign or detail to the board members of the staff or personnel of such agency or institution of learning and make such special reports surveys or studies as the board may request

C The board shall designate its chairman and may from time to time change such designation A member of the board shall hold office so long as he shall retain the office by virtue of which he shall be serving on the board A majority of the board shall constitute a quorum and the concurrence of a majority in any matter within their duties shall be required for its determination The chairman and members of the board shall receive no compensation for their services on the board but shall be entitled to expenses including traveling expenses necessarily incurred in the discharge of their duties on the board The board shall provide for the execution of surety bonds for all employees and officers who shall be entrusted with funds or property shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions regulations and orders issued or adopted and shall provide for an annual audit of the accounts of receipts and disbursements

D In addition to the duties and powers hereinafter conferred upon the State soil conservation board it shall have the following duties and powers

(1) To offer such assistance as may be appropriate to the supervisors of soil conservation districts organized as provided hereinafter in the carrying out of any of their powers and programs

(2) To keep the supervisors of each of the several districts organized under the provisions of this act informed of the activities and experience of all other districts organized hereunder and to facilitate an interchange of advice and experience between such districts and cooperation between them

(3) To coordinate the programs of the several soil conservation districts organized hereunder so far as this may be done by advice and consultation

(4) To secure the cooperation and assistance of the United States and any of its agencies and of agencies of this Commonwealth in the work of such districts

(5) To disseminate information throughout the Commonwealth concerning the activities and programs of the soil conservation districts organized hereunder and to encourage the formation of such districts in areas where their organization is desirable.

Section 5 Creation of Soil Conservation Districts Any twenty-five (25) occupiers of land lying within the limits of the territory proposed to be organized into a district may file a petition with the State soil conservation board asking that a soil conservation district be organized to function in the territory prescribed in the petition Such petition shall set forth

(1) The proposed name of said district

(2) That there is need in the interest of the public health safety and welfare for a soil conservation district to function in the territory described in the petition

(3) A description of the territory proposed to be organized as a district which description shall not be re-

quired to be given by metes and bounds or by legal subdivisions but shall be deemed sufficient if generally accurate

(4) A request that the State soil conservation board duly define the boundaries for such district that a referendum be held within the territory so defined on the question of the creation of a soil conservation district in such territory and that the board determine that such a district be created

Where more than one petition is filed covering parts of the same territory the State soil conservation board may consolidate all or any such petitions

B Within thirty (30) days after such a petition has been filed with the State soil conservation board it shall cause due notice to be given of a proposed hearing upon the question of the desirability and necessity in the interest of the public health safety and welfare of the creation of such district upon the question of the appropriate boundaries to be assigned to such district upon the propriety of the petition and other proceedings taken under this act and upon all questions relevant to such inquiries All occupiers of land within the limits of the territory described in the petition and of lands within any territory considered for addition to such described territory and all other interested parties shall have the right to attend such hearings and to be heard If it shall appear upon the hearing that it may be desirable to include within the proposed district territory outside of the area within which due notice of the hearing has been given the hearing shall be adjourned and due notice of further hearing shall be given throughout the entire area considered for inclusion in the district and such further hearing held After such hearing if the board shall determine upon the facts presented at such hearing and upon such other relevant facts and information as may be available that there is need in the interest of the public health safety and welfare for a soil conservation district to function in the territory considered at the hearing it shall make and record such determination and shall define by metes and bounds or by legal subdivisions the boundaries of such districts In making such determination and in defining such boundaries the board shall give due weight and consideration to the topography of the area considered and of the Commonwealth the composition of soils therein the distribution of erosion the prevailing land-use practices the desirability and necessity of including within the boundaries the particular lands under consideration and the benefits such lands may receive from being included within such boundaries the relation of the proposed area to existing watersheds and agricultural regions and to other soil conservation districts already organized or proposed for organization under the provisions of this act and such other physicial geographical and economic factors as are relevant having due regard to the legislative determinations set forth in section 2 of this act The territory to be included within such boundaries need not be contiguous If the board shall determine after such hearing after due consideration of the said relevant facts that there is no need for a soil conservation district to function in the territory considered at the hearing it shall make and record such determination and shall deny the petition After 6 months shall have expired from the date of the denial of any such petition subsequent petitions covering the same or substantially the same territory may be filed as aforesaid and new hearings held and determinations made thereon

C After the board has made and recorded a determination that there is need in the interest of the public health safety and welfare for the organization of a district in a particular territory and has defined the boundaries thereof it shall consider the question whether the operation of a district within such boundaries with the powers conferred upon soil conservation districts in this act is administratively practicable and feasible To assist the board in the determination of such administrative practicability and feasibility it shall be the duty of the board within a reasonable time after entry of the finding that there is need for the organization of the proposed district and the determination of the boundaries thereof to hold a referendum within the proposed district upon the proposition of the creation of the district and to cause due notice of such referendum to be given The question shall be submitted by ballots upon which the words "For creation of a soil conservation district of the lands below described and lying in the county (ies) of .... and ....." and "Against creation of a soil conservation district of the lands below described and lying in the county (ies) of ..... and ....." shall be printed with a square before each proposition and a direction to insert an X mark in the square before one or the other of said propositions as the voter may favor or oppose creation of such district The ballot shall set forth the boundaries of such proposed district as determined by the board All occupiers of lands lying within the boundaries of the territory as determined by the State soil conservation board shall be eligible to vote in such referendum Only such land occupiers shall be eligible to vote

D The board shall pay all expenses for the issuance of such notices and the conduct of such hearings and referenda and shall supervise the conduct of such hearings and referenda It shall issue appropriate regulations governing the conduct of such hearings and referenda and providing for the registration prior to the date of the referendum of all eligible voters or prescribing some other appropriate procedure for the determination of those eligible as voters in such referendum No informalities in the conduct of such referendum or in any matters relating thereto shall invalidate said referendum or the result thereof if notice thereof shall have been given substantially as herein provided and said referendum shall have been fairly conducted

E The board shall publish the result of such referendum and shall thereafter consider and determine whether the operation of the district within the defined boundaries is administratively practicable and feasible If the board shall determine that the operation of such district is not administratively practicable and feasible it shall record such determination and deny the petition If the board shall determine that the operation of such district is administratively practicable and feasible it shall record such determination and shall proceed with the organization of the district in the manner hereinafter provided In making such determination the board shall give due regard and weight to the attitudes of the occupiers of lands lying within the defined boundaries the number of land occupiers eligible to vote in such referendum who shall have voted the proportion of the votes cast in such referendum in favor of the creation of the district to the total number of votes cast the approximate wealth and income of the land occupiers of the proposed district the probable expense of carry on erosion-control operations within such district and such other economic and social factors as may be relevant to such determination having due regard to the legislative determinations set forth in section 2 of this act provided however that the board shall not have authority to determine that the operation of the proposed district within the defined boundaries is administratively practicable and feasible unless at least a majority of the votes cast in the referendum upon the proposition of creation of the district shall have been cast in favor of the creation of such district

F If the board shall determine that the operation of the proposed district within the defined boundaries is administratively practicable and feasible it shall appoint two (2) supervisors to act with the three (3) supervisors elected as provided hereinafter as the governing body of the district such district shall be a governmental subdivision of this Commonwealth and a public body corporate and politic upon the taking of the following proceedings

The two appointed supervisors shall present to the Secretary of the Commonwealth an application signed by them which shall set forth (and such application need contain no detail other than the mere recital) (1) that a petition for the creation of the district was filed with the State soil conservation board pursuant to the provisions of this act and that the proceedings specified in this act were taken pursuant to such petition that the application

is being filed in order to complete the organization of the district as a governmental subdivision and a public body corporate and politic under this act and that the board has appointed them as supervisors (2) the name and official residence of each of the supervisors together with a certified copy of the appointments evidencing their right to office (3) the term of office of each of the supervisors (4) the name which is proposed for the district and (5) the location of the principal office of the supervisors of the district The application shall be subscribed and sworn to by each of the said supervisors before an officer authorized by the laws of this state to take and certify oaths who shall certify upon the application that he personally knows the supervisors and knows them to be the officers as affirmed in the application and that each has subscribed thereto in the officer's presence The application shall be accompanied by a statement by the State soil conservation board which shall certify (and such statement need contain no detail other than the mere recitals that a petition was filed notice issued and hearing held as aforesaid that the board did duly determine that there is need in the interest of the public health safety and welfare for a soil conservation district to function in the proposed territory and did define the boundaries thereof that notice was given and a referendum held on the question of the creation of such district and that the result of such referendum showed a majority of the votes cast in such referendum to be in favor of the creation of the district that thereafter the board did duly determine that the operation of the proposed district is administratively practicable and feasible The said statement shall set forth the boundaries of the district as they have been defined by the board

The Secretary of the Commonwealth shall examine the application and statement and if he finds that the name proposed for the district is not identical with that of any other soil conservation district of this Commonwealth or so nearly similar as to lead to confusion or uncertainty he shall receive and file them and shall record them in an appropriate book of record in his office If the Secretary shall find that the name proposed for the district is identical with that of any other soil conservation district of this Commonwealth or so nearly similar as to lead to confusion and uncertainty he shall certify such fact to the State soil conservation board which shall thereupon submit to the Secretary of the Commonwealth a new name for the said district which shall not be subject to such defects Upon receipt of such new name free of such defects the Secretary of the Commonwealth shall record the application and statement with the name so modified in an appropriate book of record in his office When the application and statement have been made filed and recorded as herein provided the district shall constitute a governmental subdivision of this Commonwealth and a public body corporate and politic The Secretary of the Commonwealth shall make and issue to the said supervisors a certificate under the seal of the Commonwealth of the due organization of the said district and shall record such certificate with the application and statement The boundaries of such district shall include the territory as determined by the State soil conservation board as aforesaid but in no event shall they include an area included within the boundaries of another soil conservation district organized under the provisions of this act

G After six (6) months shall have expired from the date of entry of a determination by the State soil conservation board that operation of a proposed district is not administratively practicable and feasible and denial of a petition pursuant to such determination subsequent petitions may be filed as aforesaid and action taken thereon in accordance with the provisions of this act

H Petitions for including additional territory within an existing district may be filed with the State soil conservation board and the proceedings herein provided for in the case of petitions to organize a district shall be observed in the case of petitions for such inclusion The board shall prescribe the form for such petitions which shall as nearly as may be in the form prescribed in this act for petitions to organize a district Where the total number of land occupiers in the area proposed for inclusion shall be less than 25 the petition may be filed when signed by a majority of the occupiers of such area and in such case no referendum need be held In referenda upon petitions for such inclusion all occupiers of land lying within the proposed additional area shall be eligible to vote

I In any suit action or proceeding involving the validity or enforcement of or relating to any contract proceeding or action of the district the district shall be deemed to have been established in accordance with the provisions of this act upon proof of the issuance of the aforesaid certificate by the Secretary of the Commonwealth A copy of such certificate duly certified by the Secretary shall be admissible in evidence in any such suit action or proceeding and shall be proof of the filing and contents thereof

Section 6 Election of Three Supervisors for Each District Within thirty (30) days after date of issuance by the Secretary of the Commonwealth of a certificate of organization of a soil conservation district nominating petitions may be filed with the State soil conservation board to nominate candidates for supervisors of such district The board shall have authority to extend the time within which nominating petitions may be filed No such nominating petition shall be accepted by the board unless it shall be subscribed by twenty-five (25) or more occupiers of lands lying within the boundaries of such district Land occupiers may sign more than one such nominating petition to nominate more than one candidate for supervisor The board shall give due notice of an election to be held for the election of three supervisors for the district The names of all nominees on behalf of whom such nominating petitions have been filed within the time herein designated shall be printed arranged in the alphabetical order of the surnames upon ballots with a square before each name and a direction to insert an X mark in the square before any three names to indicate the voter's preference All occupiers of lands lying within the district shall be eligible to vote in such election Only such land occupiers shall be eligible to vote The three candidates who shall receive the largest number respectively of the votes cast in such election shall be the elected supervisors for such district The board shall pay all the expenses of such election shall supervise the conduct thereof shall prescribe regulations governing the conduct of such election and the determination of the eligibility of voters therein and shall publish the results thereof

Section 7 Appointment Qualifications and Tenure of Supervisors The governing body of the district shall consist of five (5) supervisors elected or appointed as provided hereinabove The two supervisors appointed by the board shall be persons who are by training and experience qualified to perform the specialized skilled services which will be required of them in the performance of their duties hereunder

The supervisors shall designate a chairman and may from time to time change such designation The term of office of each supervisor shall be three (3) years except that the supervisors who are first appointed shall be designated to serve for terms of 1 and 2 years respectively from the date of their appointment A supervisor shall hold office until his successor has been elected or appointed and has qualified Vacancies shall be filled for the unexpired term The selection of successors to fill an unexpired term or for a full term shall be made in the same manner in which the retiring supervisors shall respectively have been selected A majority of the supervisors shall constitute a quorum and the concurrence of a majority in any matter within their duties shall be required for its determination A supervisor shall receive no compensation for his services but he shall be entitled to expenses including traveling expenses necessarily incurred in the discharge of his duties

The supervisors may employ a secretary technical experts and such other officers agents and employes permanent and temporary as they may require and shall determine their qualifications duties and compensation The supervisors may call upon the Attorney General of the Commonwealth for such legal services as they may require or may employ their own counsel and legal staff

The supervisors may delegate to their chairman to one or more supervisors or to one or more agents or employes such powers and duties as they may deem proper The supervisors shall furnish to the State soil conservation board upon request copies of such ordinances rules regulations orders contracts forms and other documents as they shall adopt or employ and such other information concerning their activities as it may require in the performance of its duties under this act

The supervisors shall provide for the execution of surety bonds for all employes and officers who shall be entrusted with funds or property shall provide for the keeping of a full and accurate record of all proceedings and of all resolutions regulations and orders issued or adopted and shall provide for an annual audit of the accounts of receipts and disbursements Any supervisor may be removed by the State soil conservation board upon notice and hearing for neglect of duty or malfeasance in office but for no other reason

The supervisors may invite the legislative body of any municipality or county located near the territory comprised within the district to designate a representative to advise and consult with the supervisors of the district on all questions of program and policy which may affect the property water supply or other interests of such municipality or county

Section 8 Powers of Districts and Supervisors A soil conservation district organized under the provisions of this act shall constitute a governmental subdivision of this Commonwealth and a public body corporate and politic exercising public powers and such district and the supervisors thereof shall have the following powers in addition to others granted in other sections of this act

(1) To conduct surveys investigations and research relating to the character of soil erosion and the preventive and control measures needed to publish the results of such surveys investigations or research and to disseminate information concerning such preventive and control measures provided however that in order to avoid duplication of research activities no district shall initiate any research program except in cooperation with the government of this Commonwealth or any of its agencies or with the United States or any of its agencies

(2) To conduct demonstrational projects within the district on lands owned or controlled by this Commonwealth or any of its agencies with the cooperation of the agency administering and having jurisdiction thereof and on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands in order to demonstrate by example the means methods and measures by which soil and soil resources may be conserved and soil erosion in the form of soil blowing and soil washing may be prevented and controlled

(3) To carry out preventive and control measures within the district including but not limited to engineering operations methods of cultivation the growing of vegetation changes in use of land and the measures listed in subsection C of section 2 of this act on lands owned or controlled by this Commonwealth or any of its agencies with the cooperation of the agency administering and having jurisdiction thereof and on any other lands within the district upon obtaining the consent of the occupier of such lands or the necessary rights or interests in such lands

(4) To cooperate or enter into agreements with and within the limits of appropriations duly made available to it by law to furnish financial or other aid to any agency governmental or otherwise or any occupier of lands within the district in the carrying on of erosion-control and prevention operations within the district subject to such conditions as the supervisors may deem necessary to advance the purposes of this act

(5) To obtain options upon and to acquire by purchase exchange lease gift grant bequest devise or otherwise any property real or personal or rights or interests therein to maintain administer and improve any properties acquired to receive income from such properties and to expend such income in carrying out the purposes and provisions of this act and to sell lease or otherwise dispose of any of its property or interests therein in furtherance of the purposes and the provisions of this act

(6) To make available on such terms as it shall prescribe to land occupiers within the district agricultural and engineering machinery and equipment fertilizer seeds and seedlings and such other material or equipment as will assist such land occupiers to carry on operations upon their lands for the conservation of soil resources and for the prevention and control of soil erosion

(7) To construct improve and maintain such structures as may be necessary or convenient for the performance of any of the operations authorized in this act

(8) To develop comprehensive plans for the conservation of soil resources and for the control and prevention of soil erosion within the district which plans shall specify in such detail as may be possible the acts procedures performances and avoidances which are necessary or desirable for the effectuation of such plans including the specifications of engineering operations methods of cultivation the growing of vegetation croping programs tillage practices and changes in use of land and to publish such plans and information and bring them to the attention of occupiers of lands within the district

(9) To take over by purchase lease or otherwise and to administer any soil-conservation erosion-control or erosion-prevention propect located within its boundaries undertaken by the United States or any of its agencies or by this Commonwealth or any of its agencies to manage as agent of the United States or any of its agencies or of this Commonwealth or any of its agencies any soil-conservation erosion-control or erosion-prevention project within its boundaries to act as agent for the United States or any of its agencies or for this Commonwealth or any of its agencies in connection with the acquisition construction operation or administration of any soil-conservation erosion-control or erosion prevention project within its boundaries to accept donations gifts and contributions in money services materials or otherwise from the United States or any of its agencies or from this Commonwealth or any of its agencies and to use or expend such moneys services materials or other contributions in carrying on its operations

(10) To sue and be sued in the name of the district to have a seal which seal shall be judicially noticed to have perpetual succession unless terminated as hereinafter provided to make and execute contracts and other instruments necessary or convenient to the exercise of its powers to make and from time to time amend and repeal rules and regulations not inconsistent with this act to carry into effect its purposes and powers.

(11) As a condition to the extending of any benefits under this act to or the performance of work upon any lands not owned or controlled by this Commonwealth or any of its agencies the supervisors may require contributions in money services materials or otherwise to any operations conferring such benefits and may require land occupiers to enter into and perform such agreements or covenants as to the permanent use of such lands as will tend to prevent or control erosion thereon

(12) No provisions with respect to the acquisition operation or disposition of property by other public bodies shall be applicable to a district organized hereunder unless the legislature shall specifically so state

Section 9 Adoption of Land-use Regulations The supervisors of any district shall have authority to formulate regulations governing the use of lands within the district in the interest of conserving soil and soil resources and preventing and controlling soil erosion The supervisors may conduct such public meetings and public hearings upon tentative regulations as may be necessary to assist them in this work The supervisors shall not have authority to enact such land-use regulations into law until after they shall have caused due notice to be given of their intention to conduct a referendum for submission of such regulations to the occupiers of lands lying within the boundaries of the district for their indication of approval or disapproval of such proposed regulations and until after the supervisors have considered

the result of such referendum The proposed regulations shall be embodied in a proposed ordinance Copies of such proposed ordinance shall be available for the inspection of all eligible voters during the period between publication of such notice and the date of the referendum The notices of the referendum shall recite the contents of such proposed ordinance or shall state where copies of such proposed ordinance may be examined The question shall be submitted by ballots upon which the words "For approval of proposed ordinance No ..... prescribing land use regulations for conservation of soil and prevention of erosion" and "Against approval of proposed ordinance No ..... prescribing land-use regulations for conservation of soil and prevention of erosion" shall be printed with a square before each proposition and a direction to insert an X mark in the square before one or the other of said propositions as the voter may favor or oppose approval of such proposed ordinance The supervisors shall supervise each referendum shall prescribe appropriate regulations governing the conduct thereof and shall publish the result thereof All occupiers of lands within the district shall be eligible to vote in such referendum Only such land occupiers shall be eligible to vote No informalities in the conduct of such referendum or in any matters relating thereto shall invalidate said referendum or the result thereof if notice thereof shall have been given substantially as herein provided and said referendum shall have been fairly conducted

The supervisors shall not have authority to enact such proposed ordinance into laws unless at least a majority of the votes cast in such referendum shall have been cast for approval of the said proposed ordinance The approval of the proposed ordinance by a majority of the votes cast in such referendum shall not be deemed to require the supervisors to enact such proposed ordinance into law Land-use regulations prescribed in ordinances adopted pursuant to the provisions of this section by the supervisors of any district shall have the force and effect of law in the said district and shall be binding and obligatory upon all occupiers of lands within such district

Any occupier of land within such district may at any time file a petition with the supervisors asking that any or all of the land-use regulations prescribed in any ordinance adopted by the supervisors under this section shall be amended supplemented or repealed Land-use regulations prescribed in any ordinance adopted pursuant to the provisions of this section shall not be amended supplemented or repealed except in accordance with the procedure prescribed in this section for adoption of land-use regulations Referenda on adoption amendment supplementation or repeal of land-use regulations shall not be held more often than once in six (6) months

The regulations to be adopted by the supervisors under the provisions of this section may include

1 Provisions requiring the carrying out of necessary engineering operations including the construction of terraces terrace outlet scheck dams dikes ponds ditches and other necessary structures

2 Provisions requiring observance of particular methods of cultivation including contour cultivating contour furrowing lister furrowing sowing planting strip cropping seeding and planting of lands to water-conserving and erosion-preventing plants trees and grasses forestation and reforestation

3 Specifications of cropping programs and tillage practices to be observed

4 Provisions requiring the retirement from cultivation of highly erosive areas or of areas on which erosion may not be adequately controlled if cultivation is carried on

5 Provisions for such other means measures operations and programs as may assist conservation of soil resources and present or control soil erosion in the district having due regard to the legislative findings set forth in section 2 of this act

The regulations shall be uniform throughout the territory comprised within the district except tha he supervisors may classify the lands within the district with reference to such factors as soil type degree of slope degree of erosion threatened or existing cropping and tillage practices in use and other relevant factors and may provide regulations varying with the type or class of land affected but uniform as to all lands within each class or type Copies of land-use regulations adopted under the provisions of this section shall be printed and made available to all occupiers of lands lying within the district

Section 10 Enforcement of Land-use Regulations The supervisors shall have authority to go upon any lands within the district to determine whether land-use regulaions adopted under the provisions of section 9 of this act are being observed Any person firm association copartnership or corporation who shall violate any of such regulations shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than $25.00 and not more than $300.00 for each such offense at the discretion of the court Any land occupier who shall sustain damage from any violation of such regulations by any other land occupier may recover damages at law from such other land occupier for such violation

Section 11 Performance of Work under the Regulations by the Supervisors Where the supervisors of any district shall find that any of the provisions of land-use regulations prescribed in an ordinance adopted in accordance with the provisions of section 9 hereof are not being observed on particular lands and that such non-observance tends to increase erosion on such lands and is interfering with the prevention or control of erosion on other lands within the district the supervisors may present to the Court of Common Pleas of the county wherein such particular land is located a petition duly verified setting forth the adoption of the ordinance prescribing land-use regulations the failure of the defendant land occupier to observe such regulations and to perform particular work operations or avoidances as required thereby and that such non-observance tends to increase erosion on such lands and is interfering with the prevention or control of erosion on other lands within the district and praying the court to require the defendant to perform the work operations or avoidance within a reasonable time and to order that if the defendant shall fail to perform the supervisors may go on the land and perform the work or other operations or otherwise bring the condition of such lands into conformity with the requirements of such regulations and recover the costs and expenses thereof with interest from the occupier of such land Upon the presentation of such petition the court shall cause process to be issued against the defendant and shall hear the case If it shall appear to the court that testimony is necessary for the proper disposition of the matter it may take evidence or appoint a referee to take such evidence as it may direct and report the same to the court with his findings of fact and conclusions of law which shall constitute a part of the proceedings upon which the determination of the court shall be made The court may dismiss the petition or it may require the defendant to perform the work operations or evidances and may provide that upon the failure of the defendant to initiate such performance within the time specified in the order of the court and to prosecute the same to completion with reasonable diligence the supervisors may enter upon the lands involved and perform the work or operations or otherwise bring the conditions of such lands into conformity with the requirements of the regulations and recover the costs and expenses thereof with interest at the rate of 5 per centum per annum from the occupier of such lands In all cases where the person in possession of lands who shall fail to perform such work operations or avoidances shall not be the owner the owner of such lands shall be joined as party defendant

The court shall retain jurisdiction of the case until after the work has been completed Upon completion of such work pursuant to such order of the court the supervisors may file a petition with the court a copy of which shall be served upon the defendant in the case stating the costs and expenses sustained by them in the performance of the work and praying judgment therefor with interest The court shall have jurisdiction to enter judg-

ment for the amount of such costs and expenses with interest at the rate of 5 per centum per annum until paid together with the costs of suit including a reasonable attorney's fee to be fixed by the court The amount of such judgment shall be a lien upon such lands until fully paid and satisfied and shall be collected by the supervisors of the district in the same manner and under the same procedure as is provided by law for the collection of municipal claims after they have been refused to judgment When such judgment shall be paid or collected the proceeds shall be paid over to the district within the boundaries of which the lands shall lie

Section 12 Board of Adjustment

A Whereas the supervisors of any district organized under the provisions of this act shall adopt an ordinance prescribing land-use regulations in accordance with the provisions of section 9 hereof they shall further provide by ordinance for the establishment of a board of adjustment Such board of adjustment shall consist of three (3) members each to be appointed for a term of three (3) years except that the members first appointed shall be appointed for terms of 1 2 and 3 years respectively The members of each such board of adjustment shall be appointed by the State soil conservation board with the advice and approval of the supervisors of the district for which such board has been established and shall be removable upon notice and hearing for neglect of duty or malfeasance in office but for no other reason such hearing to be conducted jointly by the State soil conservation board and the supervisors of the district Vacancies in the board of adjustment shall be filled in the same manner as original appointments and shall be for the unexpired term of the member whose term becomes vacant Members of the State soil conservation board and the supervisors of the district shall be ineligible to appointment as members of the board of adjustment during their tenure of such other office The members of the board of adjustment shall receive compensation for their services at the rate of six dollars ($6.00) per diem for time spent on the work of the board in addition to expenses including traveling expenses necessarily incurred in the discharge of their duties The supervisors shall pay the necessary administrative and other expenses of operation incurred by the board of adjustment upon the certificate of the chairman of the Board

B The board of adjustment shall adopt rules to govern its proceedings which rules shall be in accordance with the provisions of this act and with the provisions of any ordinance adopted pursuant to this section The board shall designate a chairman from among its members and may from time to time change such designation Meetings of the board shall be held at the call of the chairman and at such other times as the board may determine Any two (2) members of the board shall constitute a quorum The chairman or in his absence such other member of the board as he may designate to serve as acting chairman may administer oaths and compel the attendance of witnesses All meetings of the board shall be open to the public The board shall keep a full and accurate record of all proceedings of all documents filed with it and of all orders entered which shall be filed in the office of the board and shall be a public record

C Any land occupier may file a petition with the board of adjustment alleging that there are great practical difficulties or unnecessary hardship in the way of his carrying out upon his lands the strict letter of the land-use regulations prescribed by ordinance approved by the supervisors and praying the board to authorize a variance from the terms of the land-use regulations in the application of such regulations to the lands occupied by the petitioner Copies of such petition shall be served by the petitioner upon the chairman of the supervisors of the district within which his lands are located and upon the chairman of the State soil conservation board The board of adjustment shall fix a time for the hearing of the petition and cause due notice of such hearing to be given The supervisors of the district and the State soil conservation board shall have the right to appear and be heard at such hearing Any occupier of lands lying within the district who shall object to the authorizing of the variance prayed for may intervene and become a party to the proceedings Any party to the hearing before the board may appear in person by agent or by attorney If upon the facts presented at such hearing the board shall determine that there are great practical difficulties or unnecessary hardship in the way of applying the strict letter of any of the land-use regulations upon the lands of the petitioner it shall make and record such determination and shall make and record findings of fact as to the specific conditions which establish such great practical difficulties or unnecessary hardship Upon the basis of such findings and determination the board shall have power by order to authorize such variance from the terms of the land-use regulations in their application to the lands of the petitioner as will relieve such great practical difficulties or unnecessary hardship and will not be contrary to the public interest and such that the spirit of the land-use regulations shall be observed the public health safety and welfare secured and substantial justice done

D Any petitioner aggrieved by an order of the board of adjustment granting or denying in whole or in part the relief sought the supervisors of the district or any intervening party may obtain a review of such order by the Coure of Common Pleas of the county within which is located the land which is affected by such order of the board by filing in such court a petition praying that the order of the board be modified or set aside A copy of such petition shall forthwith be served upon the parties to the hearing before the board and thereupon the party seeking review shall file in the court a transcript of the entire record in the proceedings certified by the board including the documents and testimony upon which the order complained of was entered and the findings determination and order of the board Upon such filing the court shall cause notice thereof to be served upon the parties and shall have jurisdiction of the proceedings and of the questions determined or to be determined therein and shall have power to grant such temporary relief as it deems just and proper and to make and enter a decree enforcing modifying and enforcing as so modified or setting aside in whole or in part the order of the board No contention that has not been urged before the board shall be considered by the court unless the failure or neglect to urge such contention shall be excused because of extraordinary circumstances The findings of the board as to the facts if supported by evidence shall be conclusive If any party shall apply to the court for leave to produce additional evidence and shall show to the satisfaction of the court that such evidence is material and that there were reasonable grounds for the failure to produce such evidence in the hearing before the board the court may order such additional evidence to be taken before the board and to be made a part of the transcript The board may modify its findings as to the facts or make new findings taking into consideration the additional evidence so taken and filed and it shall file such modified or new findings which if supported by evidence shall be conclusive and shall file with the court its recommendations if any for the modification or setting aside of its original order The jurisdiction of the court shall be exclusive and its judgment and decree shall be final except that the same shall be subject to review in the same manner as are other judgments or decrees of the court

Section 13 Cooperation Between Districts The supervisors of any two or more districts organized under the provisions of this act may cooperate with one another in the exercise of any or all powers conferred in this act

Section 14 Agencies of the Commonwealth to Cooperate Agencies of this Commonwealth which shall have jurisdiction over or be charged with the administration of any State-owned lands and of any county or other governmental subdivision of the Commonwealth which shall have jurisdiction over or be charged with the administration of any county-owned or other publicly owned lands lying within the boundaries of any district organized hereunder shall cooperate to the fullest extent

with the supervisors of such districts in the effectuation of programs and operations undertaken by the supervisors under the provisions of this act The supervisors of such districts shall be given free access to enter and perform work upon such publicly owned lands The provisions of land-use regulations adopted pursuant to section 9 of this act shall have the force and effect of law over all such publicly owned lands and shall be in all respects observed by the agencies administering such lands

Section 15 Discontinuance of Districts At any time after five (5) years after the organization of a district under the provisions of this act any twenty-five (25) occupiers of land lying within the boundaries of such district may file a petition with the State soil conservation board praying that the operations of the district be terminated and the existence of the district discontinued The board may conduct such public meetings and public hearings upon such petition as may be necessary to assist it in the consideration thereof Within sixty (60) days after such a petition has been received by the board it shall give due notice of the holding of a referendum and shall supervise such referendum and issue appropriate regulations governing the conduct thereof the question to be submitted by ballots upon which the words "For terminating the existence of the ..... (name of the soil conservation district to be here inserted)" and "Against terminating the existence of the ..... (name of the soil conservation district to be here inserted)" shall be printed with a square before each proposition and a direction to insert an X mark in the square before one or the other of said propositions as the voter may favor or oppose discontinuance of such district All occupiers of lands lying within the boundaries of the district shall be eligible to vote in such referendum Only such land occupiers shall be eligible to vote No informalities in the conduct of such referendum or in any matters relating thereto shall invalidate said referendum or the result thereof if notice thereof shall have been given substantially as herein provided and said referendum shall have been fairly conducted

The State soil conservation board shall publish the result of such referendum and shall thereafter consider and determine whether the continued operation of the district within the defined boundaries is administratively practicable and feasible If the board shall determine that the continued operation of such district is administratively practicable and feasible it shall record such determination and deny the petition If the board shall determine that the continued operation of such district is not administratively practicable and feasible it shall record such determination and shall certify such determination to the supervisors of the district In making such determination the board shall give due regard and weight to the attitudes of the occupiers of lands lying within the district the number of land occupiers eligible to vote in such referendum who shall have voted the proportion of the votes cast in such referendum in favor of the discontinuance of the district to the total number of votes cast the approximate wealth and income of the land occupiers of the district the probable expense of carrying on erosion control operations within such district and such other economic and social factors as may be relevant to such determination having due regard to the legislative findings set forth in section 2 of this act provided however that the board shall not have authority to determine that the continued operation of the district is administratively practicable and feasible unless at least a majority of the votes cast in the referendum shall have been cast in favor of the continunce of such district

Upon receipt from the State soil conservation board of a certification that the board has determined that the continued operation of the district is not administratively practicable and feasible pursuant to the provisions of this section the supervisors shall forthwith proceed to terminate the affairs of the district The supervisors shall dispose of all property belonging to the district at public auction and shall pay over the proceeds of such sale into the State treasury through the Department of Revenue The supervisors shall thereupon file an application duly verified with the Secretary of the Commonwealth for the discontinuance of such district and shall transmit with such application the certificate of the State soil conservation board setting forth the determination of the board that the continued operation of such district is not administratively practicable and feasible The application shall recite that the property of the district has been disposed of and the proceeds paid over as in this section provided and shall set forth a full accounting of such properties and proceeds of the sale The Secretary of the Commonwealth shall issue to the supervisors a certificate of dissolution and shall record such certificate in an appropriate book of record in his office

Upon issuance of a certificate of dissolution under the provisions of this section all ordinances and regulations theretofore adopted and in force within such districts shall be of no further force and effect All contracts theretofore entered into to which the district or supervisors are parties shall remain in force and effect for the period provided in such contracts The State soil conservation board shall be substituted for the district or supervisors as party to such contracts The committee shall be entitled to all benefits and subject to all liabilities under such contracts and shall have the same right and liability to perform to require performance to sue and be sued thereon and to modify or terminate such contracts by mutual consent or otherwise as the supervisors of the district would have had Such dissolution shall not affect the lien of any judgment entered under the provisions of section 11 of this act nor the pendency of any action instituted under the provisions of such section and the board shall succeed to all the rights and obligations of the district or supervisors as to such liens and actions

The State soil conservation board shall not entertain petitions for the discontinuance of any certain district nor conduct referenda upon such petitions nor make determinations pursuant to such petitions in accordance with the provisions of this act more often than once in five (5) years

Section 16 Appropriations The sum of ten thousand dollars or so much thereof as may be necessary is hereby specifically appropriated out of the General Fund to the State soil conservation board for its use in administering the provisions of this act during the two fiscal years beginning June 1, 1937 and ending May 31, 1939

Section 17 Allocations to the Districts The State soil conservation board shall make allocations from time to time out of the moneys appropriated to it Among the several soil conservation districts organized in accordance with the provisions of this act for the purposes provided in the act on the basis of the number of acres affected by the ordinances and regulations of the district supervisors or any other equitable basis to be established by the board and payments shall be made under such system of requisition and accounting as the Governor Auditor General and State Treasurer shall determine

The moneys so allocated to a district shall be available for expenditures in that district authorized by the provisions of this act as the State soil conservation board shall determine

Section 18 Separability Clause If any provision of this act or the application of any provision to any person or circumstances is held invalid the remainder of the act and the application of such provision to other persons or circumstances shall not be affected thereby

Section 19 Inconsistency with Other Acts Insofar as any of the provisions of this act are inconsistent with the provisions of any other law the provisions of this act shall be controlling

Section 20 Effective Date This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—183

Achterman,	Finnerty,	Matthews, J. F.,	Schumacher,
Alexander,	Fiss,	McArdle,	Shaw,
Allen,	Fitch,	McCullough,	Shea,
Allmond,	Flanagan,	McDermott,	Shepard,
Arnold,	Flannery,	McDevitt,	Shoemaker,
Atkins,	Flinchbaugh,	McElroy,	Shugarts,
Aukerman,	Ganser,	McFall,	Siegel,
Baine,	Gerard,	McShane,	Simon,
Baker, J. J.,	Gillette,	Melchiorre,	Skale,
Balthaser,	Gorski,	Mellott,	Sloan,
Bierly,	Haberlen,	Merrell,	Smith, James A.,
Blank,	Hagerty,	Mihm,	Smith, John A.,
Bohn,	Hall,	Moomaw,	Sollenberger,
Bois,	Hamilton, F. P.,	Mooney,	Spengler,
Boltz,	Hamilton, R. S.,	Moran,	Sproul,
Boose,	Harkins,	Moul,	Stackpole,
Boyer	Harmuth,	Munley,	Stank,
Bradley	Hays,	Murrin,	Stewart,
Brancato,	Hering,	Nagel,	Stockham,
Brigerman,	Hess,	O'Brien,	Strode,
Broad,	Hetrick,	O'Connor,	Terry,
Brown,	Hindman,	O'Keefe,	Thomas,
Brownfield,	Hirsch,	Ominsky,	Thompson,
Burrows,	Holland,	O'Neill,	Toole,
Cadwalader,	Holmes,	Ostroff,	Tronzo,
Caesar,	Holstrom,	Patterson, C. S.,	Tumelty,
Caputo,	Hontz,	Patterson, J. W.,	Valibus,
Coakley,	Horting,	Peale,	VanAllsburg,
Cohen, H. B.,	Huntley,	Pearson,	VanSickle,
Cohen, R. E.,	Imbrie,	Perry,	Vogt,
Coleman,	Jirolanio,	Pershing,	Wagner,
Coolahan,	Kane,	Piole,	Walsh,
Corrigan,	Keenan,	Powers,	Weiss, D. H.,
Costanzo,	Kelso,	Preston,	Weiss, S. A.,
Davies,	Kilroy,	Readinger,	Welliver,
Decker,	Kline,	Reese,	Welsh,
DeNote,	Kroll,	Reising,	Westrick,
Dickinson,	LaRue,	Richter,	Whalen,
Donohoe,	Leisey,	Robinson,	Whitenight,
Dougherty,	Levy,	Rothenberger,	Winner,
Downey,	Lewis,	Ruffennach,	Wright,
Dubbs,	Long,	Rush,	Yanoshat,
Dyson,	Lopresti,	Sarraf,	Yourishin,
Eckels,	Lovett,	Scanlon,	Zappala,
Elpern,	Lyons,	Schor,	Furman,
Falkenstein,	Marino,	Schrope,	

NAYS—18

Baker, F. T.,	Schrock,	Wall,	Wilson,
Habbyshaw,	Serrill,	Watkins,	Wood,
McKinney,	Snyder,	Webster,	Woodside,
Muir,	Trout,	Weidemann,	Yeakel,
Royer,	Turner,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 408, entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School Downingtown Pennsylvania.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—201

Achterman,	Flannery,	McKinney,	Siegel,
Alexander,	Flinchbaugh,	McShane,	Simon,
Allen,	Ganser,	Melchiorre,	Skale,
Allmond,	Gerard,	Mellott,	Sloan,
Arnold,	Gillette,	Merrell,	Smith, James A.,
Atkins,	Gorski,	Mihm,	Smith, John A.,
Aukerman,	Habbyshaw,	Moomaw,	Snyder,
Baine,	Haberlen,	Mooney,	Sollenberger,
Baker, F. T.,	Hagerty,	Moran,	Spengler,
Baker, J. J.,	Hall,	Moul,	Sproul,
Balthaser,	Hamilton, F. P.,	Muir,	Stackpole,
Bierly,	Hamilton, R. S.,	Munley,	Stank,
Blank,	Harkins,	Murrin,	Stewart,
Bohn,	Harmuth,	Nagel,	Stockham,
Bois,	Hays,	O'Brien,	Strode,
Boltz,	Hering,	O'Connor,	Terry,
Boose,	Hess,	O'Keefe,	Thomas,
Boyer	Hetrick,	Ominsky,	Thompson,
Bradley	Hindman,	O'Neill,	Toole,
Brancato,	Hirsch,	Ostroff,	Tronzo,
Brigerman,	Holland,	Patterson, C. S.,	Trout,
Broad,	Holmes,	Patterson, J. W.,	Tumelty,
Brown,	Holstrom,	Peale,	Turner,
Brownfield,	Hontz,	Pearson,	Valibus,
Burrows,	Horting,	Perry,	VanAllsburg,
Cadwalader,	Huntley,	Pershing,	VanSickle,
Caesar,	Imbrie,	Piole,	Vogt,
Caputo,	Jirolanio,	Powers,	Wagner,
Coakley,	Kane,	Preston,	Wall,
Cohen, H. B.,	Keenan,	Readinger,	Walsh,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Lopresti,	Scanlon,	Whitenight,
Dougherty,	Lovett,	Schor,	Wilson,
Downey,	Lyons,	Schrock,	Winner,
Dubbs,	Marino,	Schrope,	Wood,
Dyson,	Matthews, J. F.,	Schumacher,	Woodside,
Eckels,	McArdle,	Serrill,	Wright,
Elpern,	McCullough,	Shaw,	Yanoshat,
Falkenstein,	McDermott,	Shea,	Yeakel,
Finnerty,	McDevitt,	Shepard,	Yourishin,
Fiss,	McElroy,	Shoemaker,	Zappala,
Fitch,	McFall,	Shugarts,	Furman,
Flanagan,			

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1959, entitled:

An Act to provide for the conservation protection improvement and profitable use of agricultural land resources in the State of Pennsylvania and for cooperation with the governments and agencies of other states and of the United States pursuant to the provisions of section seven of an act of the Congress of the United States known as the Soil Conservation and Domestic Allotment Act to assent to and accept the provisions of said act to constitute and establish the Pennsylvania Agricultural Conservation and Adjustment Committee and in conformity with the provisions of said act to designate and authorize said committee as the State agency of this State in conformity with such provisions to formulate submit to the Secretary of Agriculture of the United States and administer State plans to carry out the provisions of this act to define the powers and duties of said committee as such State agency to provide for the selection of its members and otherwise to provide for the administration of this act and making an appropriation

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. We just passed a bill, Mr. Speaker, that did the same thing, the Ganser bill.

Mr. WESTRICK. Mr. Speaker and members of the House, this is an entirely different set-up from the bill we passed a few minutes ago. That was soil conservation; this is agricultural adjustment, two entirely different set-ups.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—169

Achterman,	Fiss,	McFall,	Shoemaker,
Alexander,	Fitch,	McShane,	Shugarts,
Allen,	Flanagan,	Melchiorre,	Siegel,
Allmond,	Flannery,	Mellott,	Simon,
Arnold,	Flinchbaugh,	Mihm,	Skale,
Aukerman,	Ganser,	Moomaw,	Sloan,
Baine,	Gerard,	Mooney,	Smith, James A.,
Baker, J. J.,	Gorski,	Moran,	Smith, John A.,
Balthaser,	Haberlen,	Moul,	Sollenberger,
Bierly,	Hagerty,	Munley,	Spengler,
Blank,	Hamilton, F. P.,	Murrin,	Sproul,
Bohn,	Hamilton, R. S.,	Nagel,	Stank,
Bois,	Harkins,	O'Brien,	Stewart,
Boltz,	Harmuth,	O'Connor,	Stockham,
Bocer,	Hays,	O'Keefe,	Thomas,
Boyer	Hering,	Ominsky,	Thompson,
Bradley	Hess,	O'Neill,	Toole,
Brancato,	Hetrick,	Ostroff,	Tronzo,
Brigerman,	Hindman,	Patterson, C. S.,	Tumelty,
Broad,	Hirsch,	Patterson, J. W.,	Turner,
Brown,	Holland,	Pearson,	Valibus,
Brownfield,	Holmes,	Perry,	VanAllsburg,
Burrows,	Holstrom,	Pershing,	VanSickle,
Caesar,	Hontz,	Piole,	Vogt,
Caputo,	Horting,	Powers,	Wagner,
Coakley,	Jirolanio,	Preston,	Wall,
Cohen, H. B.,	Keenan,	Readinger,	Walsh,
Cohen, R. E.,	Kelso,	Reese,	Webster,
Coleman,	Kilroy,	Reising,	Weidemann,
Coolahan,	Kroll,	Richter,	Weiss, D. H.,
Corrigan,	LaRue,	Robinson,	Weiss, S. A.,
Costanzo,	Levy,	Rothenberger,	Welliver,
Decker,	Lewis,	Ruffennach,	Welsh,
DeNote,	Long,	Rush,	Westrick,
Dickinson,	Lopresti,	Sarraf,	Whalen,
Donohoe,	Lovett,	Scanlon,	Whitenight,
Dougherty,	Marino,	Schor,	Woodside,
Downey,	McArdle,	Schrope,	Wright,
Dubbs,	McCullough,	Schumacher,	Yanoshat,
Dyson,	McDermott,	Shaw,	Yourishin,
Elpern,	McDevitt,	Shea,	Zappala,
Falkenstein,	McElroy,	Shepard,	Furman,
Finnerty,			

NAYS—32

Atkins,	Huntley,	Merrell,	Strode,
Baker, F. T.,	Imbrie,	Muir,	Terry,
Cadwalader,	Kane,	Peale,	Trout,
Davies,	Kline,	Royer,	Watkins,
Eckels,	Leisey,	Schrock,	Wilson,
Gillette,	Lyons,	Serrill,	Winner,
Habbyshaw,	Matthews, J. F.,	Snyder,	Wood,
Hall,	McKinney,	Stackpole,	Yeakel,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1317, as follows:

An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That until the next decennial United States census and the apportionment be made thereon by law the House of Representatives shall consist of two hundred and nine members and shall be apportioned as follows namely

The City of Philadelphia shall elect forty members and the said city shall be divided into twenty-one districts as follows

The first second and thirty-ninth wards shall constitute the first district and elect three members

The twenty-sixth thirty-sixth and forty-eighth wards shall constitute the second district and elect three members

The third fourth fifth sixth eleventh and twelfth wards shall constitute the third district and elect one member

The seventh and thirtieth wards shall constitute the fourth district and elect one member

The eighth ninth tenth thirteenth and fourteenth wards shall constitute the fifth district and elect one member

The fifteenth twenty-ninth thirty-second and forty-seventh wards shall constitute the sixth district and elect three members

The sixteenth and twentieth wards shall constitute the seventh district and elect one member

The seventeenth eighteenth nineteenth and thirty-first wards shall constitute the eighth district and elect two members

The twenty-eighth ward shall constitute the ninth district and elect one member

The thirty-seventh and thirty-eighth wards shall constitute the tenth district and elect two members

The forty-third ward shall constitute the eleventh district and elect one member

The twenty-third and thirty-third wards shall constitute the twelfth district and elect two members

The twenty-first ward shall constitute the thirteenth district and elect one member

The twenty-fifth and forty-fifth wards shall constitute the fourteenth district and elect two members

The twenty-second ward shall constitute the fifteenth district and elect two members

The forty-second forty-ninth and fiftieth wards shall constitute the sixteenth district and elect three members

The thirty-fifth ward shall constitute the seventeenth district and elect one member

The forty-first ward shall constitute the eighteenth district and elect one member

The twenty-fourth thirty-fourth and forty-fourth wards shall constitute the nineteenth district and elect four members

The forty-sixth ward shall constitute the twentieth district and elect two members

The twenty-seventh fortieth and fifty-first wards shall constitute the twenty-first district and elect three members

The county of Adams shall elect one member

The county of Allegheny shall elect twenty-eight members and shall be divided into eleven districts as follows

The first second third fourth and fifth wards in the city of Pittsburgh shall constitute the first district and elect two members

The sixth ninth tenth and eleventh wards in the city of Pittsburgh shall constitute the second district and elect two members

The seventh eighth twelfth thirteenth fourteenth fifteenth and thirty-first wards in the city of Pittsburgh shall constitute the third district and elect four members

The sixteenth seventeenth eighteenth nineteenth twentieth twenty-eighth twenty-ninth thirtieth and thirty-second wards in the city of Pittsburgh shall constitute the fourth district and elect three members

The twenty-first twenty-second twenty-sixth and twenty-seventh wards in the city of Pittsburgh shall constitute the fifth district and elect two members

The twenty-third twenty-fourth and twenty-fifth wards

in the city of Pittsburgh shall constitute the sixth district and elect one member

The boroughs and townships north of the Ohio and Allegheny Rivers shall constitute the seventh district and elect three members

The boroughs and townships lying between the Allegheny and Youghiogheny Rivers and the boroughs and townships lying between the Youghiogheny and Monongahela Rivers shall constitute the eighth district and elect four members

The city of McKeesport shall constitute the ninth district and elect one member

The following cities boroughs and townships south of the Ohio and Monongahela Rivers the city of Clairton (Clairton North Clairton and Wilson Boroughs) the city of Duquesne the boroughs of Dravosburg Hays Homestead Munhall West Elizabeth West Homestead and Whitaker and the townships of Jefferson and Mifflin shall constitute the tenth district and elect two members

All the boroughs and townships south of the Ohio and Monongahela Rivers not included in the tenth district including the township of Neville shall constitute the eleventh district and elect four members

The county of Armstrong shall elect two members

The county of Beaver shall elect three members and shall be divided into two districts as follows

The boroughs of Ambridge Baden Conway East Rochester Eastville Freedom New Brighton Rochester that portion of the borough of Ellwood City lying within the county of Beaver and the townships of Daugherty Economy Franklin Harmony Marion New Sewickley North Sewickley Pulaski and Rochester shall constitute the first district and elect one member

The residue of the county of Beaver not included in the first district shall constitute the second district and elect two members

The county of Bedford shall elect one member

The county of Berks shall elect five members and shall be divided into two districts as follows

The city of Reading shall constitute the first district and elect two members

The residue of the county of Berks not included in the first district shall constitute the second district and elect three members

The county of Blair shall elect three members and shall be divided into two districts as follows

The city of Altoona shall constitute the first district and elect two members

The residue of the county of Blair not included in the first district shall constitute the second district and elect one member

The county of Bradford shall elect one member

The county of Bucks shall elect two members and shall be divided into two districts as follows

The boroughs of Bristol Hulmeville Ivyland Langhorne Langhorne Manor Morrisville Newtown South Langhorne and Yardley and the townships of Bristol Bensalem Falls Makefield Middletown Northampton Southampton Warminister Warrington Warwick and Wrightstown shall constitute the first district and elect one member

The boroughs of Chalfont Doylestown Dublin New Britain New Hope Perkasie Quakertown Riegelsville Richlandtown Sellersville Silverdale Telford Trumbauersville and Tullytown and the townships of Bedminister Bridgeton Buckingham Doylestown Durham Haycock Hilltown Milford Nockamixon Plumstead Rockhill Richland Solebury Springfield and Tinicum shall constitute the second district and shall elect one member

The county of Butler shall elect two members and shall be divided into two districts as follows

The city of Butler the boroughs of East Butler Millerstown and Saxonburg and the townships of Butler Donegal Oakland Clearfield Sumit Winfield Jefferson Buffalo and Clinton shall constitute the first district and elect one member

The boroughs of Bruin Callery Cherry Valley Evansburg Eau Claire Fairview Harmony Harrisville Karns City Mars Petrolia Petersville Portersville Prospect Slippery Rock Valencia West Liberty West Sunbury and Zelienople and the townships of Adams Allegheny Brady Center Cherry Clay Concord Conoquenessing Cranberry Fairview Forward Franklin Jackson Lancaster Marion Mercer Middlesex Muddycreek Parker Penn Slippery Rock Washington Worth and Venango shall constitute the second district and elect one member

The county of Cambria shall elect four members and shall be divided into two districts as follows

The city of Johnstown shall constitute the first district and elect one member

The remainder of the county of Cambria shall constitute the second district and elect three members

The county of Cameron shall elect one member

The county of Carbon shall elect one member

The county of Centre shall elect one member

The county of Chester shall elect three members and shall be divided into two districts as follows

The city of Coatesville the boroughs of Atglen Avondale Oxford Parkesburg and Westgrove and the townships of East Fallowfield East Nottingham Elk Franklin Highland London Britain London Grove Londonderry Lower Oxford New Garden New London Penn Upper Oxford West Fallowfield West Marlboro and West Nottingham shall constitute the first district and elect one member

The boroughs of Downingtown Elverson Honeybrook Kennett Square Malvern Phoenixville Spring City and West Chester and the townships of Birmingham Caln Charlestown East Bradford East Brandywine East Caln East Coventry East Goshen East Marlboro East Nantmeal East Pikeland East Vincent East Whiteland Easttown Honeybrook Kennett Newlin North Coventry Pennsbury Pocopson Sadsbury Schuylkill South Coventry Thornbury Tredyffryn Upper Uwchlan Uwchlan Valley Wallace Warwick West Bradford West Brandywine West Caln West Goshen West Nantmeal West Pikeland West Sadsbury West Whiteland Westtown and Willistown shall constitute the second district and elect two members

The county of Clarion shall elect one member

The county of Clearfield shall elect two members and shall be divided into two districts as follows

The boroughs of Brisbin Chester Hill Clearfield Houtzdale Osceola Ramey and Wallaceton and the townships of Bigler Boggs Bradford Cooper Covington Decatur Girard Goshen Graham Gulich Jordan Karthaus Lawrence Morris and Woodward shall constitute the first district and elect one member

The city of DuBois the boroughs of Burnside Coalport Curwensville Glen Hope Grampian Irvona Lumber City Mahaffey Newburg New Washington Troutville and Westover and the townships of Beccaria Bell Bloom Brady Burnside Chest Ferguson Greenwood Huston Knox Penn Pike Pine Sandy and Union shall constitute the second district and elect one member

The county of Clinton shall elect one member

The county of Columbia shall elect one member

The county of Crawford shall elect one member

The county of Cumberland shall elect one member

The county of Dauphin shall elect four members and shall be divided into two districts as follows

The city of Harrisburg shall constitute the first district and elect two members

The remainder of the county of Dauphin shall constitute the second district and elect one member

The county of Delaware shall elect five members and shall be divided into five districts as follows

The city of Chester shall constitute the first district and elect one member

The townships of Birmingham Concord Ashton Bethel Upper Chichester Lower Chichester Middletown Upper Providence Nether Providence Chester and Ridley and the boroughs of Marcus Hook Trainer Upland Parkside Rose Valley Media Eddystone and Ridley Park shall constitute the second district and elect one member

The boroughs of Prospect Park Norwood Glenolden Folcroft, Sharon Hill Collingdale Alden Clifton Heights Yeadon Darby and Colwyn and the townships of Darby and Tinicum shall constitute the third district and elect one member

The township of Upper Darby and the boroughs of

Millbourne Lansdowne and East Lansdowne shall constitute the fourth district and elect one member

The townships of Radnor Haverford Newtown Marple Springfield Edgemont and Thornberry and the boroughs of Swarthmore Morton and Rutledge shall constitute the fifth district and elect one member

The county of Elk shall elect one member

The county of Erie shall elect four members and shall be divided into four districts as follows:

The third fourth and sixth wards of the city of Erie as constituted April one one thousand nine hundred and twenty-one shall constitute the first district and elect one member

The first second and fifth wards of the city of Erie as constituted April one one thousand nine hundred and twenty-one shall constitute the second district and elect one member

The city of Corry the boroughs of Elgin North East Union City Wattsburg and Westleyville and the townships of Amity Concord Greene Greenfield Harbour Creek North East Union Venango and Wayne shall constitute the third district and elect one member

The residue of the county of Erie not included in the first second or third district shall constitute the fourth district and elect one member

The county of Fayette shall elect four members and shall be divided into two districts as follows

The townships of German Luzerne Redstone Nicholson Springhill Georges Menallen Henry Clay Wharton South Union and the boroughs of Smithfield Point Marion Masontown Fairchance Marklesburg and the city of Uniontown shall constitute the first district and shall elect two members

The townships of Brownville Dunbar Franklin Jefferson Lower Tyrone Perry Upper Tyrone Washington North Union Bull Skin Connellsville Saltlick Springfield and Stewart and the boroughs of Belle Vernon Brownsville Dawson Dunbar Everson Fayette City Vanderbilt Ohiopyle South Connellsville and the city of Connellsville shall constitute the second district and shall elect two members

The county of Forest shall elect one member

The county of Franklin shall elect one member

The county of Fulton shall elect one member

The county of Greene shall elect one member

The county of Huntingdon shall elect one member

The county of Indiana shall elect two members

The county of Jefferson shall elect one member

The county of Juniata shall elect one member

The county of Lackawanna shall elect six members and shall be divided into six districts as follows

The fourth fifth sixth fourteenth fifteenth eighteenth twentieth and twenty-second wards of the city of Scranton shall constitute the first district and elect one member

The first second third seventh thirteenth sixteenth and twenty-first wards of the city of Scranton shall constitute the second district and elect one member

The eighth ninth tenth eleventh twelfth seventeenth and nineteenth wards of the city of Scranton shall constitute the third district and elect one member

The boroughs of Dickson City Dunmore Elmhurst Olyphant Throop and Winton and the townships of Jefferson and Roaring Brook shall constitute the fourth district and elect one member

The city of Carbondale the boroughs of Archbald Blakely Jermyn Mayfield and Vandling and the townships of Carbondale and Fell shall constitute the fifth district and elect one member

The boroughs of Clarks Green Clarks Summit Dalton Glenburn Gouldsboro La Plume Moosic Moscow Old Forge and Taylor and the townships of Abington Greenfield and Scott Benton Clifton Covington Lackawanna Lehigh Madison Newton North Abington Ransom South Abington Spring Brook and West Abington shall constitute the sixth district and elect one member

The county of Lancaster shall elect four members and shall be divided into four districts as follows

The city of Lancaster shall constitute the first district and elect one member

The boroughs of Adamstown Akron Denver Ephrata Lititz New Holland and Terre Hill and the townships of Brecknock Caernarvon Clay East Cocalico West Cocalico Earl East Earl West Earl Elizabeth Ephrata Upper Leacock Manheim and Warwick shall constitute the second district and elect one member

The boroughs of Columbia Elizabethtown Manheim Marietta Mount Joy and Mountville and the townships of Conoy East Donegal West Donegal East Hempfield West Hempfield Mount Joy Penn and Rapho shall constitute the third district and elect one member

The boroughs of Christiana Millersville Quarryville Strasburg and Washington Borough and the Townships of Bart Colerain Conestoga Drumore East Drumore Eden Fulton East Lampeter West Lampeter Lancaster Leacock Little Britain Manor Martic Paradise Pequea Providence Sadsbury Salisbury and Strasburg shall constitute the fourth district and elect one member

The county of Lawrence shall elect two members and shall be divided into two districts as follows

The city of New Castle shall constitute the first district and elect one member

The residue of the county of Lawrence not included in the first district shall constitute the second district and elect one member

The county of Lebanon shall elect one member

The county of Lehigh shall elect four members and shall be divided into two districts as follows

The city of Allentown shall constitute the first district and elect two members

The residue of the County of Lehigh not included in the first district shall constitute the second district and elect two members

The county of Luzerne shall be entitled to nine members and shall be divided into eight districts as follows

The city of Hazleton the boroughs of Freeland Jeddo and West Hazleton and the townships of Foster and Hazle shall constitute the first district and elect one member

The boroughs of Ashley Laurel Run Sugar Notch Warrior Run and White Haven and the townships of Bear Creek Buck Denison Hanover and Wilkes-Barre shall constitute the second district and elect one member.

The city of Pittston the boroughs of Avoca Dupont Hughestown Laflin and Yatesville and the townships of Jenkins Pittston and Plains shall constitute the third district and elect one member

The city of Nanticoke the borough of Nuangola and the townships of Conyngham Newport Slocum Dorrance Rice Wright and Fairview shall constitute the fourth district and elect one member

The boroughs of Edwardsville Larksville and Plymouth the first and second wards the second and third districts of the third ward and the first and second districts of the sixth ward of the borough of Kingston and the township of Plymouth shall constitute the fifth district and elect one member

The boroughs of Duryea Exeter Luzerne Swoyersville West Pittston West Wyoming and Wyoming shall constitute the sixth district and elect one member

The boroughs of Courtdale Dallas Forty Fort Pringle New Columbus Shickshinney Nescopeck and Conyngham the first district of the third ward the fourth and fifth wards the third district of the sixth ward and the seventh ward of the borough of Kingston and the townships of Dallas Exeter Franklin Jackson Kingston Lake Lehman Ross Fairmont Hunlock Union Huntingdon Salem Nescopeck Black Creek Sugarloaf Butler and Hollenback shall constitute the seventh district and elect one member

The city of Wilkes-Barre shall constitute the eighth district and elect two members

The county of Lycoming shall elect two members

The county of McKean shall elect one member

The county of Mercer shall elect two members

The county of Mifflin shall elect one member

The county of Monroe shall elect one member

The county of Montgomery shall elect five members and shall be divided into five districts as follows

The boroughs of Bridgeport Narberth and West Conshohocken and the townships of Lower Merion and Upper Merion shall constitute the first district and elect one member

The boroughs of Conshohocken and Norristown and the township of Plymouth shall constitute the second district and elect one member

The boroughs of Bryn Athyn Rockledge Jenkintown and Hatboro and the townships of Lower Moreland Upper Moreland Abington Cheltenham and Horsham shall constitute the third district and elect one member

The boroughs of Ambler North Wales Lansdale Hatfield Schwenkville and Souderton and the townships of Springfield Upper Dublin Whitemarsh Whitpain East Norriton West Norriton Worcester Lower Gwynedd Upper Gwynedd Montgomery Hatfield Towamencin Skippack Lower Salford Perkiomen and West Telford shall constitute the fourth district and elect one member

The boroughs of Collegeville Trappe Royersford Green Lane Red Hill Pennsburg East Greenville and Pottstown and the townships of Lower Providence Upper Providence Limerick Lower Frederick Upper Frederick Marlborough Upper Hanover New Hanover Douglass Upper Pottsgrove Lower Pottsgrove West Pottsgrove Francconia Salford and Upper Salford shall constitute the fifth district and elect one member

The county of Montour shall elect one member

The county of Northampton shall elect four members and shall be divided int two districts as follows

That portion of the city of Bethlehem in the county of Northampton shall constitute the first district and elect one member

The residue of the county of Northampton not included in the first district shall constitute the second district and elect three members

The county of Northumberland shall elect three members and shall be divided into two districts as follows

The city of Sunbury the boroughs of McEwensville Milton Northumberland Riverside Turbotville and Watsontown and the townships of Delaware East Chillisquaque Gearhart Lewis Point Rockefeller Rush Turbot Augusta and West Chillisquaque shall constitute the first district and elect one member

The residue of the county of Northumberland not included in the first district shall constitute the second district and elect two members

The county of Perry shall elect one member

The county of Pike shall elect one member

The county of Potter shall elect one member

The county of Schuylkill shall elect five members and shall be divided into four districts as follows

The boroughs of Frackville Gilberton Mahanoy City and Shenandoah and the townships of Delano Mahanoy and West Mahanoy shall constitute the first district and elect one member

The boroughs of Ashland Girardville and Gordon and the townships of Barry Butler Cass Eldred Foster Hegins Hubley and Upper Mahantongo shall constitute the second district and elect one member

The boroughs of Coaldale McAdoo Middleport New Philadelphia New Ringgold Port Clinton Ringtown and Tamaqua and the townships of Blythe East Brunswick East Union Kline North Union Rahn Rush Ryan Schuylkill Union Walker West Brunswick and West Penn shall constitute the third district and elect one member

The city of Pottsville boroughs of Auburn Cressona Landingville Mechanicsville Minersville Mount Carbon Orwigsburg Palo Alto Pine Grove Port Carbon Saint Clair Schuylkill Haven Tower City and Tremont and the townships of Branch East Norwegian Frailey New Castle North Manheim Norwegian Pinegrove Porter Riley South Manheim Tremont Washington and Wayne shall constitute the fourth district and elect two members

The county of Snyder shall elect one member

The county of Somerset shall elect two members

The county of Sullivan shall elect one member

The county of Susquehanna shall elect one member

The county of Tioga shall elect one member

The county of Union shall elect one member

The county of Venango shall elect one member

The county of Warren shall elect one member

The county of Washington shall elect four members and shall be divided into two districts as follows

The boroughs of Burgettstown Canonsburg Claysville East Washington Houston McDonald Midway Washington West Alexander and West Middletown and the townships of Blaine Buffalo Canton Cecil Chartiers Cross Creek Donegal East Finley Hanover Hopewell Independence Jefferson Morris Mount Pleasant North Franklin Robinson Smith South Franklin South Strabane and West Finley shall constitute the first district and elect two members

The residue of the county of Washington not included in the first district shall constitute the second district and elect two members

The county of Wayne shall elect one member

The county of Westmoreland shall elect six members and shall be divided into three districts as follows

The boroughs of Bolivar Cokeville Derry Donegal Latrobe Ligonier Livermore Mount Pleasant New Alexandria New Florence Seward and Youngstown and the townships of Cook Derry Donegal Fairfield Ligonier Loyalhanna Mount Pleasant Saint Clair and Unity shall constitute the first district and elect two members

The boroughs of East Vandergrift Hyde Park Vandergrift Vandergrift Heights Arnold New Kensington Parnassus Avonmore Export New Salem Trafford Penn Jeannette North Irwin Manor and Irwin and the townships of Allegheny Lower Burrell Upper Burrell Bell Washington Franklin Salem Penn and North Huntingdon shall constitute the second district and shall elect two members

The residue of the county of Westmoreland not included in the first and second districts shall constitute the third district and elect two members

The county of Wyoming shall elect one member

The county of York shall elect three members and shall be divided into three districts as follows

The city of York shall constitute the first district and shall elect one member

The townships of Carroll Conewago Dover East Manchester Fairview Franklin Heidelburg Hellam Jackson Manchester Monaghan Newberry North Godorus Paradise Penn Springgarden Springettsbury Warrington Washington and West Manchester and the boroughs of Dillsburg Dover Franklintown Goldsboro Hallam Hanover Lewisberry Manchester Mount Wolf Newsalem North York Springgrove Wellsville West York Wrightsville and York Haven shall constitute the second district and shall elect one member

The townships of Chanceford Codorus East Hopewell Fawn Hopewell Lower Chanceford Lower Windsor Manheim North Hopewell Peachbottom Shrewsbury Springfield West Manheim Windsor and York and the boroughs of Crossroads Dallastown Delta East Prospect Fawn Grove Felton Glenrock Jacobus Jefferson Loganville New Freedom Railroad Red Lion Seven Valleys Shrewsbury Stewartstown Windsor Winterstown Yoe and Yorkana shall constitute the third district and shall elect one member

Section 2 The foregoing apportionment is based on the United States decennial census of one thousand nine hundred and thirty Any township borough or ward created since such census and not specifically provided for by this act shall form a part of the district to which the territory comprised within such township borough or ward is allotted by the provisions of this act according to the political division existing at the time of such census

Section 3 The first election under this act shall be held at the general election in the year one thousand nine hundred and thirty-eight

The Members of the House of Representatives now in office shall continue in such office until the expiration of this respective terms

Section 4 The act approved the tenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 455) entitled "An act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution" and its amendments is hereby repealed

All other acts and parts of acts inconsistent herewith are hereby repealed

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. ZAPPALA. Mr. Speaker and members of the House, it seems there has been some doubt in the minds of a lot of members of the House as to the constitutionality of this bill. During the week-end I made a study of the provisions of the bill so that there may be no doubt its constitutionality. I will ask the indulgence of the members of the House for just a brief few moments.

Mr. Speaker and members of the House, it is not my purpose at this time, to go into the facts which are well known to all of the members, but I do intend to state a few principles of law which clearly determine that an apportionment act passed at this session of the Legislature is clearly constitutional.

Section 18, Article 2 of the Constitution provides:

"The general assembly at its first session after the adoption of this constitution, and immediately after each United States decennial census, shall apportion the State into senatorial and representative districts agreeably to the provisions of the two next preceding sections."

Section 17 of the same article provides:

"The State shall be divided into fifty senatorial districts of compact and contiguous territory as nearly equal in population as may be, and each district shall be entitled to elect one senator. * * * The senatorial ratio shall be ascertained by dividing the whole population of the State by the number fifty."

Section 16 of the same article provides:

"The members of the house of representatives shall be apportioned among the several counties, on a ratio obtained by dividing the population of the State as ascertained by the most recent United States census by two hundred."

The language of section 18 with reference to apportionment after each United States decennial census, is worthy of repetition. It is:

"The general assembly * * * immediately after each United States decennial census, shall apportion to the State."

The framers of the constitution used the emphatic and mandatory word "shall". No discretion is vested in the members but the duty is obligatory upon them that provisions of the section shall be followed.

The legislature is commanded by the people therefore to re-divide and re-district our State after each United State census.

The only question that can possibly arise at this time is, since the succeeding legislatures have failed to discharge their duty since the 1930 census to re-apportion the State, would an act providing for apportionment according to the 1930 census be unconstitutional at this time? In other words, does the fact that section 18 uses the word "immediately" restrict the duty and power of the legislature to the first session occurring after the decennial census, or does such word mean that the duty then arises, but its time of performance is not restricted until exercised? That exact question has never been decided by the courts of our Commonwealth.

However, we have rulings by our Supreme Court and other authorities which inferentially answer the question and decide in favor of the constitutionality of an apportionment act passed at this session of the legislature. In the case of Commonwealth ex rel Chase v. Harding, 87 Pa. Supreme Court 343, 1878, the Supreme Court of Pennsylvania in discussing the 14th section of the Schedule to the Pennsylvania constitution, which schedule provides:

"The General Assembly shall at the next succeeding session after each decennial census, and not oftener, designate the several judicial districts, as required by this constitution."

As stated on page 352 of this case: the duty recurs after each census, but not oftener. The Supreme Court emphasizes, thus, the fact that the provisions of that section itself restricted the power by declaring, that not oftener than the next succeeding session of the legislature after a decennial census should the judicial districts be designated. In Article 2, section 18, providing for the apportionment of the senatorial and representative districts, no such restriction or limitation upon the duty and power of the legislature appears. Thus, in applying the court's language in Commonwealth ex rel Chase v. Harding, to the proceeding involving legislative re-apportionment, the duty "recurs after each census," but the power is not restricted by language such as not oftener. Thus the duty and the power remain until exercised.

There is other persuasive authority which sustains the constitutionality of this act. In 59 Corpus Juris section 44 (page 78) appears the following language:

"The duty imposed upon the legislative department of the State government to apportion the State is mandatory, and continues until discharged. However, the Legislature cannot be compelled to act, and, when it fails at the proper time to do so, this duty falls on each succeeding legislature until performed." (underscoring ours)

In the case of Fergus v. Kinney, 333 Ill. 437; 164 N. E. 665 (1928), the Constitution of Illonois provided:

"The general assembly shall apportion the State every ten years beginning with the year 1871."

Fergus filed a bill against the State Treasurer alleging that the last re-apportionment was made in 1901 and that the General Assembly since had refused to perform that mandatory duty. He alleged that inequality through increases and decreases of population, had occurred since the last apportionment. His bill, in effect, was one designed to prevent the State Treasurer from paying the expenses of the 56th General Assembly and the salaries and expenses of that body because that body was illegally constituted due to the failure of previous legislatures to re-apportion the State. His counsel argued that the action was not to coerce the legislative branch but merely to deny it certain prerogatives until such time as it shall obey the constitution. The court at page 665 of 164 N. E. stated:

" * * * The duty imposed upon the legislative department of the State Government by this section of the Constitution is a mandatory one. * * * Neither the language nor the purpose of the section permits an escape from its performance. The duty is a continuing one, and, if it is not discharged at or within the time prescribed, the burden of its performance rests upon successive General Assemblies until the section has been obeyed. * * *

"(2) By Article 3 of the Constitution the powers of the government of this State are divided into three distinct departments—the legislative, executive, and judicial—and no person or collection of persons, being one of those departments, shall exercise any power properly belonging to either of the others, except as expressly directed or permitted by the Constitution. This article includes in its

prohibition each of the three departments of the State Government, and it applies with equal force to all. No department can arrogate to itself any control over another department in matters which by the Constitution have been confided exclusively to the other department. Many constitutional duties are imposed upon the legislative and executive departments, and they are responsible to the people for a failure to perform them. Under the prohibition of Article 3, the courts cannot, in the absence of express constitutional provision to that end, coerce the performance of such duties. The Constitution enjoins upon the legislative department the duty to re-apportion the State into senatorial districts at prescribed intervals. The performance of that duty involved the exercise of legislative power, which is vested solely in the General Assembly. Another department of the State Government is powerless to compel a re-apportionment, and, apart from a constitutional amendment, the people have no remedy save to elect a General Assembly which will perform that duty. * * *"

"'Appellant's counsel however, asserts in his brief and argument that the injunction which he seeks 'is not a coercion of the legislative branch but merely a denial of certain prerogatives until such time as it shall obey the constitution.' The Legislature's failure or refusal to re-apportion the State is the sole cause of his complaint. If the next General Assembly should perform that duty, he would not thereafter seek to restrain the payment of the salaries and expenses of its membership. An injunction is the remedy or instrument by which he would compel the legislative department to discharge a particular duty enjoined upon it by the Constitution. He admits that the court cannot compel performance by a direct proceeding, but asks it to do so by an indirect process. Obviously neither is available." (Underscoring ours)

When we compare our constitutional provision, which merely states "That immediately after each United States decennial census" with that of the Illinois Constitution, which required the re-apportionment to be every ten years after the year 1871, and recall that the court despite the language of the Illinois Constitution held that the duty was a continuing one, can it be doubted that under our Constitution that the duty is now mandatory upon this present session of the General Assembly?

If the framers of the Constitution intended that only the next succeeding session of the legislature, after the census had been taken, shall be competent to enact apportionment legislation, why did they not use the language found in section 14 of the schedule to the Constitution which, as stated above, provides as to decennial designation of judicial districts as follows:

"The General Assembly shall, at the next succeeding session after each decennial census and not oftener, designate the several judicial districts as required by this constitution." (underscoring ours)

The framers of the Constitution, by using different language in Article 2, section 18, from that used in section 14 of the schedule, must be concluded to have intended each section to be governed by different rules. Such interpretation is in accordance with sound canons of construction.

In our own State, we have ample and substantial precedent for the enactment of a re-apportionment law several years after a decennial census, where no such law was enacted immediately after such census.

In 1906 Governor Pennypacker, himself a former judge, called a special session of the General Assembly of Pennsylvania. His proclamation stated that the General Assembly was to consider legislation upon the following subjects:

"Third. To re-apportion the State into senatorial and representative districts."

Pursuant to the third paragraph of the Proclamation, the Re-apportionment Act of February 15, 1906, (P. L. 21), was enacted. Section 2 of such act stated that it was made on the basis of the United States decennial census of 1900.

This act stood uncontested until repealed by the Act of May 10, 1921, (P. L. 455).

Thus the legislature, the executive and the people effected by the Re-apportionment Law of 1906 acquiesced in the construction of the Constitution permitting such legislation by the General Assembly of 1906. In 12 Corpus Juris 767, (page 715), the following statement appears:

"Legislative or executive construction of constitutional provisions, adopted and acted on with the acquiescence of the people for many years is entitled to great weight with the courts; and where not manifestly erroneous, it will not be distrubed."

Clearly, an act of re-apportionment passed at this session would not be manifestly erroneous. Again at 12 Corpus Juris 86, (page 714), we find the following statement:

"If the meaning of the Constitution is doubtful, legislative construction will be given serious consideration by the courts."

The legislature of 1906 has placed its construction upon the constitutional provision. Such construction did not forbid the exercise of the power to re-apportion several years after the duty arose.

Although there is no doubt that we cannot be mandamused to enact legislation, nor can our failure to do so be grounds for refusing pay our salary since we are a coordinate branch of the sovereign power, there is a far more cogent reason why this legislation must be passed. It is found in the oath of office which each of us have taken. Article 7 of the Constitution provides:

"Section 1. * * * I do solemnly swear (or affirm) that I will * * * obey * * * the Constitution * * *" (underscoring ours).

Therefore, we submit, to this House, a law enacted at this session for the purpose of re-apportioning the legislative districts of the Commonwealth in accordance with the United States decennial census of 1930, is constitutional; that the duty of re-apportionment after each decennial census is mandatory upon the members; that although it was not exercised by previous sessions of the legislature since 1930, it is a continuing duty until performed; that the precedent of Governor Pennypacker in 1906 is substantial and convincing precedent for the action of this legislature; that our oaths of office require such enactment.

Mr. Speaker and members of the House, I think if ever there was a case on the point involved, we have a case there that was decided in 1906. I would like the members of the House to realize that this is an absolutely important measure, and I do not like them to delay through my question possibly as to the constitutionality of the act. When Governor Pennypacker called that special session, he called that session for one purpose only; that was to remedy that condition, and we in 1937 are doing exactly what was done by Governor Pennypacker in 1906, therefore, I say to the members of the House that there was

no doubt about the constitutionality of the bill. I gave you a precedent established by our own Governor in 1906, and I ask each and all of you, this being a very important bill to the people of Pennsylvania and to the people at home, that you vote in favor of the bill.

Inasmuch as the members of the House are in a pretty good humor, may I call attention to the fact that there is a very prominent man here who knows constitutional law, and that is no other than Mr. Fertig, and he says there is no doubt about the constitutionality of the bill. I want the members of the House to know that he has written to me about the constitutionality of it, and he says that there is no doubt about it.

Mr. BROWN. Mr. Speaker and members of the House, I know that the time is very late and I should not trespass upon the valuable time of the members of the House, but I assure you that I shall take no longer than ten minutes.

House Bill 1817 in the title of the Act says: "to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution."

This bill in Section 1 says "Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That until the next decennial United States census and the apportionment be made thereon by law the House of Representatives shall consist of two hundred and nine members and shall be apportioned as follows," etc.

Therefore, if this bill is constitutional, it is constitutional because it re-apportions the districts as provided by the Constitution.

Article II, section 18 of the Constitution of Pennsylvania says: "The General Assembly at its first session after the adoption of this Constiuttion, and immediately after each United States decennial census, shall apportion the State into senatorial and representative districts agreeable to the provisions of the two next preceding sections."

However, the word upon which the construction and interpretation must be placed is that the General Assembly "shall," and it is the only provision in the Constitution whereby the General Assembly has any authority to re-apportion constitutional offices of the State.

In what is known as the "schedule" to the Constitution, in Section 14 it is provided that "The General Assembly shall, at the next succeeding session after each decennial census and not oftener, designate the several judicial districts as required by the Constitution." I submit to you as a matter of law that we have had many acts passed, we have had many constitutional amendments passed that have been acquiesced in by the people, and when acts of the Assembly, or even still further, when constitutional amendments have been passed, although they are in violation of the Constitution, but have been acquiesced in by the people, they then become the supreme law of the land. Therefore, the fact remains that if House Bill 1817 is acquiesced in, it undoubtedly will become a valid law on the statute books of Pennsylvania, as has been stated by the gentleman from Allegheny, Mr. Zappala. Bear in mind, ladies and gentlemen, that in the interpretation of the Constitution of Pennsylvania or the Constitution of any state in the Union, the Supreme Court of that state in which the law is enacted is the authority, and not the Supreme Court of another state.

A very learned judge in a very, very recent opinion handed down this principle as the principle upon which we are to determine whether or not an Act is constitutional, and I quote from his opinion:

"A Constitution is to be construed in the popular and ordinary sense of the language used, and in the light of the circumstances attending its formation, so as to give effect to the intent of the framers and of the people in adopting it, and also with a view to carry out the general principles of government."

May I carry that further? It is the law of the State of Pennsylvania in a long line of decisions that "what the Constitution forbids may not be done, and its inhibitions need not always be expressed for they are equally effective and no less to be regarded when they arise by necessary implication." (58 Pa., 338; 251 Pa., 39; 251 Pa., 39).

I submit to you, ladies and gentlemen of the House, that the Supreme Court has time after time decided that in the making of judicial apportionment the Legislature cannot go beyond the Constitution, and the deciding factor is not the term "not oftener," but the word "shall." If the Legislature cannot violate section 14 of the Schedule of the Constitution in the matter of judicial apportionment, it cannot likewise violate Article II, section 18 as to legislative apportionment, because the same mandatory provisions are found in both sections.

May I quote to you for a minute the law, as I understand it, which has been held in a number of decisions. I quote, Mr. Speaker and members of the House, from Commonwealth versus Heck, 251 Pa., 39. In a very learned opinion of the late Mr. Chief Justice Brown, in speaking of judicial apportionment, he said:

"The manifest purpose of this provision is that the judicial districts of the State shall not be changed by the Legislature, session after session, but only at intervals of ten years, as changes in population may require. Without this provision the legislature might at each session make such changes in the several districts that, at the end of the ten-year period for which the original general designation was intended, or even sooner, there would be a complete judicial re-apportionment. This may not be done and it has been so decided."

It may be argued that the Schedule of the Constitution is not a part of the Constitution. In that connection may I quote to you from the decision of Mr. Justice Clark, in which he says: "This section belongs properly to the body of the Constitution; it is not, in any proper sense, a schedule provision; it was not intended merely to bridge the space between the old and the new systems; it is an important member of the system itself."

If the schedule or this amendment to the Constitution, as I have quoted, wherein you find a paragraph dealing with judicial apportionment, placed a restriction upon the Legislature, how much more would the same provision place such a restriction if found in the body of the Constitution?

I submit to you, ladies and gentlemen of the House, the very learned opinion of the same Chief Justice, found in 259 Pa., page 160, which is a very famous case, and while it deals with judicial apportionment I want you to listen to this language:

"If a judicial apportionment act can be passed at any session of the legislature succeeding the one immediately following such a census, the words, 'the next, succeeding session' are utterly without meaning. They were used for a purpose which is not to be thwarted by giving them the strained meaning of 'at any succeeding session.' They mean, in common parlance, 'immediately succeeding' or 'immediately following.'"

Is there any difference between "immediately succeeding" and the term in Article II, section 18 immediately afterwards? Under all the opinions, upon all constructions that I have been able to find, this bill is clearly unconstitutional. There has been something said about acquiescense; allow me to say, we should not pass laws on the presumption that the people will acquiesce to the law; we should abide by the Constitution. I throw out this challenge, Mr. Speaker and members of the House, if we attempt to circumvent the Constitution in one particular, regardless of how important it may be, or how carefully we may think of the matter, we are opening the door and the time will soon come when we will circumvent the Constitution in matters which perhaps may not be to our liking. For that reason I ask you to vote against this bill as I feel the bill is clearly unconstitutional. I am heartily in accord with the facts stated by our floor leader as to the inequities which exist in our legislative districts, but be that as it may, the Constitution is above us all, and until the Constitution is changed by the will of the people and such changes become the supreme law of the land, no exigency can arise whereby we should circumvent it.

Mr. LOPRESTI. Mr. Speaker, We, the undersigned, raise the question that House Bill No. 1817, Printer's No. 1075 is unconstitutional and in violation of Article II, section 18, therefore request the Speaker to refer this question to the House for its decision.

PHILIP LOPRESTI
DENNIS L. WESTRICK
J. HAROLD LEVY
L. KENNTH HARKINS
ALBERT L. O'CONNOR

On the question,

Will the House sustain the Constitutional point of order?

Mr. HERBERT B. COHEN. Mr. Speaker and members of the House, there is very little that I can add either to the studied argument of the gentleman from Allegheny, Mr. Zappala, or very little I can detract from the learned argument of the gentleman from Allegheny, Mr. Brown. However, there are three or four points which have been advanced which probably require elucidation. It must be remembered that the constitutional provision pertaining to legislative apportionment differs from that constitutional provision pertaining to judicial apportionment. Up until the present time we have no decisions in the Commonwealth of Pennsylvania on the question of legislative apportionment. The question on judicial apportionment has been decided that no judicial apportionment can be made unless it be made at the session immediately following the census. However, as the gentleman from Allegheny, Mr. Brown, pointed out, the constitutional provision relative to judicial apportionment contains different language from that of legislative apportionment. In the judicial apportionment constitutional provision it is there indicated that "the General Assembly shall at the next session after the decennial census and not oftener" an affirmative declaration of the fact that judicial apportionment can be made only after the decennial census and not oftener. Those words are not contained in the legislative apportionment section. The only precedent that we can resort to is the precedent of actuality. We can resort to the precedent of 1906, where at a Special Session called by Governor Pennypacker, a Senatorial Legislative Apportionment Act was enacted and no objection was found by any of the people of the Commonwealth of Pennsylvania. The gentleman from Allegheny says that we should not allow acquiescence to determine the constitutionality. I say to the membership of this House that the only thing we have at present as a precedent in determining what the constitutionality should be is the fact that this Assembly has done just the thing which we are now asking the Assembly to do, and the same reasons that possibly influenced the residents of the Commonwealth of Pennsylvania in 1906 to find no fault with the Legislative Apportionment Act in that year are exactly the same reasons that will influence the people of the Commonwealth of Pennsylvania to find no fault with our Legislative Apportionment Act in this year of 1937. It is a fact that the inequities that are existing in our legislative apportionment act go farther than even beyond the constitutional law because the constitution should not be written to perpetrate or perpetuate inequities but should rather be written to abolish them, and these legislative inequities that are now existing we have an opportunity to remove by the enactment of this act, and I ask the membership of this House to vote "no"; on this question and to hold this act as both equitable and constitutional.

Mr. BROWN. Mr. Speaker and members of the House, may I be permitted to answer our floor leader just on one point so that I will make myself clear? I think that it is a bad precedent to acquiesce in constitutional amendments or in any matters pertaining to the constitution. The timelock amendment is the best case in point I can give you. After the adoption of our Constitution we submitted amendments to the people at various times, these amendments were acted upon, acquiesced in and no test case was taken before the court. Then in 1920 or 1921, I don't remember clearly which, the Supreme Court came along and declared the constitutional amendment that was then before it unconstitutional, and putting us in a situation of having some amendments decided not by the constitution but by having a Supreme Court decision, absolutely at variance with the amendments that had been acquiesced in by the people. I am not discussing the facts of the case. I am saying this, if we have a Constitution, we ought to abide by it. Furthermore, on the question of dealing with judicial apportionment, in the case decided under that provision, the term "not oftener" has no significance whatsoever. The court decided the question on the term of "immediately succeeding" and on the term "shall," and the term "not oftener" is just so much surplusage.

Mr. AUKERMAN. Mr. Speaker, I move the previous question.

The motion was seconded by Messrs. Simon, Siegel, Hagerty, James W. Patterson, Jirolanio, Robinson, Broad, Yanoshat, Sarraf, Mellott, Samuel A. Weiss, Elpern, Vogt, Moomaw, Westrick, Finnerty, Hays, McShane, LaRue, Ominsky, Herbert B. Cohen, Nagel and others.

On the question,

Shall the main question be now put?

It was agreed to.

On the question recurring,

Will the House sustain the constitutional point of order?

The yeas and nays were required by Mr. LOPRESTI and Mr. WESTRICK and were as follows:

YEAS—64

Allmond,	Hamilton, R. S.,	Muir,	Stockham,
Baker, F. T.,	Harkins,	O'Connor,	Strode,
Boose,	Hering,	Ostroff,	Terry,
Boyer	Holmes,	Peale,	Thompson,
Brigerman,	Huntley,	Perry,	Trout,
Brown,	Kane,	Rothenberger,	Turner,
Burrows,	Kilroy,	Royer,	VanAllsburg,
Cadwalader,	Kline,	Schrock,	Watkins,
Caesar,	Kroll,	Serrill,	Webster,
Davies,	Leisey,	Skale,	Weidemann,
DeNote,	Levy,	Snyder,	Westrick,
Dickinson,	Lewis,	Sollenberger,	Wilson,
Fiss,	Lopresti,	Spengler,	Winner,
Gillette,	Lyons,	Sproul,	Wood,
Habbyshaw,	Matthews, J. F.,	Stackpole,	Woodside,
Hall,	McKinney,	Stewart,	Yeakel,

NAYS—113

Achterman,	Falkenstein,	McShane,	Scanlon,
Alexander,	Finnerty,	Melchiorre,	Schor,
Allen,	Fitch,	Mellott,	Shaw,
Arnold,	Flanagan,	Mihm,	Shepard,
Aukerman,	Flannery,	Moomaw,	Shoemaker,
Baine,	Ganser,	Mooney,	Shugarts,
Baker, J. J.,	Gerard,	Moran,	Siegel,
Bierly,	Haberlen,	Munley,	Simon,
Blank,	Hagerty,	Murrin,	Smith, James A.,
Bohn,	Hamilton, F. P.,	Nagel,	Stank,
Bois,	Harmuth,	O'Brien,	Thomas,
Bradley	Hays,	O'Keefe,	Toole,
Brancato,	Hess,	Ominsky,	Tronzo,
Broad,	Hindman,	O'Neill,	Tumelty,
Brownfield,	Holland,	Patterson, C. S.,	Valibus,
Caputo,	Holstrom,	Patterson, J. W.,	VanSickle,
Coakley,	Hontz,	Pershing,	Vogt,
Cohen, H. B.,	Horting,	Piole,	Wagner,
Cohen, R. E.,	Jirolanio,	Powers,	Weiss, D. H.,
Coleman,	Keenan,	Preston,	Weiss, S. A.,
Coolahan,	Kelso,	Readinger,	Welliver,
Costanzo,	LaRue,	Reese,	Welsh,
Decker,	Long,	Reising,	Whalen,
Donohoe,	Lovett,	Richter,	Wright,
Dougherty,	Marino,	Robinson,	Yanoshat,
Downey,	McCullough,	Ruffennach,	Yourishin,
Dubbs,	McDermott,	Rush,	Zappala,
Dyson,	McDevitt,	Sarraf,	Furman,
Elpern,	McElroy,		

So the question was determined in the negative and the constitutional point of order was not sustained.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—116

Achterman,	Fitch,	Melchiorre,	Schor,
Alexander,	Flannery,	Mellott,	Schrope,
Allen,	Ganser,	Mihm,	Shaw,
Arnold,	Gerard,	Moomaw,	Shepard,
Aukerman,	Hagerty,	Mooney,	Shoemaker,
Baine,	Hamilton, F. P.,	Moran,	Shugarts,
Baker, J. J.,	Hamilton, R. S.,	Munley,	Siegel,
Bierly,	Harmuth,	Murrin,	Simon,
Blank,	Hays,	Nagel,	Smith, James A.,
Bohn,	Hering,	O'Brien,	Smith, John A.,
Bois,	Hess,	O'Keefe,	Stank,
Broad,	Hindman,	Ominsky,	Thomas,
Brownfield,	Holland,	O'Neill,	Toole,
Burrows,	Holstrom,	Ostroff,	Tronzo,
Caputo,	Hontz,	Patterson, C. S.,	Tumelty,
Coakley,	Horting,	Patterson, J. W.,	Valibus,
Cohen, H. B.,	Jirolanio,	Pershing,	VanSickle,
Cohen, R. E.,	Keenan,	Piole,	Vogt,
Coleman,	Kelso,	Powers,	Wagner,
Coolahan,	Kilroy,	Preston,	Weiss, D. H.,
Costanzo,	LaRue,	Readinger,	Weiss, S. A.,
Decker,	Long,	Reese,	Welliver,
Donohoe,	Lovett,	Reising,	Welsh,
Dougherty,	Marino,	Richter,	Whalen,
Downey,	McArdle,	Robinson,	Wright,
Dubbs,	McCullough,	Ruffennach,	Yanoshat,
Dyson,	McDermott,	Rush,	Yourishin,
Elpern,	McDevitt,	Sarraf,	Zappala,
Falkenstein,	McElroy,	Scanlon,	Furman,
Finnerty,	McShane,		

NAYS—58

Allmond,	Habbyshaw,	Muir,	Stockham,
Baker, F. T.,	Hall,	O'Connor,	Thompson,
Balthaser,	Harkins,	Peale,	Trout,
Boose,	Holmes,	Perry,	Turner,
Boyer	Huntley,	Rothenberger,	VanAllsburg,
Brigerman,	Kane,	Royer,	Watkins,
Brown,	Kline,	Schrock,	Webster,
Cadwalader,	Kroll,	Serrill,	Weidemann,
Caesar,	Leisey,	Skale,	Westrick,
Davies,	Levy,	Snyder,	Wilson,
DeNote,	Lewis,	Sollenberger,	Winner,
Dickinson,	Lopresti,	Sproul,	Wood,
Eckels,	Lyons,	Stackpole,	Woodside,
Fiss,	Matthews, J. F.,	Stewart,	Yeakel,
Flanagan,	McKinney,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

REASONS FOR VOTE

Mr. HARKINS filed the following reason for his vote.

I vote "no" on this bill because I believe that the enacting of a re-apportionment bill at this session of the Legislature is contrary to the provisions of Article II, section 18 of the Constitution of Pennsylvania and because it is contrary to the interpretation placed upon section 14 of the Schedule of the Constitution by the Supreme Court of Pennsylvania in recent decisions, by which judicial re-apportionment acts passed at sessions, other than those immediately following a decennial census, were declared unconstitutional.

Mr. LEWIS filed the following reasons for his vote:

1. I believe the bill to be clearly in violation of the Constitution of Pennsylvania.

2. That its enactment will deprive the City of Philadelphia of the proper number of Representatives to which it is entitled, by the reduction of its present membership from forty-one to forty members, predicated on figures of a census over seven years old, while it is common knowledge that a census taken in Philadelphia at this time would prove our population has greatly increased since the census of 1930.

Mr. SKALE filed the following reason for his vote:

I vote "no" because I believe the bill to be in violation of Article 2, section 18.

Mr. SHEPARD filed the following reason for his vote:

I am afraid the bill is unconstitutional, but as Chairman of the Committee that reported the bill to the House I feel it is my duty to support the measure.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1390, as follows:

An Act making an appropriation to the General State Authority to defray the costs and expenses of the said Authority in connection with the organization administration and operation thereof

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one million two hundred fifty thousand dollars ($1,250,000) or as much thereof as may be necessary is hereby specifically appropriated to the General State Authority for the payment of all salaries and organization and general expenses of every description as provided by the act approved the twenty-eighth day of June one thousand nine hundred thirty-five (Pamphlet Laws four hundred fifty-two)

Section 2 Payments from the foregoing appropriation shall be made to the Treasurer of the General State Authority upon requisition by the Governor

On the question,

Will the House agree to the bill on third reading?

It was agreed to,

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, I would like to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York permit himself to be interrogated?

Mr. HERBERT B. COHEN. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I understand that this bill provides for an appropriation of $1,250,000 to the State Authority. I would like to ask the gentleman from York whether he has any assurance that the State Authority will receive the amount of money which is being asked from the Federal Government?

Mr. HERBERT B. COHEN. Mr. Speaker, I can only say this, if the gentleman from Delaware should apologize to the members from Philadelphia—

QUESTION OF PERSONAL PRIVILEGE

Mr. TURNER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Delaware will state his question of personal privilege.

Mr. TURNER. Mr. Speaker, the gentlemen from Philadelphia need no apology. They should be complimented.

Mr. HERBERT B. COHEN. Mr. Speaker, the gentleman from Delaware asked me what assurance we have that we will receive the money from the Federal Government. I will state to the gentleman from Delaware had he read the Evening Ledger of last night, he would have seen a picture and in that picture he would have seen the smiling countenance of Jack Kelly, Matt McCloskey, Colonel Janeway and Governor Earle coming out of the White House with glee written all over their faces because they had received definite assurance that Pennsylvania was to receive the money. I think that the smiles on their faces clearly indicated more than anything I could tell you that we are going to get the dough.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman from York whether it was in writing.

Mr. HERBERT B. COHEN. Mr. Speaker, on advice of my counsel, the gentleman from Northampton, I am obliged to say that under these circumstances we were not dealing with Republicans and it was not necessary to have it in writing.

Mr. TURNER. Mr. Speaker and members of the House, I think I can complete my talk in four minutes. First of all I want to impress upon you you should not put too much confidence in the promises that we have received from the Federal Government. I have no objection to the appropriation to the Authority in the sum of $1,250,000 under ordinary circumstances, because I know that at least two of the members of the Authority are men who I think we can trust to utilize their very great business ability and consideration in every problem that comes before the Authority, but this is a problem that has been worrying me in the last week or so. We are appropriating this money to the State Authority as already set up, a large organization. They are contemplating the occupancy of a very sumptuous office in the city of Harrisburg for the purpose of carrying on the duties of the State Authority. That would be all right if we were to get the $56,000,000 which the Democrats are going to expend, but if the $20,000,000 which the Federal Government is asked to give us under a grant from the P.W.A.—

Mr. MORAN. Mr. Speaker, I would like to know how this baseball team is going to play ball tomorrow.

The SPEAKER. Which team are you interested in?

Mr. TURNER. Mr. Speaker, the answer to that is if anybody knows what they are playing, I would be surprised. But in going back to serious business, after the interruption of the gentleman from Allegheny, Mr. Moran, whom I have known for a long time, and who at times has lucid moments, but seriously speaking, this is a problem that I feel we ought to consider. I realize that this bill has got to be moved on its way, but there may be difficulties in the way. No one as yet has had assurance from the Federal Government that we are going to get the $20,000,000, which is the very keystone of this whole arch upon which this whole State Authority depends. I don't know whether you understand the setup but unless we get the $20,000,000 in P.W.A. funds there isn't going to be any State Authority program. To give them $1,250,000 without definite assurance of that is something that we on the Republican side do not desire to do. We have heard a lot of talk about the expeditions of the Governor down to Washington with Jack Kelly and Matt McCloskey and the rest of the contractor combine, to find out what they can get to erect the buildings, but we want to know specifically, not any of those promises from Washington, but whether we will get the money. And not like those promises we had, where we were going to get the money for relief, $5,000,000 a month which we didn't get, the $10,000,000 we spent on W.P.A. workers, who didn't get their checks on time, and other instances. Therefore, I would like the gentleman from York to be a little more specific and not to quote newspaper figures and promises of the Governor and statements made after they returned from a visit with the President and so forth. Are we going to get the $20,000,000?

Mr. HERBERT B. COHEN. Mr. Speaker, in answer to the interrogation of the gentleman from Delaware, I am going to say we are going to get the $20,000,000, we are going to get it, and if he continues to talk he is going to get it.

Mr. TURNER. Mr. Speaker, all I have to say is if he is going to give it to me, I can use it.

Mr. TUMELTY. Mr. Speaker, I would like to interrogate the gentleman from Delaware, Mr. Turner.

The SPEAKER. Will the gentleman from Delaware permit himself to be interrogated?

Mr. TURNER. I will, Mr. Speaker.

Mr. TUMELTY. Mr. Speaker, the gentleman from Delaware, Mr. Turner, just asked the gentleman from York to be more specific and not to quote the newspapers. Will the gentleman from Delaware tell us if he did not quote from a letter that he got from a supposed "Oswald" last week. He quoted that all through, and he wondered where the money was coming from. "Oswald" seems to be the fellow that gave him that information.

Mr. TURNER. Mr. Speaker, I don't know what this is all about. Just the same "Oswald" is all right.

On the question recurring,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—151

Achterman,	Elpern,	McArdle,	Scanlon,
Alexander,	Falkenstein,	McCullough,	Schor,
Allen,	Finnerty,	McDermott,	Schrope,
Allmond,	Fitch,	McElroy,	Shaw,
Arnold,	Flanagan,	McFall,	Shea,
Aukerman,	Flannery,	McShane,	Shepard,
Baine,	Flinchbaugh,	Melchiorre,	Shoemaker,
Baker, J. J.,	Ganser,	Mellott,	Shugarts,
Balthaser,	Gerard,	Mihm,	Siegel,
Bierly,	Gorski,	Moomaw,	Simon,
Blank,	Haberlen,	Mooney,	Skale,
Bohn,	Hagerty,	Moran,	Smith, James A.,
Bois,	Hamilton, F. P.,	Moul,	Smith, John A.,
Boltz,	Harkins,	Munley,	Spengler,
Bradley	Harmuth,	Murrin,	Stank,
Brancato,	Hays,	Nagel,	Thomas,
Brigerman,	Hering,	O'Brien,	Thompson,
Broad,	Hess,	O'Connor,	Toole,
Brown,	Hetrick,	O'Keefe,	Tronzo,
Brownfield,	Hindman,	Ominsky,	Tumelty,
Burrows,	Hirsch,	O'Neill,	Valibus,
Caesar,	Holland,	Ostroff,	VanSickle,
Caputo,	Holmes,	Patterson, C. S.,	Vogt,
Coakley,	Holstrom,	Patterson, J. W.,	Wagner,
Cohen, H. B.,	Hontz,	Pearson,	Walsh,
Cohen, R. E.,	Horting,	Pershing,	Weiss, D. H.,
Coleman,	Jirolahio,	Piole,	Weiss, S. A.,
Coolahan,	Keenan,	Powers,	Welliver,
Corrigan,	Kelso,	Preston,	Welsh,
Costanzo,	Kilroy,	Readinger,	Westrick,
Decker,	Kroll,	Reese,	Whalen,
DeNote,	LaRue,	Reising,	Whitenight,
Dickinson,	Levy,	Richter,	Wright,
Donohoe,	Lewis,	Robinson,	Yanoshat,
Dougherty,	Long,	Rothenberger,	Yourishin,
Downey,	Lopresti,	Ruffennach,	Zappala,
Dubbs,	Lovett,	Rush,	Furman,
Dyson,	Marino,	Sarraf,	

NAYS—50

Atkins,	Imbrie,	Schrock,	Trout,
Baker, F. T.,	Kane,	Schumacher,	Turner,
Boose,	Kline,	Serrill,	VanAllsburg,
Boyer	Leisey,	Sloan,	Wall,
Cadwalader,	Lyons,	Snyder,	Watkins,
Davies,	Matthews, J. F.,	Sollenberger,	Webster,
Eckels,	McDevitt,	Sproul,	Weidemann,
Fiss,	McKinney,	Stackpole,	Wilson,
Gillette,	Merrell,	Stewart,	Winner,
Habbyshaw,	Muir,	Stockham,	Wood,
Hall,	Peale,	Strode,	Woodside,
Hamilton, R. S.,	Perry,	Terry,	Yeakel,
Huntley,	Royer,		

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

SPECIAL ORDER ON SENATE BILLS RESCINDED

Mr. HERBERT B. COHEN. Mr. Speaker, I move that that part of my motion making Senate bills special orders be rescinded.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1640, as follows:

A Supplement to the act approved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred thirty-six) entitled as amended "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing a system and schedule of compensation providing procedure for the determmination of liability and compensation thereunder and prescribing penalties" as amended and re-enacted providing for the inclusion of occupational diseases within the scope thereof and providing definitions provisions and procedure related to such diseases and making an appropriation

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section 1 This act shall be known and be cited as the "Occupational Disease Compensation Act"

Section 2 The term "occupational disease" as used in this act shall mean and include the following diseases

(a) Poisoning by lead mercury arsenic or manganese their preparations or compounds in any occupation involving direct contact with handling thereof or exposure thereto

(b) Poisoning by phosphorus its preparations or compounds in any occupation involving direct contact with handling thereof or exposure thereto

(c) Poisoning by methanol carbon bisulphide hydro carbon distillates (naphthas and others) or halogenated hydro-carbons or any preparations containing these chemicals or any of them in any occupation involving direct contact with handling thereof or exposure thereto

(d) Poisoning by benzol or by nitro amido or amino derivatives of benzol (dinitro-benzol anilin and others) or their preparations or compounds in any occupation involving direct contact with handling thereof or exposure thereto

(e) Caisson disease (compressed air illness) resulting from engaging in any occupation carried on in compressed air

(f) Radium poisoning or disability due to radio-active properties of substances or to roentgen-ray (X-rays) in any occupation involving direct contact with handling thereof or exposure thereto

(g) Poisoning by or ulceration from chromic acid or bichromate of ammonium potassium or sodium or their preparations direct contact with handling thereof or exposure thereto

(h) Epitheliomatous cancer or ulceration due to tar pitch bitumen mineral oil or paraffin or any compound product or residue of any of these substances in any occupation involving direct contact with handling thereof or exposure thereto

(i) Infection or inflammation of the skin or other contact surfaces due to oils cutting compounds lubricants dust liquids fumes gases or vapor in any occupation involving direct contact with handling thereof or exposure thereto

(j) Anthrax occurring in any occupation involving the handling of or exposure to wool hair bristles hides or skins or bodies of animals either alive or dead

(k) Silicosis or anthraco-silicosis in any occupation involving direct contact with handling of or exposure to dust of silicon dioxide (sio^2)

(l) Asbestosis in any occupation involving direct contact with handling of or exposure to the dust of asbestos

Section 3 The several provisions of the Workmen's Compensation Act to which this act is a supplement shall be applicable to this act insofar as they are consistent with terms hereof In applying the Workmen's Compensation Act to this act the Workmen's Compensation Act shall be construed as including in addition to "injury" and "personal injury" by accident "occupational disease" and the resultant effects thereof including death The word "disabled" as herein used means disabled from earning full wages in the employment in which the employe was employed

"Disability" as used herein means the state of being so disabled The date when the disability occurs from occupational disease shall be deemed to be the date of injury or accident

Section 4 When an employer and employe shall be subject to the provisions of article three of the Workmen's Compensation Act as therein provided compensation for occupational disease shall be paid in all cases by the employer according to the schedule provided in such act subject however to the special terms and conditions relative thereto as set forth in this act

Section 5 (a) Compensation for silicosis or anthraco-silicosis or silicosis anthraco-sisicosis complicated by infection and asbestosis shall be paid only when it is shown that the employe has had an aggregate employment of at least two years in the Commonwealth of Pennsylvania during a period of eight years next preceding the date of disability in an occupation having a silica or asbestos hazard

(b) Compensation shall not be payable for partial disability due to silicosis anthraco-silicosis or asbestosis Compensation shall be payable as otherwise provided in this act for total disability or death caused by silicosis anthraco-silicosis or asbestosis or by silicosis anthraco-silicosis or asbestosis when accompanied by infection Silicosis anthraco-silicosis or asbestosis in any stage when accompanied by infection shall be deemed to be and shall be compensated as total disability

Section 6 (a) If it shall be shown that the employe at or immediately before the date of disability was employed in any process or employment set forth in section two it shall be presumed that the occupational disease is due to the nature of that employment This presumption however shall not be conclusive

(b) An employer shall be liable for the payments prescribed by this act for the occupational diseases described in section 2 hereof when disability of an employe resulting in loss of earnings shall be due to an employment in a hazardous occupation in which he was employed and such disability results within two years after the last exposure in such employment or in case of death resulting from such exposure if such death occurs within five years following disability from such disease

Section 7 (a) In the case of such occupational diseases as the Workmen's Compensation Board shall determine develope to the point of disablement only after an exposure of five or more years the compensation for disability or death due to such diseases shall for a period of ten years immediately succeeding the effective date of this act be payable jointly by the Commonwealth and the employer as follows If disability occurs or if no compensable period of disability occurs if death occurs during the first year in which this act becomes effective the employer shall be liable for and pay one-tenth of the compensation for such disability or death and the remainder of such compensation shall be paid by the Commonwealth out of moneys to the credit of the Second Injury Reserve Account in the State Workmen's Insurance Fund Thereafter for each successive year of such ten-year period in which disability occurs or if no compensable period of disability occurs if death occurs the employer shall be liable for and shall pay one-tenth more of such compensation and the remainder of such compensation shall be paid by the Commonwealth out of moneys to the credit of the Second Injury Reserve Account in the State Workmen's Insurance Fund After the expiration of such ten-year period the employer shall pay the compensation for disability or death occurring thereafter in full

(b) The sum of one hundred thousand dollars ($100,000-.00) is hereby appropriated out of the General Fund to the State Workmen's Insurance Fund to the credit of the Second Injury Reserve Account and is hereby appropriated for the carrying out of the purpose of paragraph (a) of this section The aforesaid sum of one hundred thousand dollars ($100,000.00) shall as soon as practical be repaid into the General Fund of the State Treasury out of moneys to the credit of the Second Injury Reserve Account in the State Workmen's Insurance Fund and such moneys are hereby appropriated to the State Workmen's Insurance Board for this purpose

Section 8 In any action brought after the effective date of this act in any court by an employe against his employer who has elected not to be bound by the provisions of Article III of the Workmen's Compensation Act and such action is based upon a claim by the employe for damages for personal injury resulting from an occupational disease proof on the part of the employe that he had been subjected to a physical examination by such employer and that he had been discharged by such employer within one year after such examination or proof of discharge by such employer and the further fact that the employe was unable to secure other employment within six months of the date of such discharge by reason of the presence of an occupational disease in any stage shall be prima facie evidence of negligence on the part of such employer In any such action it shall not be a defense on the part of any employer

(a) That the injury was caused in whole or in part by the negligence of a fellow employe or

(b) That the employe had assumed the risk of the employment or

(c) That the injury was caused in any degree by the negligence of such employe or

(d) That the employe was exposed to the hazard of such disease in any other employment more than two years prior to the date of such action

The Statute of Limitations in any such action for personal injury resulting from an occupational disease shall commence to run from the date of the last exposure to the hazards of such disease in the employment of the defendant.

Section 9 The employer in whose employment the employe was last exposed in a hazardous occupation and the insurance carrier if any who was on the risk at the time of the last exposure in such employment shall be liable for any payments required by this act the notice of injury and claim shall be made to such employer

Section 10 In all cases involving claims for the occupational disease listed in section 2 hereof except in those cases wherein there are no controverted medical issues between the parties the Workmen's Compensation Board or Referee may appoint and in all cases involving silicosis or anthraco-silicosis or asbestosis shall appoint one or more duly qualified impartial physicians or surgeons or experts in accordance with section 420 of the Workmen's Compensation Act to be selected from a panel to be submitted by the Secretary of Labor and Industry which panel shall be made up of names selected from lists submitted by the Deans of all legally recognized Medical Schools in the Commonwealth of Pennsylvania The Workmen's Compensation Board or Referee shall order the claimant to subject himself to such clinical pathological and Roentgen examinations as in the opinion of such physicians surgeons or experts may be necessary to determine whether or not the claimant has contracted or is suffering from the disease for which claim has been filed After examination the physicians surgeons or experts so appointed shall file with the Workmen's Compensation Board or Referee a written report setting forth their opinion with respect to the following medical questions

(a) Whether or not the claimant is disabled as the result of an occupational disease described in section 2

hereof and in death cases whether or not death was caused by one of such occupational diseases

(b) If the claimant is disabled as the result of an occupational disease described in section 2 hereof their opinion as to the extent of such injury

All proceedings for compensation shall be suspended upon the refusal of a claimant or claimants to submit to such clinical pathological and Roentgen examinations as may be ordered by the Workmen's Compensation Board or Referee

Upon the filing of a claim for compensation for death from an occupational disease where an autopsy is necessary accurately and scientifically to ascertain and determine the cause of death such autopsy shall be ordered by the Workmen's Compensation Board or Referee upon the written recommendation of the physicians surgeons or experts appointed in such case The Workmen's Compensation Board or Referee may designate in such case a duly licensed physicians who is a specialist in such examinations to perform such autopsy or attend such autopsy if made by any other public authority and to certify his findings thereon Such findings shall be filed with the Workmen's Compensation Board and a certified copy thereof shall be filed with the State Department of Public Health and shall be a public record

The reports and findings of the physicians surgeons or experts so appointed by the Workmen's Compensation Board or Referee shall be considered by the Workmen's Compensation Board or Referee as medical evidence in said cause together with any other medical evidence offered on behalf of the claimant or employer At the time of any hearing of said cause the physicians surgeons or experts so appointed by the Workmen's Compensation Board or Referee shall appear and be subject to examination and cross-examination by the parties to said cause

Section 11 The Workmen's Compensation Board or any Workmen's Compensation Referee shall have power to issue an order authorizing the entry of any physician surgeon or expert upon the premises of the defendent employer in order to ascertain the facts in any case arising under this act

Section 12 It is hereby determined to be the legislative intent that if this act cannot take effect in its entirety because of the decision of any court holding unconstitutional any part hereof the remaining provisions shall be given full force and effect as if the part held unconstitutional had not been included herein

Section 13 This act shall become effective on the first day of January one thousand nine hundred thirty-eight

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. TURNER. Mr. Speaker, the gentleman from York having rescinded part of his motion, this was one of the bills.

The SPEAKER. It applied only to Senate bills.

Mr. HUNTLEY. Mr. Speaker and members of the House, an employe is disabled just the same whether he has received an injury or contracted a disease. It is just as reasonable that he should be insured in one instance as well as the other. I cannot ascribe to the theory that industry cannot take on this insurance and pass it on to the consumer, because it is insuring the man who works, the man who dons his overalls and soils his hands to produce something worth while, the man who digs something useful out of the resources of nature, the man who is the real producer of wealth. In our scheme of economy he is an essential part, and indispensable part. Neither employers nor consumers could function without him. It is just as essential that he be taken care of as the grooming of a beast of burden or the repairs of a machine. It is fair that he receive this care as a share of a part of the wealth which he has helped to create. Society can well afford to bear the burden of that which is so essential to the welfare and preservation of society itself. Neither can I accept the argument that this class of legislation will hurt industry. How can industry be injured by helping the employe who earns all that he gets? Legislation that hurts industry is that which compels them to pay employes for that which they do not earn. They are a special privileged class of quasi-loafers, racketeering to get something for nothing. However, so many of this class have been directly and indirectly legislated on the payrolls that it is questionable whether the men who really work can carry the load. I believe that compensation for occupational diseases is economically sound, it is socially and morally right. I therefore advocate the passage of this bill.

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—197

Achterman,	Flanagan,	McFall,	Shoemaker,
Alexander,	Flannery,	McKinney,	Shugarts,
Allen,	Flinchbaugh,	McShane,	Siegel,
Allmond,	Ganser,	Melchiorre,	Simon,
Arnold,	Gerard,	Mellott,	Skale,
Atkins,	Gillette,	Merrell,	Sloan,
Aukerman,	Gorski,	Mihm,	Smith, James A.,
Baine,	Habbyshaw,	Moomaw,	Smith, John A.,
Baker, F. T.,	Haberlen,	Mooney,	Sollenberger,
Baker, J. J.,	Hagerty,	Moran,	Spengler,
Balthaser,	Hall,	Moul,	Sproul,
Bierly,	Hamilton, F. P.,	Muir,	Stackpole,
Blank,	Hamilton, R. S.,	Munley,	Stank,
Bohn,	Harkins,	Murrin,	Stewart,
Bois,	Harmuth,	Nagel,	Stockham,
Boltz,	Hays,	O'Brien,	Strode,
Boose,	Hering,	O'Connor,	Terry,
Boyer,	Hess,	O'Keefe,	Thomas,
Bradley,	Hetrick,	Ominsky,	Thompson,
Brancato,	Hindman,	O'Neill,	Toole,
Brigerman,	Hirsch,	Ostroff,	Tronzo,
Broad,	Holland,	Patterson, C. S.,	Trout,
Brown,	Holmes,	Patterson, J. W.,	Tumelty,
Brownfield,	Holstrom,	Peale,	Turner,
Burrows,	Hontz,	Pearson,	Valibus,
Caesar,	Horting,	Perry,	VanAllsburg,
Caputo,	Huntley,	Pershing,	VanSickle,
Coakley,	Imbrie,	Piole,	Vogt,
Cohen, H. B.,	Jirolanio,	Powers,	Wagner,
Cohen, R. E.,	Kane,	Preston,	Wall,
Coleman,	Keenan,	Readinger,	Walsh,
Coolahan,	Kelso,	Reese,	Watkins,
Corrigan,	Kilroy,	Reising,	Webster,
Costanzo,	Kline,	Richter,	Weidemann,
Davies,	Kroll,	Robinson,	Weiss, D. H.,
Decker,	LaRue,	Rothenberger,	Weiss, S. A.,
DeNote,	Leisey,	Royer,	Welliver,
Dickinson,	Levy,	Ruffennach,	Welsh,
Donohoe,	Lewis,	Rush,	Westrick,
Dougherty,	Long,	Sarraf,	Whalen,
Downey,	Lopresti,	Schor,	Wilson,
Dubbs,	Lovett,	Schrock,	Woodside,
Dyson,	Marino,	Schrope,	Wright,
Eckels,	McArdle,	Schumacher,	Yancshat,
Ehrn,	McCullough,	Serrill,	Yeakel,
Falkenstein,	McDermott,	Shaw,	Yourishin,
Finnerty,	McDevitt,	Shea,	Zappala,
Fiss,	McElroy,	Shepard,	Furman,
Fitch,	Scanlon,	Whitenight,	

NAYS—4

Cadwalader,	Snyder,	Winner,	Wood,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

RESOLUTION

DISCHARGE OF COMMITTEE

Mr. TURNER. Mr. Speaker, because of the conditions that exist and the imminency of the closing of the session I ask unanimous consent to offer a resolution at this time.

Mr. SHEPARD. Mr. Speaker, I do not want to object but I am wondering if the resolution will provide coffee and sandwiches for breakfast.

Mr. TURNER. Mr. Speaker, the gentleman from Philadelphia is invited to breakfast in the morning if he can get up at 9 o'clock.

Mr. Speaker and members of the House, I do not want to impose upon you, but this is rather an important matter. I introduced a bill in January providing for the creation of a coal commission with an appropriation of one million dollars. I am not going to go into detail about the matter. I had a prepared statement to deliver tonight, but the hour is so late and I know you men want to go home that I will not impose upon you, but seriously speaking we have had a report from the Coal Commission appointed by the Governor. In substance the Commission agreed upon this, that the bootlegging was caused by unemployment, that bootlegging was wrong, that you could not blame the bootleggers, that something ought to be done about it. That cost us thirty-three thousand dollars. I felt from the beginning of this session—

POINT OF ORDER

Mr. JAMES W. PATTERSON. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. JAMES W. PATTERSON. Mr. Speaker, the gentleman from Delaware has not stated the purpose for which he has arisen.

The SPEAKER. The gentleman asked unanimous consent to introduce a resolution.

Mr. JAMES W. PATTERSON. Mr. Speaker, is the gentleman introducing a verbal resolution?

The SPEAKER. The Chair was wondering about that. Will the House give its unanimous consent to the introduction of the resolution? Are there objections? The Chair hears none and consent is granted.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. TURNER. Mr. Speaker, my resolution is a privileged resolution.

The SPEAKER. The gentleman asked and received what he asked for.

Mr. TURNER. Mr. Speaker, it is a privileged resolution. It will only take a minute to read.

The SPEAKER. This is a privileged resolution. The Clerk will read the resolution.

The resolution was read by the Clerk as follows:

In the House of Representatives, May 24, 1937.

Resolved, That the Committee on Mines and Mining be discharged from further consideration of House Bill No. 129, entitled "An Act creating a Coal Region Restoration Commission to formulate, adopt and put into effect a long range program to alleviate and remedy economic and social conditions in the anthracite and bituminous coal regions of this Commonwealth: defining the powers and duties of said commission and making an appropriation," said bill having been in the hands of said Committee for a period of ten days and more having been referred on January 13, 1937.

On the question,

Will the House adopt the resolution?

RESOLUTION LAID ON TABLE

Mr. AUKERMAN. Mr. Speaker, I move that the resolution be laid on the table.

On the question,

Will the House agree to the motion?

Mr. SCHROPE. Mr. Speaker, the gentleman from Schuylkill, Mr. Downey, who is Chairman of the Committee on Mines and Mining, and myself—

The SPEAKER. The question before the House is on the motion of the gentleman from Blair, Mr. Aukerman, which is not debatable.

Mr. SCHROPE. Mr. Speaker, I was just asking the members, in view of the fact that the gentleman from Delaware—

The SPEAKER. The gentleman is out of order. The question is not debatable.

The yeas and nays were required by Mr. TURNER and Mr. SCHROCK and were as follows:

YEAS—150

Alexander,	Falkenstein,	McCullough,	Scanlon,
Allen,	Finnerty,	McDermott,	Schor,
Allmond,	Fitch,	McElroy,	Schrope,
Arnold,	Flanagan,	McFall,	Shaw,
Aukerman,	Flannery,	McShane,	Shea,
Baine,	Flinchbaugh,	Melchiorre,	Shepard,
Baker, J. J.,	Ganser,	Mellott,	Shoemaker,
Balthaser,	Gerard,	Mihm,	Shugarts,
Bierly,	Gorski,	Moomaw,	Siegel,
Blank,	Haberlen,	Mooney,	Simon,
Bohn,	Hagerty,	Moran,	Skale,
Bois,	Hamilton, F. P.,	Moul,	Smith, James A.,
Boltz,	Harkins,	Munley,	Smith, John A.,
Bradley	Harmuth,	Murrin,	Spengler,
Brancato,	Hays,	Nagel,	Stank,
Brigerman,	Hering,	O'Brien,	Thomas,
Broad,	Hess,	O'Connor,	Thompson,
Brown,	Hetrick,	O'Keefe,	Toole,
Brownfield,	Hindman,	Ominsky,	Tronzo,
Burrows,	Hirsch,	O'Neill,	Tumelty,
Caesar,	Holland,	Ostroff,	Valibus,
Caputo,	Holmes,	Patterson, C. S.,	VanSickle,
Coakley,	Holstrom,	Patterson, J. W.,	Vogt,
Cohen, H. B.,	Hontz,	Pearson,	Wagner,
Cohen, R. E.,	Horting,	Pershing,	Walsh,
Coleman,	Jirolanio,	Piole,	Weiss, D. H.,
Coolahan,	Keenan,	Powers,	Weiss, S. A.,
Corrigan,	Kelso,	Preston,	Welliver,
Costanzo,	Kilroy,	Readinger,	Welsh,
Decker,	Kroll,	Reese,	Westrick,
DeNote,	LaRue,	Reising,	Whalen,
Dickinson,	Levy,	Richter,	Whitenight
Donohoe,	Lewis,	Robinson,	Wright,
Dougherty,	Long,	Rothenberger,	Yanoshat,
Downey,	Lopresti,	Ruffennach,	Yourishin,
Dubbs,	Lovett,	Rush,	Zappala,
Dyson,	Marino,	Sarraf,	Furman,
	McArdle,		

NAYS—51

Atkins,	Huntley,	Royer,	Trout,
Baker, F. T.	Imbrie,	Schrock,	Turner,
Boose,	Kane,	Schumacher,	VanAllsburg,
Boyer	Kline,	Serrill,	Wall,
Cadwalader,	Leisey,	Sloan,	Watkins,
Davies,	Lyons,	Snyder,	Webster,
Eckels,	Matthews, J. F.,	Sollenberger,	Weidemann,
Elpern,	McDevitt,	Sproul,	Wilson,
Fiss,	McKinney,	Stackpole,	Winner,
Gillette,	Merrell,	Stewart,	Wood,
Habbyshaw,	Muir,	Stockham,	Woodside,
Hall,	Peale,	Strode,	Yeakel,
Hamilton, R. S.,	Perry,	Terry,	

So the question was determined in the affirmative and the motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2436, as follows:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended prescribing the powers and duties of the State Emergency Relief Board and certain State departments prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of four million eight hundred thirty-seven thousand dollars ($4,837,000) is hereby specifically appropriated from the General Fund to the State Emergency Relief Board to provide direct relief work relief and for administratives expenses as hereinafter provided and for the payment of bills contracted by or with the authority of the State Emergency Relief Board for direct relief work relief or administrative expenses contracted prior to the effective date of this act

Section 2 The State Emergency Relief Board shall make allocations from time to time out of the moneys appropriated to it among the several counties of this Commonwealth for direct relief or work relief on the basis of need and payments shall be made under such system of requisitioning and accounting as the Governor Auditor General and State Treasurer shall determine

Section 3 The allocations so made to a county by the State Emergency Relief Board shall be available for expenditure in that county for direct relief or work relief for the unemployed who are without means of support through such agencies as shall be designated by the State Emergency Relief Board and under such rules and regulations as the board shall adopt

Section 4 The State Emergency Relief Board may from time to time expend or authorize the expenditure of such sums as may be necessary out of the appropriation made by this act for the payment of salaries wages or other compensation of the director and other employes or assistants for the payment of postage traveling expenses mileage charges to the Department of Property and Supplies for the use of automobiles telephone rentals telephone toll charges telegrams expenses of operating and maintaining automobiles and other motor equipment newspaper advertising and notices freight express cartage for the purchase of automobiles furniture furnishings and equipment for the purchase of supplies printing binding patent indices for the payment of premiums on surety bonds for such officers and employes as may be required by statute or otherwise to furnish them for the faithful performance of their official duties or to account for funds in their possession for the payment of a premium or premiums on a policy or policies of liability insurance covering all motor vehicles owned and operated by the board which policy or policies shall protect both the Commonwealth and State officers or employes operating such motor vehicles against claims for damages for injury to person or property for the payment of a premium or premiums on a policy or policies of insurance insuring the Commonwealth against workmen's compensation liability to employes for injuries and to dependents of deceased employes of the board for payment to the State Work Relief Compensation Fund of such moneys as may be necessary under the provisions of the act approved the third day of June one thousand nine hundred thirty-three (Pamphlet Laws one thousand five hundred fifteen) for the payment of rents for such buildings offices rooms storage space and lands as may be required for the accommodation or performance of the work of the board and for such other uses as the State Emergency Relief Board may in its discretion deem necessary to carry out the purposes for which the appropriation is made under this act

Section 5 No investigator clerk or other employe of the State Emergency Relief Board shall be a member of or delegate or alternate delegate to any political convention nor be present at any such convention as an employe or in any official capacity nor serve as a member of or attend meetings of any committee of any political party or take any active part in political management or in political campaigns or use his position to influence political movements or use his position to influence the political action of any other person nor in any way or manner interfere with the conduct of any election or the preparation therefor at the polling place or with the election officers while the vote is being counted or the vote or ballot box is being returned save only for the purpose of marking and depositing his ballot nor be within fifty feet of any polling place during voting hours and the counting of the ballots except for the purpose of residence or travel Any person who shall violate any of the foregoing provisions shall be guilty of a misdemeanor and shall upon conviction thereof be punished by a fine not exceeding five hundred dollars ($500.00) and forfeit his position

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rules requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 844, as follows:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of rehabilitating repairing restoring maintaining and reconditioning the property at Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy"

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of rehabilitating repairing restoring maintaining and reconditioning the property situated in Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy" Such moneys shall be paid out on requisition of the Department of Public Instruction upon presentation of proper vouchers by the Pennsylvania Historical Commission

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 143, as follows:

An Act making an appropriation to the Johnson Industrial School of Scranton Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-two thousand five hundred dollars ($22,500) is hereby specifically appropriated to the Johnson Industrial School of Scranton Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-seven for the purpose of maintenance and the purchase of supplies and equipment to be paid according to law

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1237, entitled:

An Act authorizing and emplowering the officers of the Commonwealth to refund the license moneys paid under the act of July seventeen one thousand nine hundred and nineteen (Pamphlet Laws 1003) entitled "An act requiring licenses to sell steamship tickets or orders for transportation to or from foreign countries and providing penalties" as amended providing for the method of reimbursement to such licensees and making an appropriation therefor

The first section was read and agreed to as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any person corporation or copartnership during the years one thousand nine hundred and nineteen one thousand nine hundred and twenty one thousand nine hundred and twenty-two one thousand nine hundred and twenty-two one thousand nine hundred and twenty-three one thousand nine hundred and twenty-four one thousand nine hundred and twenty-five one thousand nine hundred and twenty-six and one thousand nine hundred and twenty-seven paid to the Commissioner of Banking and thus into the State Treasury the license fee of fifty dollars ($50) per annum required by the act of July seventeen one thousand nine hundred and nineteen (Pamphlet Laws 1003) entitled "An act requiring licenses to sell steamship tickets or orders for transportation to or from foreign countries and providing penalties" and its amendments the Board of Finance and Revenue upon due proof that such money has been paid to the Commonwealth of which the books of the Secretary of Banking shall be evidence shall repay to every such person corporation or copartnership the moneys which have been paid by said licensees

The second section was read as follows:

Section 2 When the books of the Secretary of Bank- shall show to the satisfaction of the said Board of Finance and Revenue upon a hearing duly had that such moneys was paid into the State Treasury in the manner above mentioned the Board of Finance and Revenue shall settle an account in the manner now provided for the settlement of accounts and shall thereupon draw their warrant on the State Treasurer in favor of every such person corporation or copartnership who shall have been shown to have paid in such money

On the question,

Will the House agree to the section?

Mr. SPENGLER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 2, page 2, line 23, by inserting after the word "money" the following: "or to their agent or attorney in fact or to their heirs"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section and title were separately read and agreed to as follows:

Section 3 For the purpose of refunding said moneys the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated

An Act authorizing and empowering the officers of the Commonwealth to refund the license moneys paid under the act of July seventeen one thousand nine hundred and nineteen (Pamphlet Laws 1003) entitled "An act requiring licenses to sell steamship tickets or orders for transportation to or from foreign countries and providing penalties" as amended providing for the method of reimbursement to such licensees and making an appropriation therefor

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1135, as follows:

An Act making an appropriation to the Department of Property and Supplies for the restoration preservation development and maintenance of the Ephrata Cloisters Park

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) is hereby specifically appropriated to the Department of Property and Supplies for the purpose of restoring preserving developing and maintaining the buildings and grounds of the Ephrata Cloisters Park in Ephrata Township Lancaster County to be expended by said department under the direction of the Pennsylvania Historical Commission

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2402, as follows:

An Act making an appropriation to the Flagship Niagara Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the

authority of the same That the sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the Flagship Niagara Commission constituted by the provisions of the act approved the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 1386) entitled "An act providing for the care protection and maintenance of the brig Niagara Commodore Perry's Flagship at the Battle of Lake Erie and now the property of the State of Pennsylvania creating a commission to be The Flagship Niagara Commission and making an appropriation for such care protection and maintenance" for the purpose of completing the work of restoring the brig Niagara to the condition she was in at the time of the Battle of Lake Erie was fought including revamping of the hull to the rail rehabilitating the rigging armory and equipment of every kind and for taking such measures as to the commission may seem proper for the care and preservation of such ship which may include taking said Niagara from the water to a place on land in the City of Erie to be selected and purchased by the commission and encasing it in a concrete base and providing for the care protection and maintenance of said brig Niagara by employing a watchman therefor for erecting a covering for its decks and doing such other things as the proper preservation of said flagship may in the opinion of the commission require

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

MOTION TO MAKE HOUSE BILL No. 2019 SPECIAL ORDER

Mr. VAN SICKLE. Mr. Speaker, I move that House Bill No. 2019, (Printer's No. 1087), entitled:

An Act fixing the minimum compensation and salary of certain employes of the Department of Highways and minimum weekly working hours

on page 16 of today's calendar, bills on second reading, be made a special order of business at 3:52 a. m.

The motion was not agreed to.

RESOLUTION

RECALLING HOUSE BILL No. 1400 FROM THE GOVERNOR.

Mr. KILROY offered the following resolution which was twice read, considered and adopted:

In the House of Representatives May 24, 1937.

Resolved (if the Senate concur), that House Bill No. 1400, Printer's No. 952, entitled "An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' as amended regulating the sale and further regulating the installation use and operation of traffic regulation devices signals signs and markings and the operation of motor vehicles on the highways affecting the powers of municipal authorities in certain cases and of the Secretary of Highways and changing and imposing penalties," be recalled from the Governor for the purpose of amendment.

Ordered, That the Clerk present the same to the Senate for concurrence.

QUESTION OF INFORMATION

Mr. COLEMAN. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. COLEMAN. Mr. Speaker, is it the intention of the Chair to pass up all second reading bills?

The SPEAKER. It is within the power of the House to decide. That is the intention of the Chair but the Chair's intentions are not always carried out or adhered to by the members.

BILLS ON SECOND READING

Mr. COLEMAN asked and obtained unanimous consent to call up out of order House Bill No. 1629, Printer's No. 1104, on page 21 of today's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1629 as follows:

An Act dedicating and setting aside certain lands in Lackawanna County as a public park and pleasure ground and imposing certain powers and duties in connection therewith on the Department of Forests and Waters

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in Generalu Assembly met and it is hereby enacted by the authority of the same That the Commonwealth of Pennsylvania hereby dedicates to the public for use as a park and pleasure-ground for the benefit and enjoyment of the people an area af land of approximately two thousand acres in Jefferson Township Lackawanna County known as the Moosic Lake area the boundaries of which shall be defined by the Department of Forests and Waters

The said park shall be called and known as the "Moosic Lake State Park"

Section 2 The Department of Forests and Waters of the Commonwealth shall have full control and supervision of the public lands and control over other lands over which it may hereafter obtain control under the provisions of this act in accordance with control rights granted within the area hereinbefore dedicatel as a public park and pleasure-ground with power to adopt and carry into effect plans for the improvement preservation and use thereof The department may enforce such rules and regulations not inconsistent with the laws of this Commonwealth including provisions for the use and operation of motor vehicles therein as it may make for the protection of life and property the maintenance of good order the protection and improvement of the park and the carrying into effect of the full and proper use of said property as a State park and pleasure-ground

Section 3 The Department of Forests and Waters is hereby authorized to accept in the name of the Commonwealth any land property or money given or donated by any person copartnership association or corporation for

use in extending the boundaries of said park or furthering its value for the purpose for which it is hereby dedicated

Section 4 The Department of Forests and Waters is further authorized and empowered to acquire by gift or for nominal consideration from persons owning property within the limits of the territory hereinbefore dedicated and set apart as a public park and from others control rights or the right to limit and prescribe the uses to which such privately owned property may hereafter be put by the owners to the extent which the owners thereof shall be willing to grant but no such control rights shall be accepted unless they include at least a surrender of control in the following particulars (a) The right to sell or service travelers tourists recreationists campers or seasonable dwellers (b) the right to prohibit or limit the placing on such properties of billboards or any form of outdoor advertising except such as advertises merchandise or services sold at roadside inns hotels stores and service stations therein and (c) the right to remove or enforce the removal of abandoned or dilapidated and neglected buildings which have become nuisances All deeds conveyances or agreements of any kind secured by or entered into by the department for the purpose of carrying out the provisions of this section shall be subject to the approval of the Department of Justice

Section 5 The Department of Forests and Waters may also with the approval of the Governor make and carry out such plans for the profitable utilization of the dead and down timber and the mineral resources the leasing of sites for camps cabins bungalows hotels proper buildings for the accommodation of visitors to and travelers through the park bathing beaches bathing houses boat houses garages gasoline and service stations and refreshment stands or places of such type of construction as the department shall approve for periods of not more than twenty years and such other operations for the profitable employment of such lands as may not be inconsistent with their full use as a State park or pleasure-ground or their full enjoyment by the people and as to the Department of Forests and Waters seems to be to the best interests of the Commonwealth Any moneys derived therefrom shall be paid into the State Treasury through the Department of Revenue and credited to the State Forests and Waters Fund

Section 6 All extension and improvement of highways within the boundaries of said park shall be under and in harmony with the general plan of improvement of said park and only after consultation with the Department of Forests and Waters

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Mr. HARKINS asked and obtained unanimous consent to call up out of order, House Bill No. 2313, Senate Bill No. 144, Printer's No. 546, on page 5 of today's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2313, (Senate Bill No. 144), entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by increasing the powers and duties of district superintendents supervising principals and county superintendents changing the qualifications of county district assistant and associate superintendents and supervising principals increasing the terms of county and district superintendents and conferring powers and imposing duties on the State Council of Education

The first section was read as follows:

Section 1 Be it necated by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and sixty-three of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section two of the act approved the eighteenth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 1192) is hereby further amended to read as follows

Section 563 The board of school directors of each school district of the second third or fourth class shall annually at least thirty days prior to the adoption of the annual budget prepare a proposed budget of the amount of funds that will be required by the school district in its several departments for the following fiscal year Such proposed budget shall be prepared on a uniform form prepared and furnished as hereinafter provided and shall be apportioned to the several classes of expenditures of the district as the board of school directors thereof may determine Final action shall not be taken on any proposed budget in which the estimated expenditures exceed two thousand dollars ($2,000) until after ten days' public notice Provided however That nothing in this act shall be construed to prevent any school district whose total estimated expenditures do not exceed two thousand dollars ($2,000) from holding a public hearing The proposed budget shall be printed or otherwise made available for public inspection to all persons who may interest themselves at least twenty days prior to the date set for the adoption of the budget The board of school directors after making such revisions and changes therein as appear advisable shall adopt the budget and the necessary appropriation measures required to put it into effect Within fifteen days after the adoption of the budget the board of school directors shall file a copy of the same in the office of the Department of Public Instruction In all school districts under the direction of a district superintendent the budget shall be signed by the district superintendent and a copy thereof shall be forwarded by him to the Department of Public Instruction In all districts under the supervision of a county superintendent the county superintendent shall sign the budget and forward a copy thereof to the Department of Public Instruction Provided That in districts which employ a supervising principal the budget shall be signed by the supervising principal and countersigned by the county superintendent who shall forward a copy to the Department of Public Instruction

The board of school directors may during any fiscal year make additional appropriations or increase existing appropriations to meet emergencies such as epidemics floods fire or other catastrophies the funds therefor to be provided from unexpected balances in existing appropriations from unapproved revenue if any or from temporary loans Such temporary loans when made shall be approved by a two-thirds vote of the board of school directors

The board of school directors shall have power to authorize the transfer [within the same fund] of any unencumbered balance or any portion thereof from one [spending agency] item of the budget to another but such action shall be taken only during the last nine months of the fiscal year and except as hereinbefore otherwise provided no moneys apportioned [from] for any class of expenditures shall be used for purposes other than designated for said class in said budget The total amount of

such budget shall not exceed the amount of funds including the proposed annual tax levy and State appropriation available for school purposes in that district

The uniform budget forms required by this act shall be prepared by the Department of Public Instruction which shall issue said forms and distribute them annually as needed to the school districts

On the question,

Will the House agree to the question?

BILL RECOMMITTED

Mr. HARKINS. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

On the question,

Will the House agree to the motion?

Mr. BROWNFIELD. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Harkins.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. HARKINS. I will, Mr. Speaker.

Mr. BROWNFIELD. Mr. Speaker, would the gentleman mind allowing this bill to pass second reading before he does that?

Mr. HARKINS. Mr. Speaker, I do not desire that the bill pass second reading at this time. I desire to make my motion to recommit the bill before it passes second reading.

Mr. HOLLAND. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Harkins.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated?

Mr. HARKINS. I will, Mr. Speaker.

Mr. HOLLAND. Mr. Speaker, will the gentleman from Allegheny Mr. Harkins, advise the House what the State Government Committee has to do with a bill which pertains to education.

Mr. HARKINS. Mr. Speaker, my purpose in making my motion to recommit the bill to the Committee on State Government is because this bill involves constitutional officers and I feel that it should also be studied by the Committee on State Government.

Mr. HOLLAND. Mr. Speaker, I rise to oppose this motion and ask the members of the House to vote against the recommittment of this bill because the bill practically gives tenure to a certain class of people.

Mr. TURNER. Mr. Speaker, I think that the gentleman from Allegheny did not mean it when he said that this pertained to constitutional officers, and I cannot help but think that the only purpose of recommitting this bill at this time is for the purpose of killing the bill. This is a form of tenure. It applies to county superintendents. The gentleman from Allegheny was much in favor—

POINT OF ORDER

Mr. HARKINS. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. HARKINS. Mr. Speaker, in my opinion the gentleman from Delaware Mr. Turner is discussing the merits of the bill.

The SPEAKER. The point of order is well taken. The gentleman will confine his remarks to the question before the House.

On the question recurring,

Will the House agree to the motion?

The SPEAKER. All those in favor of the motion give their consent by saying "aye".

MOTION TO TABLE

Mr. TURNER. Mr. Speaker, I move that the motion be laid on the table.

POINT OF ORDER

Mr. TUMELTY. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Philadelphia will state his point of order.

Mr. TUMELTY. Mr. Speaker, the question was put to the body and the affirmative vote was taken. I think that a motion to lay upon the table after the affirmative vote has been taken is out of order.

The SPEAKER. The point of order of the gentleman from Philadelphia, Mr. Tumelty, is well taken. A motion to recommit is a privileged motion, which cannot be laid upon the table.

POLL OF THE HOUSE REQUESTED

Mr. TURNER. Mr. Speaker, I ask for a poll of the House.

The SPEAKER. The gentleman from Delaware Mr. Turner asks for a poll of the House. The request is ruled out of order. The House cannot be polled during the taking of a vote.

Mr. TURNER. Mr. Speaker, I ask for a roll call.

Mr. McDEVITT. Mr. Speaker, I second the request.

The roll was called by the Clerk.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. TURNER. Mr. Speaker, there is not a constitutional majority or a quorum voting on this motion.

The SPEAKER. The vote has not yet been announced.

Mr. TURNER. I want to be on the safe side, and therefore, I raise the question before the Chair announces the vote.

The SPEAKER. The Chair will have to rule the gentleman out of order. The result has not been announced.

The yeas and nays were required by Mr. TURNER and Mr. McDEVITT.

Mr. TURNER. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—80

Achterman,	Dougherty,	McCullough,	Schor,
Alexander,	Dubbs,	McDermott,	Shepard,
Allen,	Elpern,	McFall,	Shoemaker,
Allmond,	Flannery,	Mihm,	Shugarts,
Arnold,	Gerard,	Moomaw,	Siegel,
Baine,	Hagerty,	Moran,	Skale,
Baker, J. J.,	Hamilton, F. P.,	Murrin,	Spengler,
Balthaser,	Harkins,	Nagel,	Stank,
Blank,	Hering,	O'Brien,	Thompson,
Brancato,	Hindman,	O'Connor,	Tronzo,
Brigerman,	Holstrom,	O'Keefe,	Tumelty,
Brown,	Hontz,	Ominsky,	Vogt,
Caesar,	Horting,	Patterson, C. S.,	Wagner,
Caputo,	Jirolanio,	Piole,	Weiss, D. H.,
Cohen, H. B.,	Kelso,	Powers,	Weiss, S. A.,
Cohen, R. E.,	Kilroy,	Preston,	Welsh,
Coleman,	Long,	Richter,	Westrick,
Coolahan,	Lopresti,	Ruffennach,	Whalen,
Costanzo,	Lovett,	Rush,	Yanoshat,
Dickinson,	McArdle,	Sarraf,	Zappala,

NAYS—34

Baker, F. T.,	Kane,	Rothenberger,	VanSickle,
Bohn,	LaRue,	Simon,	Weidemann,
Broad,	Lyons,	Snyder,	Winner,
Brownfield,	Marino,	Stewart,	Wood,
Coakley,	Matthews, J. F.,	Stockham,	Woodside,
DeNote,	McDevitt,	Toole,	Yeakel,
Haberlen,	Peale,	Turner,	Yourishin,
Hess,	Pershing,	Valibus,	Furman,
Holland,	Readinger,		

So the question was determined in the affirmative and the motion was agreed to.

BILL ON SECOND READING

Mr. BROWNFIELD asked and obtained unanimous consent to call up out of order House Bill No. 2344, Senate Bill No. 998, Printer's No. 537, on page 20 of today's calendar, bills on second reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2344, (Senate Bill No. 908), entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by further regulating the incurring or refunding of indebtedness the issuing of bonds by school districts and the retiring of indebtedness making payroll obligations preferential claims against the district providing for penalties for failure to comply with any part of the act and repealing provisions of State laws inconsistent with this act

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 876. (HOUSE BILL No. 2453).

An Act creating in each county (except of the first class) as a separate corporation and in each city of the first and second class as a part of the city government an institution district for the care and maintenance of certain indigent persons and children prescribing the powers and duties of county commissioners county treasurers city departments of public welfare the State Department of Welfare and the State Department of Public Assistance in respect thereto abolishing certain poor districts and terminating the terms of directors overseers guardians and managers of the poor and poor district auditors and providing for the temporary employment of certain of them providing for the transfer vesting sale and disposition of the property of poor districts and the payment of their obligations imposing certain existing obligations on institution districts and on the Commonwealth regulating the affairs of poor districts until abolished revising amending changing and consolidating the law relating to the care of the poor and repealing existing laws.

Referred to the Committee on Welfare.

SENATE BILL No. 878. (HOUSE BILL No. 2454).

An Act relating to the support of indigent persons publicly cared for or assisted providing for the support of such persons by certain relatives and for the recovery of public moneys expended for care and assistance from the property and estates of such persons providing for guardians of the person and property of such persons providing for the arrest and seizure and sale of the property of deserters and providing procedure.

Referred to the Committee on Welfare.

SENATE BILL No. 879. (HOUSE BILL No. 2455).

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two years beginning June first one thousand nine hundred thirty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-seven.

Referred to the Committee on Appropriations.

SENATE BILL No. 1069. (HOUSE BILL No. 2456).

An Act relating to and regulating the mining of anthracite coal providing for the health safety and welfare of persons employed in and about the anthracite coal mines and for the protection and preservation of property connected therewith amending consolidating revising and changing the law relating thereto and imposing penalties.

Referred to the Committee on Mines and Mining.

SENATE BILL No. 1072. (HOUSE BILL No. 2457).

An Act to fix the number of Senators in the General Assembly fo the State to apportion the State into senatorial districts as provided by the Constitution and to regulate the election of and the terms of office of the present and future elected Senators.

Referred to the Committee on Legislative Apportionment.

REPORTS FROM COMMITTEE

Mr. KANE, from the Committee on Ways and Means, reported as committed, House Bill No. 2452, entitled:

An Act to further amend section four of the act, approved the twenty-first day of May, one thousand nine hundred thirty-one (P. L. 149), entitled "An act imposing a State tax, payable by those herein defined as distributors, on liquid fuels used or sold and delivered within the Commonwealth, which are ordinarily, practically, and commercially usable in internal combustion engines for the generation of power; providing for the collection and lien of the tax, and the distribution and use of the proceeds thereof; requiring such distributors to secure permits, to file corporate surety bonds and reports, and to retain certain records; imposing duties on retail dealers, common carriers, county commissioners, and such distributors; providing for rewards; imposing certain costs on counties; conferring powers and imposing duties on certain State officers and departments; providing for refunds; imposing penalties; and making an appropriation," by making a further provision for the payment of the tax.

Mr. SAMUEL A. WEISS, from the Committee on Ways and Means, reported as committed, House Bill No. 2379, entitled:

An Act to amend section two of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (P. L. 292), entitled "An act to provide revenue by taxation" by reducing from ten mills to five mills the rate of tax upon the capital stock of companies

organized and incorporated for the purpose of distilling liquors and selling the same at wholesale.

Mr. COAKLEY, from the Committee on Highways, reported as committed, House Bill No. 2389, (Senate Bill No. 917), entitled:

An Act to establish as a State highway a certain section of public road in the counties of Franklin and Adams and providing for its construction and maintenance at the expense of the Commonwealth.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2208, entitled:

An Act making an appropriation for the dredging of the Delaware and Schuylkill Rivers.

Mr. HAGERTY, from the Committee on State Government, reported as committed, House Bill No. 2430, (Senate Bill No. 776), entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by modifying the procedure for the sale of unserviceable property and enlarging the scope of the appropriation of the Manufacturing Fund clarifying the provisions pertaining to the furnishing of State automobiles from the temporary fleet authorizing the purchase of liability insurance covering State officers or employes operating vehicles loaned by the Federal government prohibiting contractors with the Commonwealth from requiring or receiving refunds of parts of any premium wage or wages required by their contract to be paid to their employes providing for the demolition or destruction of certain military stores in certain cases authorizing the transfer of surplus products between State institutions further defining the working hours and duties of State employes amplifing the supervision of the Department of Welfare over inmates in, and the transfer of inmates from State penal and correctional institutions empowering the Department of Welfare to enforce compliance with its orders to remedy unfavorable conditions in State and supervised institutions eliminating the office of business manager in State institutions under the Department of Welfare authorizing the Department of Welfare to fix and establish service charges at State-owned medical and surgical hospitals authorizing the Department of Property and Supplies to establish standards for the operation of certain State equipment and to make periodical surveys of the buildings equipment land and improvements of State institutions further modifying and regulating the procedure to be followed for construction projects making further provision of bid performance bonds bidders for State contracts extending the scope of the work of the State Park Commission further regulating purchase made directly by departments boards and commissions requiring counties to pay compensation and expenses of special attorneys in criminal cases authorizing the Governor to grant commissions requiring counties to pay compensation and expenses of special attorneys in criminal cases authorizing the Governor to grant commissions to State pilots providing for the disposal of accumulated files of papers no longer needed or useful in the Commonwealth providing for the promulgation of rules and regulations by and enlarging the powers of the Department of Forests and Waters and the Water and Power Resources Board further regulating the maximum price that may be paid for land acquired for State forestry purposes prescribing the membership and powers and duties of the State Park Commission creating and prescribing the powers and duties of Regional State Park Boards eliminating the limitation on the amount per acre that may be paid for land acquired for State park purposes eliminating the Board of Game Commissioners and extending the provisions of the Code to its successor the Pennsylvania Game Commission eliminating the Public Service Commission of the Commonwealth of Pennsylvania and extending the provisions of the Code to its successor the Pennsylvania Public Utility Commission transferring the State Athletic Commission from the Department of Military Affairs to the Department of Revenue and the State Board of Undertakers from the Department of Public Instruction to the Department of Health eliminating the State Aeronautics Commission the Pennsylvania Alcohol Permit Board and the Board of Trustees of Cumberland Valley State Institution for Mental Defectives and the Anatomical Board and generally further reorganizing and clarifying the conduct of the administrative work of the Commonwealth

Mr. JAMES W. PATTERSON, from the Committee on Ways and Means, re-reported as amended, House Bill No. 2343, (Senate Bill No. 911), entitled:

An Act providing for the payment into the State Treasury without escheat of certain moneys and property subject to escheat under existing law namely unclaimed dividends and profits debts and interest on debts proceeds of policies of insurance stock and customers deposits held by certain limited partnerships and unincorporated associations joint-stock associations companies and corporations doing business under the laws of this Commonwealth declaring the legislative intent with respect to such payments requiring reports of such money and property by and imposing other duties upon such partnerships associations and corporations conferring powers and imposing duties on certain State officers boards and departments providing for jurisdiction of courts and for proceedings for the recovery of such moneys and property by the Attorney General at the suggestion of the Department of Revenue providing for refunds of such moneys and property and prescribing penalties.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2379, entitled:

An Act to amend section two of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by reducing from ten mills to five mills the rate of tax upon the capital stock of companies organized and incorporated for the purpose of distilling liquors and selling the same at wholesale.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2430, (Senate Bill No. 776), entitled:

An Act to amend the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws one hundred seventy-seven) entitled "An act pro- and administrative work of the Commonwealth by the

viding for and reorganizing the conduct of the executive Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the maner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by modifying the procedure for the sale of unserviceable property and enlarging the scope of the appropriation of the Manufacturing Fund clarifying the provisions pertaining to the furnishing of State automobiles from the temporary fleet authorizing the purchase of liability insurance covering State officers of employes operating vehicles loaned by the Federal government prohibiting contractors with the Commonwealth from requiring or receiving refunds of part of any premium wage or wages required by their contract to be paid to their employes providing for the demolition or destruction of certain military stores in certain cases authorizing the transfer of surplus products between State institutions further defining the working hours and duties of the State employes amplifying the supervision of the Department of Welfare over inmates in and the transfer of inmates from State penal and correctional institutions empowering the Department of Welfare to enforce compliance with its order to remedy unfavorable conditions in the State and supervised institutions eliminating the office of business manager in State institutions under the Department of Welfare authorizing the Department of Welfare to fix and establish service charges at State-owned medical and surgical hospitals authorizing the Department of Property and Supplies to establish standards for the operation of certain State equipment and to make periodical surveys of the buildings equipment land and improvements of State institutions further modifying and regulating the procedure to be followed for construction projects making further provision for bid performance bonds of bidders for State contracts extending the scope of the work of the State Park Commission further regulating purchases made directly by departments to boards and commissions requiring counties to pay compensation and expenses of special attorneys in criminal cases authorizing the Governor to grant commissions to State pilots providing for the disposal of accumulated files of papers no longer needed or useful in the Commonwealth providing for the promulgation of rules and regulations by and enlarging the powers of the Department of Forests and Waters and the Water and Power Resources Board further regulating the maximum price that may be paid for land acquired for State forestry purposes prescribing the membership and powers and duties of the State Park Commission creating and prescribing the powers and duties of Regional State Park Boards eliminating the limitation of the amount per acre that may be paid for land acquired for State Park purposes eliminating the Board of Game Commissioners and extending the provisions of the Code to its successor the Pennsylvania Game Commission eliminating the Public Service Commission of the Commonwealth of Pennsylvania and extending the provisions of the Code to its successor the Pennsylvania Public Utility Commission transferring the State Athletic Commission from the Department of Military Affairs to the Department of Revenue and the State Board of Undertakers from the Department of Public Instruction to the Department of Health eliminating the State Aeronautics Commission the Pennsylvania Alcohol Permit Board and the Board of Trustees of Cumberland Valley State Institution for Mental Defectives and the Anatomical Board and generally further reorganizing and clarifying the conduct of the administrative work of the Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2208, entitled:

An Act making an appropriation for the dredging of the Delaware and Schuylkill Rivers.

And said bill having been read at length the first time, Ordered, To be laid aside for second reding.

ADJOURNMENT

Mr. HERBERT B. COHEN. Mr. Speaker, I move that this House do now adjourn until tomorrow at 8:30 p. m.

The motion was agreed to, and (at 4:46 a. m.) the House adjourned until Tuesday, May 25, 1937, at 8:30 p. m.

COMMONWEALTH OF PENNSYLVANIA

Legislative Journal.

Session 1937. 132d of the General Assembly.

Vol. 21. HARRISBURG, PA., TUESDAY, MAY 25, 1937. No. 65.

SENATE

TUESDAY, MAY 25, 1937

The Senate met at 12 o'clock noon.

The PRESIDENT (Lieutenant Governor Thomas Kennedy) in the Chair.

PRAYER

The Chaplain, Rev. GEORGE WALKER BUCKNER, L.L.D., offered the following prayer:

Our Father, we offer a psalm of thanksgiving, for blessings without number, moment by moment, flooding our lives.

As the end of our pilgrimage draws near, we thank Thee for things accomplished; grant unto us strength and courage for the unfinished task.

We thank Thee for that tolerance, whereby men of divergent interests and convictions may labor together in good will; and

"Coward he who dare not be
In the right with two or three."

Yet teach us to know the virtues of an open mind.

In all things, may Thy wisdom overrule the common good, to the happiness of our people, to the glory of our God. Amen.

JOURNAL APPROVED

The PRESIDENT. A quorum of the Senate being present the Clerk will read the Journal of the preceding session.

The Clerk proceeded to read the Journal of the preceding session, when, on motion of Mr. RANKIN, the further reading was dispensed with, and the Journal approved.

PETITIONS AND REMONSTRANCES

The Chair cleared his table and laid before the Senate the following communications:

OPPOSING HOUSE BILL NO. 1984

Communication from T. L. Rosensteel, 508 Hancock Ave., Vandergrift, Pa., opposing House Bill No. 1984.

Which was referred to the Committee on Highways.

PROTESTING THE PACKAGE PROVISION OF SENATE BILL NO. 343

Petition from the members of the Men's Brotherhood of Claysville, Pa. protesting the package provision of Senate Bill No. 343.

Which was referred to the Committee on State Boards.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced, presented communications in writing from His Excellency, the Governor of the Commonwealth, which was read as follows and referred to the Committee on Executive Nominations.

NOTARIES PUBLIC

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, Pa., May 25, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

A. C. Greiner, 2929 Knowlson Ave., Pittsburgh.

CENTRE COUNTY

Mrs. Mildred L. Grazier, State College.

DAUPHIN COUNTY

Miss Ellen T. Madden, Harrisburg.

PHILADELPHIA COUNTY

Adolph C. Eberz, 6256 Charles St., Phila.
James E. Kerns, 18th Street and Indiana Av., Phila.
John J. Owens, 100 S. Broad St., Philadelphia.
J. C. Vuncanon, 4626 Newhall St., Philadelphia.

WESTMORELAND COUNTY

Miss Sarah B. Fogg, Greensburg.

GEORGE H. EARLE.

REPORTS FROM COMMITTEES

Mr. MALLERY, from the Committee on Municipal Government, reported as committed Senate Bill No. 1348, (House Bill No. 1858), entitled:

An Act to amend section two thousand five hundred fifty-three, as amended, of the act, approved the twenty-third day of June one thousand nine hundred and thirty-one (P. L. 932), entitled "An act relating to cities of the third class; and amending, revising, and consolidating the law relating thereto;" permitting city treasurers to give fidelity bonds as tax collectors of school districts of the second class, and regulating the premiums thereof.

Mr. OWLETT, from the Committee on Judiciary General reported as committed, Senate Bill No. 502, (House Bill No. 868), entitled:

An Act to prohibit the wilful and malicious breaking or destruction of certain milk bottles or other dairy product containers and prescribing fines or penalties therefor.

Mr. JASPAN, from the Committee on Corporations, reported as committed, Senate Bill No. 1199, (House Bill No. 1671), entitled:

An Act to amend clause A of section two hundred and two of the act, approved the fifth day of May, one thousand nine hundred and thirty-three (P. L. 364), entitled "An act relating to business corporations; defining and providing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue, to do business within the Commonwealth; conferring powers and imposing duties on the Courts of Common Pleas, and certain State departments, commissions and officers; authorizing certain State departments, boards, commissions, or officers to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and part of acts relating to corporations;" as amended, restricting the use of certain words in corporate names.

Also, from the Committee on Public Health, re-reported as committed, Senate Bill No. 1267, (House Bill No. 1282), entitled:

An Act to further amend the act approved the nineteenth day of March one thousand nine hundred and nine (Pamphlet Laws 46) entitled "An act to regulate the practice of osteopathy in the State of Pennsylvania to provide for the establishment of a State Board of Osteopathic Examiners to define the powers and duties of said Board of Osteopathic Examiners to provide for the examining and licensing of osteopaths in this State and to provide penalties for the violation of this act" by changing the preliminary educational requirements for licenses to practice osteopathy and operative survey further defining osteopathy providing for issuing licenses to perform operative surgery to licensees of other states requiring annual renewals of osteopathic surgeons' licenses fixing fees extending the functions and authority of osteopathic physicians and surgeons and prescribing additional penal provisions

Mr. LAW returned from the Committee on Judiciary General Senate Bill No. 1402 (House Bill No. 1155) entitled:

An Act to amend paragraph one of clause (a) of section forty-one of the act approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 447) entitled, "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates, including the appointment, bonds, rights, powers, duties, liabilities, accounts, discharge and removal of executors, administrators, guardians and trustees herein designed as fiduciaries, the administration and distribution of the estates of presumed decedents, widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof, judgments and executions therefor and the discharge of real estate from the lien thereof, contracts of decedents for the sale or purchase of real estate, legacies, including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries, investments by fiduciaries, the organization of corporations to carry on the business of decedents, the audit and review of accounts of fiduciaries, refunding bonds, transcripts to the Court of Common Pleas of balances due by fiduciaries the rights, powers and liabilities of non-resident and foreign fiduciaries, the appointment, bonds, rights, powers, duties and liabilities of trustees durante absentia, the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction, powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents," as amended by further providing with respect to investments of trust funds by fiduciaries.

with the recommendation that it be re-referred to the Committee on Banking.

The PRESIDENT. Senate Bill No. 1402 (House Bill No. 1155), is re-referred to the Committee on Banking.

Mr. LAW, from the Committee on Judiciary General, reported as amended, Senate Bill No. 851, (House Bill No.), entitled:

An Act establishing a Code of Criminal Procedure.

(with a recommendation)

Mr. CAVALCANTE, from the Committee on Constitutional Changes, reported as committed, Senate Bill No. 1363 (House Bill No. 946), entitled:

A Joint Resolution proposing an amendment to section eight, article five of the Constitution of the Commonwealth of Pennsylvania.

Also, from the Committee on Highways reported as committed, Senate Bill No. 519 (House Bill No. 501), entitled:

An Act to amend section two hundred and one of the act, approved the first day of May, one thousand nine hundred and twenty-nine (P. L. 1005), entitled "An act relating to and regulating tractors and trailers and their operation; providing for their registration, and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees; prescribing and limiting the powers of local authorities to deal with the subject matter of this act; conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers; providing that records are admissible as evidence; imposing upon owners, counties, cities, boroughs, incorporated towns, and townships, within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers; imposing penalties; imposing certain costs upon counties; providing for the disposition of fines, forfeitures, fees and miscellaneous receipts; making an appropriation; and providing for refunds," as amended; by exempting farm wagons attached to tractors from registration in certain cases.

Mr. SONES, from the Committee on Highways, re-reported as amended, Senate Bill No. 1360 (House Bill No. 1984), entitled:

An Act to amend the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws nine hundred five) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and

the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by adding new sections further regulating the use of highways and the operation of and the equipment used in connection with vehicles including trailers and semi-trailers street cars trackless trolley omnibuses school buses and commercial motorcycles upon the highways of this Commonwealth providing exemptions extending certain provisions of the act to trailers and semi-trailers providing for the renewal and automatic satisfaction of encumbrances and liens and further amending the procedure relating thereto providing for the further registration of certain vehicles and the licensing of the operators thereof including additional requirements reciprocity agreements and additional reasons for suspension and revocation conferring additional powers and imposing additional duties upon the Department of Revenue and the Department of Highways further imposing upon municipalities within the Commonwealth liability for damages caused by the negligent operation of fire department equipment changing the procedure disposition of fines and penalties for certain violations of the act and making the fines thereunder mandatory and extending existing penalties and providing additional penalties.

Mr. RUPP, from the Committee on Highways, reported as amended, Senate Bill No. 1292 (House Bill No. 2040), entitled:

An Act to amend section six hundred seventy-five of and to add section one hundred fifty-five to the act approved the second day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled, "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes and revising, amending, and consolidating the laws relating thereto," providing for and prescribing the procedure for leasing of real property belonging to counties and for the taxation of such property and providing for the appointment of assistant solicitors and clerks and stenographers to solicitors in counties of the second class.

Mr. LANIUS, from the Committee on County Government reported as committed, Senate Bill No. 452 (House Bill No. 562), entitled:

An Act to amend the act approved the sixth day of April, one thousand nine hundred and eleven (Pamphlet Laws fifty-one) entitled, "An act providing for the protection of the public health and the prevention of fraud and deception by prohibiting the sale, the offering for sale or exposing for sale or having in possession with intent to sell of adulterated or deleterious sausage, defining sausage and prescribing the penalty for the violation thereof," as amended further regulating the adulteration of sausages, changing the penalties prescribed and providing for injunctions in certain cases.

QUESTION OF PERSONAL PRIVILEGE

Mr. CAVALCANTE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Fayette, Mr. Cavalcante, will state his question of personal privilege.

Mr. CAVALCANTE. Mr. President, I have before me a piece of literature that is headed "State Board News," which appears to be printed by and with the consent of the Liquor Control Board of the Commonwealth of Pennsylvania, and I am informed positively that this literature is paid for by the funds of the liquor stores. A piece of this literature is placed in every package that is sold by the Liquor Control Board through its State liquor stores all over the State of Pennsylvania.

I am calling this to the attention of the Senate in view of the address of his Excellency, The Governor, last night, in regard to lobbyists' presence in these assembly halls, and I wish to state this, that the presence of a certain group of lobbyists in the interest of the Liquor Control Board and the liquor business of this Commonwealth is very much in evidence in these halls, and we who are members of the Assembly feel it very keenly when we leave the railings of this Senate, and we also, many of us, are aware that this powerful group of liqour lobbyists are exerting their influences on the members of this Senate, and I have grown to believe that they are exerting their influences upon the Liquor Control Board, which, in turn is doing all in its power to influence the consideration of these bills here in this Senate.

I wish to read just a few paragraphs from this piece of literature. "The Pennsylvania Liquor Control Board, contrary to popular belief, cannot deprive a liquor law violator of his license nor can the Board refuse a license to unfit people. The final say is with the Courts. As a result, in some sections of Pennsylvania unfit places flourish like weeds.

To revoke a license, the Board must petition the local Court. What is the result? Four out of five revocations are refused.

When the Board refuses to issue a license, an appeal can be taken. What is the result of such appeal? Three out of four are granted.

There are hundreds of tap rooms and clubs flourishing in Pennsylvania today which, in the opinion of the Liquor Control Board, have no right to exist, and the Board is powerless to eliminate them. Now, the Board is human, and therefore subject to some mistakes, in fact, in all fairness they should be forgiven. Some mistakes are inevitable. But taken by and large, a Board which knows more about liquor conditions than any other authorities, must be right oftener than the rulings of the Courts would indicate. Now, Mr. President, these words, I say are an awful indictment on the courts of the Commonwealth. From the words that I have read, there is not only the innuendo, but in positive words the assertion that the Courts of our Commonwealth are so degraded and so incompetent that they are assisting liquor law violators to carry on in our Commonwealth.

In another paragraph in this piece of literature we find this: "The direct power to suspend and revoke licenses also is transferred to the Liquor Control Board, under the McGinnis bill. This power now is in the hands of the Courts, who has used it in all too many cases to interfere with the Board's drive against licensees who have violated the law. In numerous instances, the Courts have actually protected the violators from loss of their licenses. We do not believe this will happen with the Control Board entrusted with the power to revoke or suspend licenses."

Another very serious indictment of the Courts of our Commonwealth is that they are protecting violators, and that this little agency here, created by the Legislature, the Liquor Control Board, will be more valuable and dignified to enforce the laws of this Commonwealth. Now,

Mr. President, I am for free speech, and if this literature had been printed by private citizens, or if it had been printed by the liquor interests, at their own expense, and circulated throughout the Commonwealth, nobody could find any fault, but Mr. President, this piece of literature is written or printed by an agency of the Government, the Liquor Control Board, and paid for out of the finances of the people who finance the whole Liquor Control Board. And for what purpose? To stiltify and degrade the Judiciary Department of our Commonwealth, and I would be very recreant to the oath of office that I have taken to defend the Constitution and the laws of this State if a piece of literature like this would pass my attention and not call it to the attention of my colleagues here in the Senate. I say again, and I contend that it is the freedom of speech of any citizen of this Commonwealth to criticize and condem the Courts of this Commonwealth, but I further say that we should not stand idly by and see a commission or agency of the Government stultify and degrade the major department of our Government, that is the Judiciary Department, and, Mr. President, I offer this piece of literature and ask that it be spread upon the minutes of this Senate.

The PRESIDENT. The communication will be made a matter of record in the Senate Journal.

STATE STORE NEWS

COMMONWEALTH OF PENNSYLVANIA
LIQUOR CONTROL BOARD

Vol. 1 Special Issue, 1937 Circulation 550,000
Leo A. Crossen, Chairman
W. Worrell Wagner, Member
J. Twing Brooks, Member
Joseph F. Donovan, Sec'y.
Harkey Reiter, Editor

ADDITIONAL POWER TO CONTROL THE LIQUOR BUSINESS IS ASKED FROM THE LEGISLATURE BY THE BOARD

Power to Revoke Licenses Should Equal Power to Grant Liquor License

"What is everybody's business is nobody's business."

That situation in substance applies to the licenses for taprooms and clubs in Pennsylvania. It accounts for a considerable part of such liquor abuses as have existed since Repeal.

The Pennsylvania Liquor Control Board, contrary to popular belief, cannot deprive a liquor law violator of his license nor can the Board refuse a license to unfit people. The final say is with the courts. As a result, in some sections of Pennsylvania unfit places flourish like weeds.

To revoke a license, the Board must petition the local court. What is the result? Four out of five revocations are refused.

When the Board refuses to issue a license, an appeal can be taken. What is the result of such appeals? Three out of four are granted.

There are hundreds of taprooms and clubs flourishing in Pennsylvania today which in the opinion of the Liquor Control Board, have no right to exist and the Board is powerless to eliminate them.

Now, the Board is human and therefore subject to some mistakes. In fact, in all fairness they should be forgiven some mistakes as inevitable. But taken by large, a Board which knows more about liquor conditions than other authorities must be right oftener than the rulings of the courts would indicate. The Board knows that conditions in Pennsylvania cannot be improved, that the business cannot be properly regulated unless the responsibility is somebody's business. In several states there is no appeal from Board decisions.

This Board, however, asks no such power. It asks in the proposed changes in its law, that courts be allowed to review the decisions of the Board but that the trial and hearing of evidence be confined strictly with the licensing authority.

The book "After Repeal" sponsored by the Institute of Public Administration says, "The right to revoke is in our opinion the only enforcement weapon needed for the elimination of violations of licensee, and the licensing administration should be the principal law-enforcement agency." It was this Institute, financed by public-spirited men, that wrote the model law upon which Pennsylvania based its present liquor monopoly system. Pennsylvania was the first to adopt this model law and Pennsylvania should be among the first to adopt the change as quoted above and made public in "After Repeal," November, 1936.

The acts (Senate 341, 342 and 343) which embody these changes, are written with due consideration for the opinion of all parties concerned and have substantial approval from leaders in the liquor and beer industry, from taprooms and clubs as well as temperence organizations .The changes have been submitted to the Governor and given the approval of the Administration. Only a minority is making opposition and their argument is based on the theory that no Board should possess such complete control.

Now, a liquor license is not a property right. It is a privilege—a privilege which may be granted and taken away by the state. It is the key to successful liquor control. What will be done about this privilege will be decided by the people in their Legislature.

What much of the press thinks of these changes is embodied in the following editorial from the "Pittsburgh Press" of April twentieth.

MERITORIOUS CHANGES

"The Legislature can strengthen the state liquor control act by passing the McGinnis bills, now before the Senate for final reading.

These measures are designed to eliminate its worst defects and provide teeth where they are now lacking. We believe the bills, if enacted, will do both.

For example, they tighten the regulations governing clubs so that it will be difficult for anything but a bona fide club to obtain a license to sell liquor. Under the McGinnis bills, clubs must be in existence for a year, instead of six months as at present, before applying for licenses. They are prohibited from selling between the hours of 2 a. m. to 7 a. m., the same as other licensees. Records must be maintained in accordance with requirements of the Liquor Control Board. And, finally, the board is empowered to refuse licenses if it appears that the charter of the club "is not in possession of the original incorporators or their direct legitimate successors."

These are important changes in the present law. The Board now is hampered in its drive on "one-man clubs" by legal restrictions of various kinds. The amendments proposed in the McGinnis bills would untie the board's hands and give it the power it should have to cope with violators.

The McGinnis bills also eliminate the county treasurer as the licensing power for beer parlors, transferring this authority to the Liquor Board. This is a desirable change for the Board has been handicapped by the fact that while responsible for enforcement, it has not had complete licensing power. To function effectively ,it should be responsible both for licensing and enforcement.

The direct power to suspend and revoke licenses also is transferred to the Liquor Control Board, under the McGinnis bill. This power now is in the hands of the courts, who have used it in all too many cases to interfere with the Board's drive against licensees who have violated the law. In numerous instances, the courts have actually protected violators from loss of their licenses. We do not believe this will happen with the Control Board entrusted with the power to revoke or suspend licenses.

Finally, the McGinnis measures re-establish the system of permitting licensees to sell beer in bottles for off-the-premises consumption. Beer now must be purchased in case lots or from beer parlors for home consumption. The amendment proposed would once more permit neighborhood stores to sell beer, a system far more convenient to consumers than the present one.

The McGinnis bills were introduced at the request of the Earle Administration and the Liquor Control Board and are based upon careful study of the law's present defects. They merit the Legislature's prompt approval."

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 357, entitled:

An Act to amend sections one thousand six and one thousand thirty-five, as amended, and section one thousand sixty-two of the Act approved the fourth day of May, one thousand nine hundred twenty-seven (P. L. 519) entitled "An act concerning boroughs, and revising, amending, and consolidating the law relating to boroughs," providing for and regulating the method of making appropriations, expenditures, employments, contracts and purchases by boroughs; relating to the preparation of the annual budget on forms to be prepared by representatives of the State Association of Boroughs and Department of Internal Affairs; providing for public notice of the preparation of such budget, relating to the filing of such budget with the Department of Internal Affairs; regulating the preparation of the auditor's statement requiring the controller or secretary to file an annual report with such department; conferring jurisdiction of certain cases upon aldermen, magistrates and justices of the peace; and providing penalties.

Senate Bill No. 773, entitled:

An Act relating to the dissemination of information pertaining to affairs of the Commonwealth, including information pertaining to civil rights and constitutional guarantees, and conferring powers and duties with respect thereto upon the Department of State.

Senate Bill No. 1023, entitled:

An Act to amend Section six hundred and nine of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance; amending, revising, and consolidating the law providing for the incorporation of insurance companies, and the regulation, supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations and exchanges, including insurance carried by the State Workmen's Insurance Fund; providing penalties: and repealing existing corporations to comply with the provisions of the aforementioned act.

Whereupon,

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the presence of the Senate signed the same.

MOTION TO CONSIDER BILLS ON SECOND READING

Mr. LAW. Mr. President, I move to proceed to the consideration of the bills on second reading.

Mr. McCREESH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 317, (House Bill No. 30), entitled:

An Act to amend clause (b) of section one thousand five hundred and forty of the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" as amended providing for compensation for members of joint sewer boards.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 318, (House Bill No. 31), entitled:

An Act to amend clause (b) of section two thousand four hundred and forty of the act approved the twenty-fourth day of June one thousand nine hundred and thirty-one (P. L. 1206) entitled "An act concerning townships of the first class amending revising consolidating and changing the law relating thereto" as amended providing for compensation for members of joint sewer boards.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 395, (House Bill No. 697), entitled:

An Act to enable city county poor ward school borough and township tax collectors their executors and administratators if they are deceased or either surety or sureties to collect taxes for the payment of which they have become personally liable without having collected the same by the expiration of the authority of their respective bonds or by the expiration of the authority of their respective warrants or by the expiration of their terms of office and to extend the time for the collection of the same for a period of two years from the passage of this act.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 499 (House Bill No. 853), entitled:

An Act validating ratifying approving and confirming bonds and other instruments or obligations heretofore issued by counties cities boroughs towns townships school districts poor districts and other incorporated districts of this Commonwealth for public work projects

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 500 (House Bill No. 854), entitled:

An Act simplifying the procedure for the construction and financing of public works projects by municipalities enabling municipalities to make and perform contracts with Federal agencies relating to the construction and financing of such projects and conferring additional powers upon municipalities

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 596 (House Bill No. 1095), entitled:

An Act empowering municipalities to refund improvement bonds based solely on assessments for grading streets and sewer improvement and imposing no municipal liability by a new issue of bonds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 613 (House Bill No. 749), entitled:

An Act requiring county commissioners to provide at the expense of the county telephone typewriter and stenographic services for the county superintendent of schools

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 664 (House Bill No. 1085), entitled:

An Act to amend the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" changing the manner of creation of townships of the second class.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 838 (House Bill No. 1007), entitled:

An Act to amend the act, approved the twenty-eighth day of June, one thousand nine hundred and twenty-three, (P. L. 903), entitled "A supplement to an act, approved the fourteenth day of May, one thousand nine hundred and fifteen (Pamphlet Laws three hundred and twelve), entitled 'An act providing a system for government of boroughs, and revising, amending, and consolidating the law relating to boroughs, so as to provide a system of government where a borough now has annexed or hereafter shall annex land in an adjoining county, including assessment of property, levying and collection of taxes, making municipal improvements, and filing and collecting of liens for the same; the jurisdiction of courts for the enforcement of borough ordinances and State laws, and primary, general, municipal, and special elections; and repealing inconsistent laws," extending the provisions of this act to boroughs situated in different counties which now have or shall hereafter consolidate.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 922 (House Bill No. 918), entitled:

An Act to amend section five hundred forty-seven as amended and sections eight hundred two and nine hundred two of and to add section nine hundred two A to the act approved the first day of May one thousand nine hundred and thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for and regulating the method of making appropriations expenditures contracts employments and purchases by the townships relating to the preparation of the annual budget on a uniform form prepared by representatives of the township supervisors the Department of Highways and the Department of Internal Affairs providing for public notice of the preparation of such budget relating to the filing of such budget with the Department of Internal Affairs requiring the auditors to file an annual financial report with said department conferring jurisdiction of certain cases upon justices of the peace and providing penalties

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 943, as follows:

An Act authorizing and empowering any city county school district or other municipality which shall have acquired a limited title to real estate for municipal purposes to secure a title in fee simple to any such real estate and providing and regulating the procedure in such cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any city county school district or other municipality shall have power in the method herein prescribed to acquire title in fee simple to any real estate to which such municipality shall have previously

acquired a lesser estate in any manner provided that such real estate shall have been used or held for a public purpose for a period of not less than ten years

Section 2 The proper authorities of such municipality are authorized and empowered by ordinance or resolution to declare its intention to acquire a fee simple title in such real estate which ordinance or resolution shall indicate such real estate with reasonable accuracy Upon the adoption of passage of such ordinance or resolution it shall be advertised once in two newspapers of general circulation and in the legal periodical within the county wherein the real estate is situated Such advertisement shall include a brief description of the real estate the manner and date or approximate date of original acquisition if known and the name or names of the owner or owners of such real estate at the time of its original acquisition for municipal purposes if known Upon the completion of such advertisement a certified copy of the ordinance or resolution and proofs of publication shall be lodged for record in the office of the Recorder of Deeds in and for the county in which the real estate is situated and the title of the municipality in and to such real estate shall thereupon become an absolute title in fee simple

Section 3 Any person claiming a reversionary or other interest in and to such property or any part thereof may within six years of the date of such vesting of title in fee simple in the municipality petition the Court of Common Pleas of the county in which said real estate is situated setting forth in such petition the chain of title whereby his claim arises together with the names and addresses of all persons so far as they are known to him whose interests may be affected and with a reference to the record of all deeds wills intestacies court proceedings or other muniments of title tending to prove or substantiate his claim The court shall cause notice to be given to all persons so named and hear such testimony as may be required to determine the proportionate interest if any of such claimant and such other persons and shall appoint a Board of View to hear testimony to determine the value if any of the entire unacquired interest in said real estate and to award to petitioner or other persons appearing entitled thereto his or their proportionate parts or shares of such amount Either claimant or other such person or the municipality shall have the right to file exceptions or to appeal with a right of trial by jury as in other cases within thirty days from the filing of the report of the Board of View and any other person claiming an interest in such real estate may by leave of the Court intervene in the proceedings at any time prior to a final determination of the proceedings Provided however that a final determination as hereinabove provided for shall be conclusive of the matters so determined upon any subsequent And provided further that the valuation of any such property shall be based upon its condition and worth as of the time that the municipality perfected its fee simple title as hereinabove provided and that if the municipality shall have sold such real estate either at public or private sale prior to such determination the price or sum received at such sale shall be prima facie evidence of the value of such real estate or such part thereof as may have been so sold with due allowance for improvements or other changes of condition between the time when the municipality perfected its title as aforesaid and the time of such sale

Section 4 All Acts or parts of Acts inconsistent herewith are hereby repealed

Section 5 This Act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 962 (House Bill No. 33), entitled:

An Act to amend clause (b) of section two thousand one hundred and twenty of the act approved the fourth day of May one thousand nine hundred and twenty-seven (Pamphlet Laws five hundred nineteen) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs" as amended providing for compensation for members of joint sewer boards

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 978 (House Bill No. 1619), entitled:

An Act to amend sections one thousand one and one thousand seven hundred one of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," as amended; further regulating the annual budgets of such townships.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 979 (House Bill No. 1628), entitled:

An Act to amend section eight hundred and one of the act, approved the twenty-fourth day of June, one thousand nine hundred and thirty-one, (P. L. 1206), entitled "An act concerning townships of the first class; amending, revising, consolidating, and changing the law relating thereto," limiting the requirement of bonds of township treasurers to fidelity bonds and regulating such bonds.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1088, as follows:

An Act to repeal Article XIX as amended and section six of Article XXII of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth"

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That

Section I Article XIX as amended and section six of Article XXII of the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" and the amendments thereto be and the same are hereby repealed

Section II This act shall become effective at twelve

o'clock noon Eastern Standard Time on the first day of July one thousand nine hundred thirty-seven

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1097 (House Bill No. 1462), entitled:

An Act providing for and extending the time during which taxes on seated lands for tax year one thousand nine hundred and thirty-four and previous years shall be liens and during which the county treasurer shall have the right to sell the lands on which such taxes are liens for the payment of such taxes revising such liens and restoring the treasurer's right to sell such lands in certain cases and saving the rights of intervening purchasers mortgagees lien holders and other encumbrance holders.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1102 (House Bill No. 1504), entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and thirteen (P. L. 138) entitled "An act defining vocational education providing for the establishment and regulation of vocational schools and providing for State aid in the maintenance thereof and for the payment of tuition by certain school districts and reimbursement thereof by the State" by further defining and extending the scope of vocational education and enlarging the provisions for State subsidies under certain conditions

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1191 (House Bill No. 1333), entitled:

An Act to amend section one of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-nine (P. L. 1804), entitled "An act relative to certain judgments, prescribing duties of prothonotaries; and repealing prior legislation;" requiring a certificate of the address of the defendants on the entry of certain judgments.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. FREY. Mr. President, I ask unanimous consent that Senate Bill No. 1240 (House Bill No. 947) on second reading, entitled:

An Act to amend section three of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (P. L. 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A, by requiring ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violation of the provisions of this act and repealing certain acts" as amended requiring buildings to be equipped with certain equipment in connection with gas meters to prevent or retard the escape of gas.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1295 (House Bill No. 2115), entitled:

An Act relating to criminal prosecutions limiting the effect of demurrers by defendants at the close of the cases of the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. LAW. Mr. President, I ask unanimous consent that Senate Bill No. 1297 (House Bill No. 1000), on second reading, entitled:

An Act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1331 (House Bill No. 1305), entitled:

An Act to amend section twenty-nine of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effort of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for

the procedure on tax and municipal claims filed under other and prior acts of Assembly" by providing that under certain circumstances a municipality may purchase for the sheriff's cost subject to the lien of taxes and municipal claims property sold to satisfy a judgment on a tax or municipal claim and providing for the management and disposition of said property after said sale

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1332 (House Bill No. 1331), entitled:

An Act requiring all persons claiming damages from any county city borough town township or school district to file within six (6) months from the origin of such claim a written notice with such county city borough town township or school district

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1335 (House Bill No. 1835), entitled:

An Act to authorize the acquisition improvement construction operation and maintenance of electric light and gas systems by cities of the third class and boroughs authorizing the issuance of revenue bonds of such cities and boroughs payable solely from earnings to pay the cost of such systems providing for the fixing of rates and collection of charges for the payment of such bonds and for the cost of maintenance operation and repair of such systems providing for condemnation authorizing the issuance of revenue refunding bonds and providing that no debt of such cities or boroughs shall be incurred in the exercise of any of the powers granted by this act

The first to the sixteenth sections of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any municipality as hereinafter defined is hereby authorized and empowered to acquire by purchase and to construct or partly acquire and partly construct and to improve enlarge reconstruct own equip operate and maintain an electric light system or a gas system as hereinafter defined inside or outside the limits of such municipality in whole or in part to sell services therefrom to public or private consumers located inside and outside said municipality and to issue revenue bonds payable from earnings to pay the costs of such system

Section 2 As used in this act the following words and terms shall have the following meanings

(a) The word "system" shall include all property rights easements and franchises relating thereto and deemed necessary or convenient for its operation and shall embrace an electric light system or a gas plant in its entirety or any integral part thereof including but not limited to dams reservoirs wells storage tanks pumping tanks meters valves mains and distribution systems

(b) The word "municipality" shall include cities of the third class and boroughs

(c) The term "legislative body" as applied to a municipality shall mean The Council The Borough Council or other board or body in which the general legislative powers of the municipality are vested

(d) The word "improvement" shall mean such repairs replacements additions and betterments of and to a system acquired by purchases as are deemed necessary to place it in a safe and efficient condition for the use of the public if such repairs replacements additions and betterments are ordered prior to the sale of any bonds for the acquisition of such system

(e) The term "cost of system" as applied to a system to be acquired by purchase shall include the purchase price cost of improvement financing charges interest during any period of disuse before completion of improvements cost of engineering and legal expenses plans specifications and surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practibility of the enterprise administrative expense and such other expenses as may be necessary or incident to the financing herein authorized and to acquisition of the system and the placing of the same in operation

(f) The term "cost of system" as applied to a system to be constructed shall embrace the cost of construction the cost of all land property rights easements and franchises acquired which are deemed necessary for such construction the cost of all machinery and equipment financing charges interest prior to and during construction and for six months after completion of construction cost of engineering and legal expenses plans specifications surveys estimates of cost and of revenues other expenses necessary or incident to determining the feasibility or practicability o fthe enterprise administrative expenses and such other expenses as may be necessary or incident to the financing herein authorized and the construction of the system and the placing of the same in operation

(g) The ward "owner" shall include all individuals incorporated companies societies or associations having any title or interest in any properties rights easements or franchises to be acquired

Section 3 Any municipality shall have power to acquire by purchase upon such terms and conditions and in such manner as it may deem proper and to acquire by condemnation in accordance with and subject to the provisions of any and all existing laws applicable to the condemnation of property for public use and land rights easements franchises and other property deemed necessary or proper for the construction operation and maintenance of a system Title to the property condemned shall be taken in the name of the municipality The municipality shall be under no obligation to accept and pay for any property condemned under this act except from the funds provided by this act and in any procedings to condemn such orders may be made by the court having jurisdiction of the suit action or proceeding as may be just to the municipality and to the owners of the property to be condemned

Section 4 Any municipality is hereby authorized to acquire by purchase whenever it shall deem such purchase expedient but solely by means of or with the proceeds of revenue bonds hereinafter authorized any system as hereinabove defined or any such system wholly or partly constructed and any franchises easements permits and contracts for the construction of any such system upon such terms and at such prices as may be considered by it to be reasonable and can be agreed upon between it and the owner thereof title thereto to be taken in the name of the Municipality

Section 5 At or before the time any such system shall be acquired by purchase it shall be the duty of the legislative body to determine what repairs replacements additions or betterments will be necessary to place such system in safe and efficient condition for use and to cause as estimate of the cost of such improvement to be made and submitted to it by an engineer or engineers appointed by it such improvements shall be ordered by the legislative body before the sale of any revenue bonds hereinafter authorized for the acquisition of such system and shall be paid for out of the proceeds of such bonds

Section 6 Any municipality is hereby authorized to construct whenever it shall deem such construction expedi-

ent any system as hereinabove defined the cost of such construction to be paid wholly by means of or with the proceeds of revenue bonds hereinafter authorized

Section 7 Before any system shall be acquired or constructed or partly acquired and partly constructed under the provisions of this act the legislative body shall adopt an ordinance which shall (a) set forth a brief and general description of the system and a reference to the plans and specifications which shall theretofore have been prepared by an engineer chosen by the municipality and filed with the clerk of the legislative body of such municipality (b) set forth the engineers estimated cost thereof and the estimated period of construction (c) order the acquisition of such system and the construction of such improvements thereto as may be necessary or order the construction of such system and the acquisition of all property deemed necessary or proper for the construction operation and maintenance thereof and (d) direct that revenue bonds of the municipality shall be issued pursuant to this act in such an amount as may be found necessary to pay the cost of the system

Section 8 Upon the ordinance above mentioned becoming effective the municipality is hereby authorized to provide by resolution for the issuance of its revenue bonds for the purpose of paying the cost as hereinabove defined of any system the principal and interest of which bonds shall be payable solely from the special fund herein provided for such payment Such revenue bonds shall bear interest at not more than six per centum per annum payable semi-annually and shall mature at such time or times not more than thirty years from their date or dates as may be fixed by such resolution All such revenue bonds may be made redeemable before maturity at the option of the municipality at such price and under such terms and conditions as may be fixed by it prior to the issuance of the bonds The principal and interest of such revenue bonds may be made payable in any lawful medium The legislative body shall determine the form of the bonds and the interest coupons to be attached thereto the manner of executing the bonds and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest thereof which may be at any bank or trust company within or without the State All revenue bonds issued under this act shall contain a statement on their face that the municipality shall not be obligated to pay the same or the interest thereon except from the revenues of such system In case any of the officers whose signatures appear on the bonds or coupons shall cease to be such officers before the delivery of such bonds such signatures shall nevertheless be valid and sufficient for all purposes the same as if they had remained in office until such delivery All such revenue bonds shall be and shall have and are hereby declared to have as between successive holders thereof all the qualities and incidents of negotiable instruments under the negotiable instruments law of the State Provisions may be made for the registration of any of the bonds in the name of the owner as to principal alone and for the transfer of bonds so registered including transfers to bearer and for successive registrations and transfers The municipality may sell the bonds in such manner and for such price as it may determine to be for the best interests thereof but no such sale shall be made for less than a price which computed with relation to the absolute maturity of the bonds in accordance with standard tables of bond values will show a net return of six per centum per annum to the purchaser upon the amount paid therefor The proceeds of such revenue bonds shall be used solely for the payment of the cost of the system and shall be checked out in such manner and under such restrictions if any as the legislative body may provide If the proceeds of the revenue bonds by error of calculation or otherwise shall be less than the cost of the system additional bonds may in like manner be issued to provide the amount of such deficit and unless otherwise provided in the trust indenture hereinafter mentioned shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds first issued for the same system If the proceeds of bonds issued for any such system shall exceed the cost thereof the surplus shall be paid into the fund hereinafter provided for the payment of principal and interest of such bonds Prior to the preparation of definite bonds the legislative body may under like restrictions issue temporary bonds with or without coupons exchangeable for definitive bonds upon the issuance of the latter Such revenue bonds may be issued without any other proceedings or the happening of any other conditions or things than those proceedings conditions and things which are specified and required by this act or by the Constitution of the State

Section 9 All moneys received from any revenue bonds issued pursuant to this act shall be applied solely to the payment of the cost of the system or to the appurtenant sinking fund and there shall be and hereby is created and granted a lien upon such moneys until so applied in favor of the holders of the bonds or the trustee hereinafter provided for in respect of such bonds

Section 10 In the discretion of the legislative body such revenue bonds may be secured by a trust indenture by and between the municipality and a corporate trustee which may be any trust company or bank having the powers of a trust company within or outside of the State but no such trust indenture shall convey or mortgage the system or any part thereof Either the resolution providing for the issuance of revenue bonds or such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper not in violation of law including covenants setting forth the duties of the municipality in relation to the acquisition construction improvement maintenance operation repair and insurance of the system the custody safeguarding and application of all moneys and may provide that the system shall be acquired constructed or partly acquired and partly constructed and paid for under the supervision and approval of consulting engineers employed or designated by the municipality and satisfactory to the original purchasers of the bonds issued therefor their successors assigns or nominees who may be given the right to require that security given by contractors and by any depositary of the proceeds of the bonds or revenues of the system or other moneys pertaining thereto be satisfactory to such purchasers successors assigns or nominee Such resolution or indenture may set forth the rights and remedies of the bondholders and trustee restricting the individual right of action of bondholders as is customary in trust indentures securing bonds and debentures of corporations Except as in this act otherwise provided the municipality may provide by resolution or by such trust indenture for the payment of the proceeds of the sale of the bonds and the revenues of the system to such officer board or depositary as it may determine for the custody thereof and for the method of disbursement thereof with such safeguards and restrictions as it may determine All expenses incurred in carrying out such trust indenture may be treated as a part of the cost of maintenance operation and repair of the system affected by such indenture

Section 11 At or before the issuance of any revenue bonds the municipality shall by resolution create a sinking fund for the payment of the bonds and the interest thereon and the payment of the charges of banks or trust companies for making payment of such bonds or interest and shall set aside and pledge a sufficient amount of the net revenues of the system hereby defined to be the revenues of the system remaining after the payment of the reasonable expense of operation repair and maintenance such amount to be paid into such sinking fund at intervals to be determined by the municipality prior to the issuance of the bonds for (a) the interest upon such bonds as such interest shall fall due and (b) the necessary fiscal agency charges for paying bonds and interest and (c) the payment of the bonds as they fall due or if all bonds mature at one time the proper maintenance of a sinking fund sufficient for the payment thereof at such time and (d) a margin for the payment of premiums upon bonds retired by call or purchase as herein provided Such required payments shall constitute a first charge upon all the net

revenues of the system Rates or other charges shall be fixed charged and collected for the use of such system and shall be so fixed and adjusted in respect of the aggregate of such rates or other charges from the system for which a single issue of revenue bonds is issued as to provide a fund sufficient to make such required payments and to provide an additional fund to pay the cost of maintaining repairing and operating the system Such rates or other charges shall not be subject to supervision or regulation by any state bureau board commission or agency and it shall not be necessary for the municipality to obtain any franchise or other permit from any state bureau board commission or agency for the doing of the things authorized by this act Prior to the issuance of revenue bonds the municipality may provide by resolution or by such Trust Indenture for using the sinking fund or any part thereof in the purchase of any of the outstanding bonds payable therefrom at the market price thereof but not exceeding the price if any at which the same shall at the next interest date be payable or redeemable and all bonds redeemed or purchased shall forthwith be cancelled and shall not again be issued The moneys in the sinking fund less a reserve for payment of not exceeding one year's interest on the bonds if not used within a reasonable time for the purchase of bonds for cancellation as above provided shall be applied to the redemption of bonds by lot at the redemption price then applicable

Section 12 Any municipality shall have power to make and enter into all contracts or agreements necessary or incidental to the execution of its powers under this act any may employ engineering architectural and construction experts and inspectors and attorneys and such other employes as may be deemed necessary and may fix their compensation All such compensation and all expenses incurred in carrying out the provisions of this act shall be paid solely from funds provided under the authority of this act and no liability or obligation shall be incurred hereunder beyond the extent to which money shall have been provided under the authority of this act All public or private property damaged or destroyed in carrying out the powers granted under this act shall be restored or repaired and placed in their original condition as nearly as practicable or adequate compensation made therefor out of funds provided by this act

Section 13 Any holder of any such revenue bonds or any of the coupons attached thereto and the trustee if any except to the extent the rights herein given may be restricted by resolution passed before the issuance of the revenue bonds or by the trust indenture may either at law or in equity by suit action mandamus or other proceeding protect and enforce any and all rights granted hereunder or under such resolution or trust indenture and may enforce and compel performance of all duties required by this act or by such resolution or trust indenture to be performed by the municipality including the fixing charging and collecting of rates and other charges for the use of such system

Section 14 Any municipality shall be subject to the charges and rates established as hereinabove provided for services rendered such municipality and shall pay such rates or charges when due and the same shall be deemed to be a part of the revenues of the system as hereinabove defined and be applied as hereinabove provided for the application of such revenues

Section 15 In addition to the revenues which may be received from the sale of revenue bonds and from the collection of fees rents tolls rates and other charges under the provisions of this act any municipality shall have authority to receive and accept contributions of either money or property or other things of value to be held used and applied for the purposes in this act provided

Section 16 Any municipality is hereby authorized to provide by resolution for the issuance of its refunding revenue bonds for the purpose of refunding any revenue bonds issued under the provisions of this act and then outstanding The issuance of such refunding revenue bonds the rights of the holders thereof and the duties of the municipality in respect to the same shall be governed by the foregoing provisions of this act insofar as the same may be applicable and by the following provisions

(a) No refunding revenue bonds shall be delivered unless delivered in exchange for revenue bonds to be refunded thereby except in the amount necessary to provide for the payment of matured or redeemable revenue bonds together with any premium thereon or revenue bonds maturing or redeemable within three months together with any premium thereon or for the payment of unmatured revenue bonds which shall then be on deposit with a band or trust company for surrender to the municipality upon receipt therefor of a sum not exceeding the face value thereof

(b) No refunding revenue bonds shall be issued unless issued to refund revenue bonds which have matured or will mature within three months if either the interest rate of refunding revenue bonds delivered in exchange or the net return to the purchaser upon the amount paid for refunding revenue bonds sold shall exceed the interest rate borne by the revenue bonds to be refunded

The seventeenth section of the bill was read as follows:

Section 17 This act shall be deemed to provide an additional and alternative method for the doing of the things authorized hereby and shall be regarded as supplemental and additional to powers conferred by other laws and shall not be regarded as in derogation of any powers now existing

On the question,

Will the Senate agree to the section?

Mr. MALLERY. Mr. President, I move to amend page 14, by inserting between the Lines 21 and 22, the following: "Section 17. No city or borough shall acquire con, demn, construct or begin to operate any plant, system, equipment or other facilities under any provision of this act for the rendering or furnishing to the public of any service of the kind or character already being rendered or furnished by any public sevice company until the Pennsylvania Public Utility Commission shall have first found, determined and ordered after public hearing upon notice to all parties affected, that such acquisition, condemnation, construction or operation is necessary and proper for more adequate and sufficient service to the public concerned."

Amend Page 14, Line 22, by striking out after the word "Section" the number "17" and inserting in lieu thereof the number "18."

Mr. OWLETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Mr. KILGALLEN Mr. President, this bill is an obligation to third class cities and to boroughs, and the bill is also an obligation to investors of capital, and if this law is now in existence, as Chairman of the Committee from which the bill came has stated, I thought it good sense and reasonable and proper that these investments should be protected to the extent that is now required in these amendments.

And the question recurring.

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. KUNKEL and Mr. JASPAN and were as follows, viz:

YEAS—27

Barthold,	Ealy,	Lanius,	Rice,
Cavalcante,	Gelder,	Mallery,	Rupp,
Chapman,	Gilson,	Mundy,	Scarlett,
Dando,	Heyburn,	Owlett,	Sones,

Deitrick,	Jacobs,	Pierson,	Wolfenden,
Dent,	Kahle,	Rankin,	Woodward,
DiSilvestro	Kilgallen,	Reed	

NAYS— 8

Erce,	Jaspan,	Law,	Shapiro,
Frey,	Kunkel,	Ruth,	Stiefel,

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The eighteenth section of the bill was read as follows and agreed to

Section 18 The sections and provisions of this act are severable and are not matters of mutual essential inducement and it is the intention to confer the whole or any part of the powers herein provided for and if any of the sections or provisions or parts thereof are for any reason illegal it is the intention that the remaining sections and provisions and parts thereof shall remain in full force and effect

On the question,

Will the Senate agree to the section?

Mr. MALLERY. Mr. President, I move to amend page 14, line 28, by striking out after the word "Section" the number "18" and inserting in lieu thereof the number "19".

Mr. OWLETT. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

Mr. LAW. Mr. President, I would like to interrogate the Senator from Blair, Mr. Mallery.

The PRESIDENT. Will the Senator from Blair, Mr. Mallery, permit himself to be interrogated?

Mr. MALLERY. Mr. President, I will.

Mr. LAW. Mr. President, will the Senator from Blair state the purpose of these amendments?

Mr. MALLERY. Mr. President, the purpose of these amendments and the effect of the amendments are that where a municipality seeks to set up a plant. as referred to in the Act, it shall firt be determined by the Public Utilities Commission whether or not the service being rendered is inadequate, and if the service is inadequate, then the commission would give to the municipalities authority to set up new lines.

Mr. President, it is my understanding that when the committee meeting was called to consider this bill, it was called to be held in the Lieutenant Governor's office, and, without any intention, I was told, not to show any discourtesy, and what I would like them to know is that I was told that the meeting was held elsewhere, and I suggested to the Chairman of that Committee that I had desired to offer these amendments, and the Chairman of that Committee told me that the amendments met with his approval. I just want to make that statement.

The nineteenth section of the bill was read as follows and agreed to:

Section 19 This act shall take effect immediately upon final enactment.

The title of the bill was read as follows:

An Act to authorize the acquisition improvement construction operation and maintenance of electric light and gas systems by cities of the third class and boroughs authorizing the issuance of revenue bonds of such cities and boroughs payable solely from earnings to pay the cost of such systems providing for the fixing of rates and collection of charges for the payment of such bonds and for the cost of maintenance operation and repair of such systems providing for condemnation authorizing the issuance of revenue refunding bonds and providing that no debt of such cities or boroughs shall be incurred in the exercise of any of the powers granted by this act.

On the question,

Will the Senate agree to the title?

Mr. MALLERY. Mr. President, I move to amend title, page 1, line 1, by inserting after the word "authorize," the following: "subject to certain conditions." Amend title, page 1, line 9, by inserting after the word "providing" the following: "subject to certain conditions".

Mr. OWLETT. Mr. President, I second the motion.

On the question?

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1339, (House Bill No. 1020), entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred and thirty-three (P. L. 624) entitled "An act relating to the business of banking and to the exercise of fiduciary powers by corporations providing for the organizations of corporations with fiduciary powers and of banking corporations with or without fiduciary powers including the conversion of National Banks into State Banks and for the licensing of private bankers defining the rights powers duties liabilities and immunities of such corporations of existent corporations authorized to engage in a banking business with or without fiduciary powers of private bankers and of the officers directors trustees share holders attorneys and other employes of all such corporations or private bankers or of affilliated corporations associations or persons restricting the exercise of banking powers by any other corporation association or person and of fiduciary powers by any other corporation conferring powers and imposing duties upon the courts prothonotaries recorders of deeds and certain State departments commissions and officers imposing penalties and repealing certain acts and parts of acts" by further providing for the powers and limitations upon powers of corporations with fiduciary powers.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1340, (House Bill No. 1147), entitled:

An Act making an appropriation to the Navigation

Commission for the Delaware River and its navigable tributaries.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1343, (House Bill No. 1563), entitled:

An Act making an appropriation to the Department of Revenue to defray the expenses of investigation and litigation in the Estate of Henrietta E. Garrett, Deceased.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed wth,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1359, (House Bill No. 1787), entitled:

An Act authorizing the Supreme Court of Pennsylvania to prescribe rules of practice and procedure in civil actions at Law and in Equity in certain Courts of this Commonwealth to prescribe rules and regulations for the conduct of any general business either civil or criminal by Judges of any Court of Record authorizing the Courts of Common Pleas to prescribe and adopt local rules not inconsistent with such general rules of the Supreme Court of Pennsylvania authorizing the Supreme Court of Pennsylvania to appoint a Procedural Rules Committee and to fix and define its powers and duties imposing duties of Judges and other officers of every Court of Record.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1367, (House Bill No. 1650), entitled:

An Act creating in Counties of the first class the position of Bail Approval Commissioner prescribing the powers and duties thereof limiting jurisdiction to cases in which real property is offered as bail and conferring and imposing such powers and duties upon the controllers of Counties of the first class providing for the appointment by such Bail Approval Commissioner certain necessary clerks and employees and prescribing the duties and compensation thereof imposing duties on judges or officers of any of the Courts of Counties of the First Class and upon magistrates in Counties of the first class and requiring all departments of counties and cities of the first class to supply certain information prescribing offenses and providing penalties therefor.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1373, (House Bill No. 278), entitled:

An Act making an appropriation to the Department of Forests and Waters for the use of the Pennsylvania State Park and Harbor Commission of Erie.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcirbed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1374, (House Bill No. 307), as follows:

An Act making an appropriation to the Jefferson Medical College of Philadelphia Pennsylvania for medical education

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred and twenty-five thousand dollars ($125,000) or so much thereof as may be necessary be and the same is hereby specifically appropriated to the Jefferson Medical College of Philadelphia Pennsylvania for the two fiscal years beginning June first one thousand nine hundred and thirty-seven for the support and promition of medical education.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1375, (House Bill No. 348), as follows:

An Act making an appropriation to the Glen Mills Schools situate in Delaware County Pennsylvania.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two hundred and seventy thousand dollars ($270,000.00) or so much thereof as may be necessary be and the same is hereby specifically appropriated to The Glen Mills Schools situate in Delaware County Pennsylvania for the two fiscal years beginning the first day of June one thousand nine hundred and thirty-seven for the purpose of maintenance.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Snat Bill No. 1376, (House Bill No. 349), entitled:

An Act making an appropriation to the Sleighton Farm School for Girls situate in Delaware County Pennsylvania.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1380, (House Bill No. 906), entitled:

An Act creating a State Worlds Fair Commission defining the powers and duties of said commission providing for participatiin in the New York Worlds Fair and making an appropriation.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1381, (House Bill No. 973), entitled:

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in The Dixmont Hospital at Dixmont Allegheny County.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1382, (House Bill No. 1132), entitled:

An Act making appropriations for aid to free public non-sectarian county libraries and for the purchase and transportation of books.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1383, (House Bill No. 1136). entitled:

An Act making an appropriation to the Department of Military Affairs for the acquisition by purchase or condemnation of lands the payment of labor and the purchase of Supplies materials and equipment to enlarge and improve the military Reservation at Indiantown Gap and imposing certain duties upon the State Military Reservation Commission and the Department of Property and Supplies.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideratlion of Senate Bill No. 1384, (House Bill No. 1138). entitled:

An Act making an appropriation to aid certain school districts

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of two million dollars ($2,000,000) is hereby specifically appropriated to the Department of Public Instruction for the purpose of aiding financially handicapped and distressed school districts in such sums and in such manner as the Superintendent of Public Instruction shall determine

On the question,

Will the Senate agree to the section?

Mr. RUTH. Mr. President I move to amend Section 1, Page 1, Line 8, by adding thereafter the following words: and for defraying the necessary cost for the administration thereof.

Mr. LAW. Mr. President I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act making an appropriation to aid certain school districts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1385, (House Bill No. 1146), entitled:

An Act making an appropriation to the Department of Military Affairs for the maintenance and education of children of soldiers sailors marines female field clerks yeoman (female) and nurses who were killed in action or died during the World War and conferring certain duties upon the State Veterans' Commission

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The Senate proceeded to the second reading and consideration of Senate Bill No. 1386, (House Bill No. 1152), entitled:

An Act making an appropriation to the Department of Welfare to pay for the care treatment removal and maintenance of the indigent insane in county and poor districts hospitals

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1387, (House Bill No. 1330), entitled:

An Act relating to magistrates and magistrates' courts in the City of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the City Controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the County of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connection therewith upon the judges of the Courts of Common Pleas of the County of Philadelphia providing for the appointment and employment of stengraphers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts

The first to the eighteenth sections inclusive of the bill were read as follows and agreed to.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "1937 Magistrates' Court Act"

Section 2 The twenty-eight courts not of record of police and civil causes with jurisdiction not exceeding one hundred dollars established by the second section of the act approved the tenth day of May one thousand nine hundred twenty-seven (Pamphlet Laws eight hundred sixty-six) shall continue as therein provided

Section 3 No magistrate shall personally engage in any other business or profession or hold any other public office or serve as a representative of any political party in any assembly district senatorial district or congressional district or on the executive committee or any other governing body of any political party organization Each of the magistrates shall devote his entire time and attention to the duties of his office and no magistrate clerk stenographer or other officer or employe provided for herein shall demand or receive any money or other thing of value for the performance or nonperformance of any of any of the duties pertaining to his office other than fees and compensation allowed by law

Section 4 Should any vacancy happen in the office of magistrate either by death resignation disqualification removal or otherwise such vacancy shall be filled for the full term of six years in the manner hereinbefore set forth at the next succeeding municipal election held in the City of Philadelphia after said vacancy shall happen and it shall be the duty of the Governor in the meantime to appoint and commission a suitable person to fill such vacancy until the first Monday of January next succeeding the first municipal election after said vacancy shall happen Provided however That if said vacancy shall happen within two calendar months before any municipal election the vacancy shall not be filled until the second succeeding municipal election thereafter and the Governor shall appoint and commission a suitable person to fill said vacancy until the first Monday of January after said second municipal election

Section 5 If any magistrate for any cause shall be unable to attend to his official duties he shall notify the chief magistrate who shall designate and assign another magistrate to discharge the duties of said magistrate during such inabliity

Section 6 The Board of Magistrates hereinafter provided for shall by rule or regulation adopted as hereinafter provided prescribe forms for civil and criminal dockets which shall be kept in each of said courts by the magistrates holding the same and in which shall be entered daily all proceedings of said courts and all official actions of the magistrates therein and it shall be the duty of the magistrate receiving any costs fees fines penalties or other moneys to note the same in the margin of the proper docket opposite to the entry of the case in respect to which the same is received with the date at which and the name of the person from whom the same was received together with the date and the person to whom the same was paid Said dockets shall be open to the inspection of any person during the hours when the court is required to be kept open

Section 7 Each magistrate shall keep a daybook in which he shall enter all costs fees fines penalties and other moneys collected by him with the date when the person from whom and the purpose for which the same were received He shall also note therein the time when and the manner in which the same are disposed of and the books and papers of said court including said daybooks shall be the property of the Commonwealth of Pennsylvania He shall pay over to the city treasurer within five days after the first Monday of every month all costs of suits fees fines penalties and other sums of money received during the preceding month excepting constables' fees which shall be paid directly to the constable entitled thereto by said magistrate during the preceding month except such costs and judgments as the parties to any proceeding before him may by law be entitled to receive and shall at the same time furnish to the controller of the City of Philadelphia under oath or affirmation an accurate account of all moneys so paid either into the city treasury or to constables The controller of the city shall not countersign any warrant for the monthly payment of the salary of any magistrate until he is satisfied from inspection by himself or his deputy of the dockets daybooks or other books of such magistrate that his accounts are correct and that all payments required by law to be made to the city treasurer have been so made

Section 8 Whenever a vacancy shall for any reason occur in the office of a magistrate it shall be the duty of such magistrate to deliver to his successor in office all dockets books bonds and other papers connected with his office and in case of the death of any magistrate all persons having possession of the dockets books bonds and other papers aforesaid of such deceased magistrate shall under like penalties deliver the same to his successor in office or if no successor has been appointed or elected to the chief magistrate herein provided for If any magistrate whose office has become vacant as aforesaid or any person having possession of the dockets books bonds and papers of any deceased magistrate shall neglect or refuse to deliver the same over as hereinbefore provided to his successor in office or to the Chief Magistrate as the case may be the Chief Magistrate or any person aggrieved by such neglect or refusal may petition the Court of Common Pleas of the County of Philadelphia to order such delivery as aforesaid and the Court of Common Pleas may enforce its order by attachment for contempt or by other suitable process and the successor in office of such magistrate or the Chief Magistrate to whom such dockets books bonds and papers as aforesaid are delivered or any magistrate to whom the Chief Magistrate may deliver the same shall have power to issue process and proceed thereon in the same manner and with the same effect as the magistrate to whom the said documents books bonds and papers may have belonged would have had had he remained in office Provided That in case the magistrate to whom such dockets books bonds and papers are delivered shall be a party in interest in any cause pending before the magistrate to whom said dockets books bonds and papers shall have officially belonged such cause shall be proceeded in by such other magistrate as the Chief Magistrate may designate to whom a transcript of such proceeding shall be furnished as well as the original docket if required at the time of the trial thereof

Section 9 Except in cases of hearings on warrants issued by a magistrate the hearings of all criminal cases shall be held only in the central police court the di-

visonal police courts hereinafter provided for or in the district station houses herein designated for that purpose

Section 10 There shall be established a central police court in the city hall of the City of Philadelphia which shall be open with a magistrate continually present thereat during the entire twenty-fours of each day and to which the mayor of the City of Philadelphia shall regularly assign from the body of magistrates a sufficient number of magistrates to hold the same for the period of one month Provided however That the same magistrate shall not be assigned for consecutive months and that no magistrate shall be assigned to said court more than once in every six months

Section 11 It shall be the duty of the Chief Magistrate to appoint and assign in rotation in the manner prescribed by the Board of Magistrates magistrates to serve as committing magistrates in the several police stations in the City of Philadelphia but no magistrate shall be assigned longer than one month to the same station house in any one year Provided however That the Chief Magistrate after consultation with the District Attorney and the Director of Public Safety of the Ciy of Philadelphia shall select not less than ten nor more than fifteen station houses which shall be known as divisional police courts and in which in addition to the hearings regularly held therein shall be held exclusively the hearings of all persons arrested on sight or on a police warrant for the following indictable offenses that is to say for treason sedition murder voluntary and involuntary manslaughter abortion arson blackmail perjury and subornation of perjury sodomy kidnapping mayhem receiving stolen goods obtaining money or other property by false pretense carrying concealed deadly weapons operating an automobile while under the influence of intoxicating liquor the illegal possession and sale of machine guns and firearms and the illegal possession sale and use of narcotic drugs and also all forms of bribery rape assault and battery to ravish roberry burglarly and entering with intent to commit a felony or felonies larceny forgery fraudulently making uttering and publishing written instruments felonious assaults and batteries extortion keeping setting up and maintaining lotteries gambling houses gambling machines pool selling and book making keeping maintaining and frequenting bawdy houses and houses of assignation pandering and prostitution embezzlement fraudulent conversion offenses by public officers and also all conspiracies solicitations and attempts to commit any of the foregoing offenses and aiders abetters and accessories before and after the fact to said offense and compounding of the same

The said divisional police courts shall be selected from among the district police stations in such manner that they shall be most suitably and conveniently located for the dispatch of the public business therein and as far as practicable for the equal distribution among said divisional police courts of the hearings hereby required to be held therein exclusively The magistrates assigned to preside at the divisional police courts shall also be assigned by the Chief Magistrate in rotation in the manner prescribed by this act and no magistrate shall be assigned longer than one month to the same divisional police court and every magistrate shall be assigned to each divisoinal police court in turn It is the intention of this section that there shall be established a system of rotation whereby the same magisrates shall not be repeatedly assigned to the same police station or divisional police court and the judges of the Court of Common Pleas of Philadelphia County are hereby given authority to enforce this provision Nothing herein contained shall operate to deprive any magistrate before whom a criminal case has been lawfully begun of jurisdiction and authority fully and completely to hear and dispose of the same and of all charges growing out of or connected with the transactiaon involved therein notwithstanding the charge or charges upon which the accused is held or convicted may not be within the jurisdiction of the divisional or district police court as the case may be in which the magistrate is sitting at the time

It is hereby declared that the foregoing enumeration of offenses is intended to be inclusive and not exclusive and shall be liberally interpreted to carry out the legislative purpose as generally expressed therein

No magistrate shall receive any additional compensation for acting as committing magistrate at any police station or at any divisional police court

Section 12 The hearings of all criminal cases other than those provided for in section eleven of this act shall be held as now provided by law in the station house of the district in which the arrest without warrant is made and in the case of arrest on warrants in the station house of the district to which the magistrate issuing the warrant is assigned or in the court of such magistrate as the said magistrate may direct In cases of offenses herein required to be heard exclusively in the divisional police courts jurisdiction of each of said court shall extend over over arrests made in the police district in which each court is located and in such polce districts contiguous thereto as may be selected by the Chief Magistrate after consultation with the district attorney and he director of pubic safety as aforesaid to effect convenient and equal distribution among said courts of their business as aforesaid Hearings on warrants issued by any magistrate other than police warrants may be held in the court of such magistrate the police station house to which he is assigned or the divisonal police court in which he may be sitting at the time as said magistrate shall direct

Section 13 No magistrate shall release on copy of the charge without entry of bail as hereinafter provided any person arrested charged with any of the crimes specified in section eleven of this act except operating an automobile while intoxicated fraudulent conversion frequenters of bawdy house or house of assignation and assault and battery In these exceptions to section eleven and in all other cases not specifically mentioned the magistrate may release on a copy of the charge without entry of bail if the circumstances and facts of such case or cases warrant him to do so For the accommodation of the public the director of public safety shall make suitable arrangements for the prompt issuance by the officer in charge of the cell room of the central station or by any other district station house official or such other person as he may designate of certificates or copies of the charge without cost against any person arrested in any police station of the city and all persons arrested shall be given the opportunity to promptly communicate with be interviewed or examined by such persons as they desire

Section 14 No continuance of a hearing of a criminal case shall be granted by a magistrate unless the person requesting the continuance shall state under oath his or her reason therefor and the reason stated together with the name of the party requesting the same shall be noted by the magistrate in his docket and shall be returned as a part of the transcript of the case Provided That if any case shall be continued by a magistrate of his own motion such continuance and his reason for his action shall be set forth at length by the magistrate in his docket and returned as part of the transcript of the case

Section 15 In cases where a person arrested on a criminal charge shall be entitled to release upon posting of bail it shall be the duty of the magistrate holding the preliminary hearing of such person to promptly fix the amount of the bail and neither he nor any other magistrate shall accept bail unless the provisions of sections sixteen seventeen eighteen and nineteen of this act are complied with Provided however That this section shall not prevent the magistrate holding any hearing from authorizing bail to be entered without real estate security where in his opinion the evidence produced so warrants except when the person arrested is charged with any of the offenses listed in section eleven of this act

Section 16 Whenever pursuant to law any person or persons charged with the commission of any criminal offense or offenses has had bail lawfully fixed by a magistrate it shall be the duty of the magistrate taking bail to make a thorough inquiry into the sufficiency of such

bail and he shall make a due and thorough investigation under oath into the financial responsibility of the recognizer or surety and it shall be his duty to take of such recognizer or surety a written justification under oath setting forth

(1) The name age and residence of the bondsman

(2) A description of the property offered as surety with its exact location and the street number in the City of Philadelphia

(3) The present value assessed value the amount paid therefor and the rent derived therefrom

(4) All encumbrances whether mortgages judgments et cetera stating in detail character and amount when and where recorded or entered and a statement that there are no other encumbrances except as noted

(5) That the title to the property is in the bondsman himself and is not subject to any trusts

(6) How the property was acquired whether by will or deed making an exact notation of the date and record of registry of the will or recording of the deed giving book and page number

(7) A list of all judgments against the bondsman

(8) Statement in what other cases or for what person or persons if any the bondsman is surety

(9) Statement as to whether or not the municipal school and other taxes have become delinquent and

(10) What amount if any is paid or to be paid to the recognizer of bail for giving said bail and what counter-security is given if any Cash bail in lieu of real estate security may be accepted by the magistrate taking the bail and shall be delivered forthwith to the Clerk of Quarter Sessions and a receipt taken therefor

Section 17 No bail or recognizance shall be taken without a justification as aforesaid endorsed on the bond or recognizance duly signed and sworn to by such surety recognizor or bondsman and no bail shall be accepted unless said surety recognizor or bondsman offers as security a property situate within the City of Philadelphia nor shall such bail be taken until the magistrate shall have verified the truth of certain statements in the justification as required in section eighteen hereof The provisions of this section shall not apply to cases in which a judge of record shall accept as security a property situate without the city of Philadelphia or to cases in which cash bail is presented and accepted

Section 18 Every magistrate before accepting bail secured by real property shall be furnished with a bail certificate issued by the city controller and said certificate shall contain the following information

(a) The name of the owner of the particular property offered to the magistrate as security

(b) The amount of unpaid taxes due thereon

(c) The amount of liens thereon

(d) The assessed value thereof

(e) Whether the same property has heretofore been accepted as security for bail heretofore entered and still in force

It shall further be the duty of the controller to retain a duplicate copy of each bail certificate issued together with the information as to whom the said certificate was issued The magistrate who has finally discharged such person or the District Attorney after the grand jury has ignored the bill or bills of indictment or when the court has disposed of the case shall promptly notify the controller in writing of such final disposition and return the bail certificate to the controller

The nineteenth section of the bill was read as follows:

Section 19 If the magistrate is satisfied from the information received from the controller and the justification sworn to by the proposed bondsman that there is sufficient equity in the property tendered as security he may accept the surety or bondsman as bail and thereupon stamp or note upon the deed of the surety or bondsman which said magistrate shall require to be produced before him the fact that bail has been accepted by him the name of the particular case in which it was acceted the date of acceptance and the amount thereof which stamp or notation may only be cancelled by the District Attorney upon discharge of the bail according to law

On the question

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend Sec. 19, page 15, line 5, by striking out the words: "District Attorney" and inserting in lieu thereof; city controller.

Mr. LAW. Mr. President, I second the motion.

On the question

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The twentieth to the thirty-sixth sections inclusive of the bill were read as follows and agreed to.

Section 20 The City Controller of Philadelphia shall provide twenty-four hours service of the information provided in the preceding sections of this act and to enable him to do so said City Controller is hereby authorized to appoint four additional clerks at an annual salary not exceeding two thousand dollars ($2,000.00) each

From and after the effective date of this act the fees now chargeable by law for the entry of bail before magistrates shall be one dollar ($1.00)

Section 21 There is hereby created a civil division of the magistrates' courts of Philadelphia which shall be a court not of record but which shall provide a simple informal and inexpensive method and procedure for the determination of claims for liquidated sums not in excess of one hundred dollars The said court shall open with scrupulous punctuality for hearings from nine thirty o'clock ante meridian until twelve o'clock noon and from one thirty o'clock post meridian until four thirty o'clock post meridian daily except Saturdays when the court shall close at twelve o'clock noon The court shall not be open on Sundays or legal holidays All civil cases instituted in any of the magistrates' courts of the city of Philadelphia shall be tried before three magistrates sitting in such civil division in a court room assigned to them for that purpose in City Hall in Philadelphia The chief magistrate shall regularly assign three of the magistrates to sit as a court en banc in all civil matters in such civil division for the period of one month to hear all cases The vote of not less than two of the three magistrates shall be necessary to enter judgment for plaintiff or defendant as the case may Provided however That the same magistrate shall not be assigned to the civil division for consecutive months and that no magistrate shall be assigned ot said civil division more than once every six months

The chief magistrate is hereby empowered to provide for and set up more than one court of three magistrates each for the hearing of civil cases when the volume of such cases is such that cases are delayed or it appears to him that they are being disposed of in too rapid a fashion with the possible consequence that injustice might be done to any party litigant

Section 22 Actions in every magistrates' case shall be commenced without a summons or a praecipe therefor The filing of a statement of claim by the plaintiff and the service of the statement of claim upon the defendant as herein provided shall have the same effect as though a summons had been regularly served according to the manner prescribed for the service of summons The plaintiff shall state to the clerk of the magistrates' court his name place of residence telephone number and the name and place of residence so far as known of the defendand and the nature and amount of his claim and the clerk after such further inquiry as he may deem necessary shall reduce the claim to writing in triplicate in concise and untechnical form giving time place and other relevant circumstances The statement of claim shall be signed and sworn to before the clerk by the plaintiff A

brief record of the claim shall be entered in the civil docket of the court by the clerk The court at the hearing may allow any statement of claim to be amended

Section 23 At the time the plaintiff presents the facts in substantiation of his claim to the clerk of he magisrates' court hte plaintiff shall pay the clerk for the use of the county a fee of one dollar and fifty cents ($1.50) for which a receipt shall be issued Said fee shall cover the costs of preparing and serving the statement of claim entering the judgment in the civil division of the magistrates' court issuing execution thereon through the sheriff's office and recording the said judgment in a court of record No refund of the fee paid herein or any part thereof shall be made

Section 24 All statements of claim in civil actions shall be served in the following manner

(a) The clerk shall send a copy of the statement of claim by registered mail return receipt requested to the last known residence or place of business of the defendant

(b) Should such statement of claim be returned to the magistrates' office with the notation that the defendan refuses to accept the same the clerk shall then send he same o the sheriff's office for service upon the defendant in the same manner as prescribed by law for the service of writs of summons by the sheriff No fee shall be charged by the sheriff for this service

(c) Should such statement be returned by the United States post office department for want ow a proper address then all proceedings are to stop until the plaintiff shall have supplied the clerk with the correct address

(d) Where service of the statement of claim is made by registered mail the clerk of the court upon the return of the receipt to him by the United States Post Office Department shall file the same with the chief clerk of the magistrates' civil court in City Hall together with an affidavit reciting the fact of service by registered mail and such receipt and affidavit shall constitute service A record of such service shall be made by the clerk in the civil docket of the magistrate's court from which such letter originated

(e) One copy of the statement of claim shall be kept on file in the court in which such action shall be commenced the original shall be forwarded to the chief clerk to be filed with the records of the magistrates' civil court in City Hall and the third copy shall be served upon the defendant in the manner hereinabove provided

(f) The statement of claim in all actions commenced in the magistrates' courts shall be indorsed with a notice signed by the clerk of the court statting the time date and place of he trial or hearing at which the defendant is ordered to be present

Section 24 A case shall be deemed at issue upon the service of the statement of claim upon the defendant No answer shall be filed by the defendant except where he desires to claim a set-off or make a counterclaim in which case an answer in writing shall be filed with the clerk of the court at any time before the commencement of the trial Such answers containing set-off's and counterclaims shall be filed in the same manner as hereinbefore provided for the filing of the statement of claim The court at the hearing may allow any answer filed to be amended

The filing of answers containing set-offs and counterclaims shall be noted in the court docket by the clerk

The fee for filing an answer containing a set-off or counter-claim shall be one dollar ($1.00) payable by the defendant to the clerk for the use of the county

Section 25 Trials in the civil division shall be before the court of three magistrates The trial procedure shall be informal and only substantive rules of law shall be applied The board of magistrates shall have power to prescribe rules of procedure and practice not inconsistent with the provisions of the acts of Assembly or of the Constitution of the Commonwealth or of the United States No pleadings other than those required or permitted by this act shall be entertained in such court The civil division shall conduct all hearings in such form and with such methods of proof as it deems best to discover the facts and to administer justice in the case The magistrates sitting at the court en banc in such civil division may question either party and the witnesses If the plaintiff does not appear at the time set for the hearing he court may dismiss the claim for want of prosecution or enter a finding on the merits for the defendant or the plaintiff or make such other disposition as to it may appear proper If the defendant shall fail or neglect to appear at the hearing the court may enter judgment for the full amount of the claim with costs

The court shall render its decision immediately at the conclusion thereof giving judgment for the plaintiff or defendant or enter such decree as to it shall appear proper together with interest and costs and shall notify the plaintiff and defendant orally thereof before they leave the court

Section 26 The court shall have power to continue any hearing pending before it but such continuance shall be allowed only (a) where one of the parties or a material witness is unable to be present by reason of illness or other reason appearing sufficient to the court or (b) where a defense is produced which was not forseen by the plaintiff and the court is of the opinion that the plaintiff should have additional opportunity to rebut the defense

Section 27 A judgment entered in the cvil division may be appealed by either party as heretofore All such judgments may be removed to the Court of Common Pleas by certiorari in the same manner within the same time and subject to the same procedure as hereofore

Section 28 When a judgment is rendered by the civil division the clerk of the court shall receive the amount of the judgment with costs to date if offered by the defendant before execution and promptly pay the same over to the plaintiff If any judgment is not so paid within twenty days of the entry of the judgment the court shall direct its writ of execution to he sheriff of the county commanding him to levy the debt interest and costs on the defandant's goods and chattels and within the space of the next tendays following the levy expose the goods and chattels to public sale having first given notice of the safe by at least three handbills posted in conspicuous places in the vicinity Thereupon said execution sale of goods and chattels and return thereof shall proceed in the manner provided by law for executions issuing out of the courts not of record except that the moneys realized from the sale shall be applied first to the payment of the plaintiff debt second to the payment of costs and third any excess to the defendant

All writs of execution issuing out of the civil division shall be in such form as is prescribed for like writs issuing out of the Courts of Common Pleas of the several counties of Commonwealth Such writs shall be directed to the sheriff of the county and the sheriff shall not make any charge in advance for such service but if a fund should come into the hands of the sheriff he may deduct a sum not to exceed four dollars ($4.00) for sheriff's costs

Section 29 Where any judgment entered in the civil division of the magistrates' court after execution has been returned unsatisfied in whole or in part the clerk of the court shall send a transcript of such judgment to the prothonotary of the county who shall enter the same and such judgment shall have the same force and effect as any other judgment ot a court of record This service shall be rendered by the prothonotary without any charge whatsoever

Section 30 The chief magistrate shall appoint a chief clerk of the civil division of the magistrates' court whose salary shall not exceed twenty-five hundred dollars ($2,500) per annum and shall appoint such clerical assistants and in excess of six at salaries not to exceed eighteen hundred dollars $1800) per annum all of whch salaries shall be paid by the county

The chief clerk shall keep a complete record in suitable dockets of all cases filed with the court the pro-

ceedings therein and the disposition thereof and in keeping said dockets he should endeavor to obtain the standard now maintained by the prothonotary of Philadelphia County

Section 31 There shall be a Board of Magistrates composed of all the magistrates of the City of Philadelphia The said board shall be presided over by a Chief Magistrate who shall be the administrative representative and executive head of the said board and shall be selected in the manner and shall hold the position of Chief Magistrate for the term hereinafter provided The Chief Magistrate shall have general supervision of the conduct of the business of all the courts held by the magistrates and between meetings of the Board of Magistrates shall have full power and authority to execute the rules and regulations of said board and to issue such necessary interim administrative orders and directions as the said board could issue and as are not inconsistent with existing law or said rules and regulations The said Board of Magistrates shall have the power and it shall be its duty to consider supervise and prescribe rules and regulations for the conduct of the various civil and police courts by the magistrates and the practice and procedure in the administration of justice therein The said board shall have the power to investigate of its own motion or on complaint of others any and all matters pertaining to the courts presided over by the magistrates the administration thereof and the official conduct of any person or persons connected therewith and take such lawful action in respect thereto as it may deem necessary and proper in the premises The Board of Magistrates shall meet for the discharge of its duties at least four times in each year during the first week of the months of January April July and October and at such other times as it may be convened by the Chief Magistrate or at the written request of five or more magistrates The meetings of the said board shall be held in the office of the Chief Magistrate

Section 32 As soon as practical after the approval of this act the Governer of the Commonwealth shall elect from among the magistrates a Chief Magistrate to act as such from the date of appointment for the remainder of the term for which he shall have been elected or appointed as magistrate and before the expiration of such term the Governor shall select from among the magistrates a Chief Magistrate to act as such in succession to him whose term of magistrate is about to expire and to hold office from and after the expiration of such term until his own term as magistrate shall expire and so on from time to time thereafter as the term of office of any magistrate who has been selected Chief Magistrate shall the magistrates a Chief Magistrate to serve until his own be about to expire the Governor shall select from among term as magistrate shall expire unless removed before such time by the action of the Governor Provided however That any magistrate upon being re-elected to office as such magistrate shall continue eligible for reappointment from time to time as Chief Magistrate

Section 33 Within sixty days after this act takes effect it shall be the duty of the Board of Magistrates to prepare and submit to the judges of the Courts of Common Pleas rules and regulations for the practice and procedure in and the conduct of the business of their courts by the magistrates which said rules and regulations shall become valid and binding as such when the same are approved by a majority of the judges of the said Courts of Common Pleas and if the said Board of Magistrates shall fail or neglect to prepare such rules and regulations and submit the same to the judges of the Courts of Common Pleas for their approval it shall be the duty of the said judges of their own motion to promulgate such rules and regulations which shall be the official rules and regulations of the Board of Magistrates Said rules and regulations may be added to altered amended or repealed from time to time in the same manner as is herein provided for the adoption of the same The judges of the Courts of Common Pleas may also from time to time of their motion alter amend or repeal such rules and regulations as may be then in force and promulgate such new rules and regulations as the said judges may deem necessary and proper

Section 34 The judges of the Courts of Common Pleas shall have the power from time to time as they deem necessary to inquire into and consider any and all matness of the magistrates and the performance by them of ters and things touching the administration of the busitheir duties and for this purpose to issue out of any of the Courts of Common Pleas writs of subpoena for the summoning of witnesses and the production of books papers and documents of the magistrates or others as may be relevant and proper to such inquiry and to take such lawful and proper action in the premises as the said judges may deem necessary

Section 35 It shall be the duty of the City of Philadelphia to supply and pay for whatever may be necessary for the transaction of the business of said magistrates' courts and to supply all proper court rooms and accommodations including waiting rooms withdrawing rooms dockets blanks books legal blanks stationery furniture and equipment and such law books as may be certified by the Chief Magistrate to be necessary for the use of the magistrates' courts and to pay all salaries compensations expenses and disbursements that are herein or are otherwise authorized by law and it shall be the duty of the council of said city to appropriate annually a sum sufficient to pay such salares compensations expenses and disbursements Such dockets blank books legal blanks and stationery shall be uniform in character The court rooms waiting rooms and withdrawing rooms acmodations furniture and equipment to be supplied shall be of such character and be kept in such condition of repair cleanliness and useful service at the expense of said city as the Chief Magistrate with the approval of the council shall determine to be necessary or desirable

Section 36 The Chief Magistrate shall provide for the appointment of a sufficient number of stenographers or stenographic clerks as may be necessary regularly to be present at and report the proceedings in said divisional police courts in all cases required by this act to be heard exclusively therein as well as in cases where there are hearings on private warrants upon request of either party of interest or the magistrate issuing such warrant providing such request is made in writing twenty-four hours prior thereto Said stenographers or stenographic clerks shall receive an annual salary to be fixed by the Chief Magistrate not exceeding two thousand five hundred dollars ($2,500.00) per annum

The thirty-seventh section of the bill was read as follows:

Section 37 A on and after the first day of July one thousand nine hundred thirty-seven and thereafter whenever a vacancy occurs the chief city magistrate shall appoint a chief clerk and a deputy stenographic clerk who shall respectively perform such duties as may be required of them by this act and by the chief city magistrate and by rules adopted by the board of magistrates The chief clerk and deputy stenographic clerk shall be entitled to serve so long as they respectively behave themselves well Each clerk of a magistrate's court shall file with the chief clerk each month a report of the criminal business of said magistrate's court during the preceding month and such other reports from time to time as the chief magistrate shall require The chief clerk shall cause suitable blanks to be prepared and furnished for such purpose

B The deputy stenographic clerk and each clerk of magistrate's court shall receive a salary of two thousand dollars per annum the chief clerk a salary of two thousand five hundred dollars per annum Said salaries shall be paid by the city in semi-monthly payments

On the question.

Will the Senate agree to the section?

Mr. SHAPIRO. Mr. President, I move to amend

37, page 27, line 12 by striking out the word: "city"; amend Sec. 37, page 27, line 16, by srtiking out the word: "city"; amend Sec. 37, page 27, line 23, by striking out the word: city."

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The thirty-eighth to the forty-seventh sections of the bill were read as follows and agreed to.

Section 38 It shall be the duty of the council of the City of Philadelphia to provide for the payemnt of the salaries of the aforesaid stenographers or stenographic clerks when appointed by the Chief Magistrate as aforesaid and to provide for them suitable offices and accommodations for the performance of their duties as herein prescribed including all office furniture typewriter machines dictaphones paper and all other necessary supplies for the performance of their duties

Section 39 It shall be the duty of the stenographers or stenographic clerks as aforesaid to report in full the entire proceedings of the said divisional police courts in all cases required by this act to be tried exclusively therein and to file in the office of the clerk of the Court of Quarter Sessions full true and complete verbatim transcripts or reports of said proceedings within five days after the taking of the same or sooner if so specially directed by the presiding magistrate Each such transcript or report shall be certified by the stenographer taking the same in the following form

> I hereby certify that the proceedings and evidence are contained fully and accurately in the notes taken by me on the hearing of the above cause and that this copy is a correct transcript of the same
>
> .....
>
> Stenographer

Such transcripts or reports when so certified by the stenographer and filed as aforesaid shall upon any other trial or in any other proceeding in which it may become material to prove the matters therein reported be taken and held to be prima facie correct and if otherwise admissible in evidence shall be admitted without the necessity of calling the stenographer who made the said transcript or report as a witness to prove the same The District Attorney of the County of Philadelphia the City Solicitor of the City of Philadelphia the Chief Magistrate and any judge of the Courts of Common Pleas of said county shall on request be furnished with a copy of any such proceeding free of charge All other persons desiring copies of any proceeding reported by any stenographer or stenographic clerk shall be entitled to receive the same upon payment of twenty cents ($0.20) for each page thereof No stenographer nor stenographic clerk shall retain for himself any money received from the sale of a copy or copies of transcripts but shall pay over all moneys so received by him to the clerk of the magistrate before whom such hearing took place and shall be entered by the clerk in the day book and returned to the City Treasurer of the City of Philadelphia and account for the same to the City Controller

Section 40 The transcript or report of the proceedings hereinbefore referred to and required to be filed with the clerk of the Court of Quarter Sessions of the County of Philadelphia shall be kept by said clerk for such period of time not less thaan three years after the receipt of the same as may be fixed by the judges of the Courts of Commo Pleas and shall at all reasonable times and subject to reasonable regulations by the judges of the Courts of Common Pleas of said county be opened to public inspection

Section 41 The District Attorney of the County of Philadelphia may assign such number of his assistants as may be necessary to be present at and conduct on behalf of the Commonwealth all criminal hearings held in the divisional police courts herein provided for

Section 42 On or before the twentieth day of January of each year the Chief Magistrate shall make written report to the Board of Magistrate of the business of all the magistrates' courts on the criminal side during the preceding calendar year and of the attendance thereat Copies of said report shall be furnished to the judges of the Courts of Common Pleas of Philadelphia County to the mayor and to the Controller of the City of Philadelphia The reasonable cost of the preparation of the said report shall be paid by the County of Philadelphia as part of the expenses of the magistrates' courts

Section 43 It shall be unlawful for any magistrate to

(a) Review alter modify or remit any sentence of fine or imprisonment lawfully imposed by him or to alter any of his official decisions in any case heard by him except in the presence of and with the written approval of the prosecutor

(b) Allow a further hearing in any criminal case without complying with the provisions of section fourteen of this act

(c) Knowingly and wrongfully for the purpose of deceiving others use or permit the use of his signature seal of office or Coat of Arms of the Commonwealth of Pennsylvania on any unofficial paper document letter or communication

Section 44 Any magistrate or other person charged with the performance of any duty or prohibited from performing any act by any of the provisions of this act who shall violate any of the provisions of this act shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding one thounsand five hundred dollars ($1,500.00) or undergo imprisonment not exceeding three years either or both in the discretion of the court and in addition thereto any magistrate so convicted shall forfeit his office and be removed therefrom by the court in which such conviction shall have been had

Section 45 The provisions of this act shall be severable If any of said provisions shall be held to be invalid or unconstitutional such decision shall not affect the validity of any of the remaining provisions of this act

It is hereby declared as the legislative intent that this act would have been adopted had such invalid or unconstitutional provisions not been included therein

Section 46 Sections nine thirteen fourteen fifteen sixteen seventeen twenty-on twenty-four twenty-five twenty-six thirty thirty-three and thirty-six of the act approved the tenth day of May one thousand nine hundred twenty-seven (P. L. 866) entitled "An act relative to the establishment and jurisdiction of magistrates' courts in Philadelphia and creating a board of magistrates providing for a chief magistrate prescribing their powers and duties providing for clerks establishing a central administrative office imposing upon the City of Philadelphia the cost of establishment and maintenance of magistrates' courts including payment of all salaries fixing salaries and restricting magitrates to duties of office and repealing certain prior acts" be and the same ar hereby specifically repealed

All other acts or parts of acts inconsistent herewith are also hereby repealed

The provisions of existing law respecting magistrates' courts of the City of Philadelphia and the practice and procedure therein in so far as the same do not conflict with or are not modified by the provisions ofthis act shall remain in full force and effect

Section 47 This act shall become effective on the fifteenth day of June one thousand nine hundred thirty-seven

The title of the bill was read as follows and agreed to:

An Act relating to magistrates and magistrates' courts in the City of Philadelphia imposing certain duties upon and prohibiting certain practices by magistrates imposing certain duties on the City Controller in regard thereto authorizing the employment by him of additional clerks and fixing their compensation regulating the practice in magistrates' courts the entering of bail and the issuance of discharges in criminal cases in the County of Philadelphia conferring certain powers over magistrates and magistrates' courts and imposing certain duties in connec-

tion therewith upon the judges of the Courts of Common Pleas of the County of hiladelphia providing for the appointment and employment of stenographers to report proceedings in certain cases heard by magistrates fixing salaries of persons employed by authority of this act providing penalties for violations of the provisions thereof and repealing certain prior acts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1388, (House Bill No. 1346), entitled:

An Act making an appropriation to the Treasury Department for the payment of certain claims against the Commonwealth

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1390, (House Bill No. 1818), entitled:

An Act making an appropriation to the Department of Public Instruction for reimbursing fourth class school districts upon certain increases of the salaries of members of the teaching staffs of elementary schools in such school districts

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1393, (House Bill No. 2263), entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain hospitals.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. LAW. Mr. President, I move that Senate Bill No. 1393 (House Bill No. 2263), the bill just read, be recommitted to the Committee on Appropriations.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1394, (House Bill No. 2259), entitled:

An Act making an appropriation to the Department of Labor and Industry for the rehabilitation of the deaf and hard of hearing and for the purpose of matching additional federal funds

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1395, (House Bill No. 2264), entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL RECOMMITTED

Mr. LAW. Mr. President, I move that Senate Bill No. 1395 (House Bill No. 2264), entitled:

An Act making an appropriation to the Department of Welfare for the maintenance of certain homes.

be recommitted to the Committee on Appropriations.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1396, (House Bill No. 2117), entitled:

An Act making an appropriation to the Treasury Department for the refund of transfer inheritance and estate taxes erroneously collected or overpaid into the State Treasury

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILL OVER IN ORDER

Mr. HUFFMAN, Mr. President, I ask unanimous consent that Senate Bill No. 1398, (House Bill No. 1086) on second reading, entitled:

An Act to fix the compensation of the assistant custodians of the Senate chamber and the hall of the House of Representatives.

go over in its order.

The PRESIDENT. If there objection? The chair hears none.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1415, as follows:

An Act making an appropriation to the State Treasurer for the purpose of paying salaries of State officers and employes in the interim between the thirty-first day of May one thousand nine hundred thirty-seven and such time as the funds provided by the General Appropriation Act become available.

Whereas Under the Constitution and the laws of this Commonwealth the State Treasurer may not pay out any moneys unless they be specifically appropriated by Act of the General Assembly and

Whereas The laws of this Commonwealth provide that State officers and employes shall be paid semi-monthly on the first and fifteenth days of each month

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of three million five hundred thousand dollars ($3.500,000.00) or as much thereof as may be necessary is hereby specifically appropriated to the State Treasurer of the Commonwealth of Pennsylvania for the purpose of paying the salaries of the officers and employes of the executive legislative and judicial branches of the State government in the interim between the thirty-first day of May one thousand nine hundred thirty-seven and such time as moneys appropriated by the General Appropriation Act of one thousand nine hundred thirty-seven may become available for such purposes

Section 2 Payments out of the appropriation of this act shall be made by the State Treasurer upon requisition by the several departments boards commissions or officers in the same manner as payments or salaries are ordinarily made

Section 3 All amounts paid by the State Treasurer in accordance with this act shall be charged against the appropriation made for the salaries of the officers and employes of the executive legislative and judicial departments in the General Appropriation Act of one thousand nine hundred thirty-seven

Section 4 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. RUTH. Mr. President, I call up at this time Senate Bill No. 191, on second reading, postponed, entitled:

An Act to further amend section four hundred and one of the act, approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing school districts to establish nursery schools and junior colleges

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 191, entitled:

An Act to further amend section four hundred and one of the act approved the eighteenth day of May, one thousand nine hundred and eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith," by authorizing school districts to establish nursery schools and junior colleges.

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred and one of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section eight of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 243) is hereby further amended to read as follows

Section 401 (1) The board of school directors in every school district in this Commonwealth shall establish equip furnish and maintain a sufficient number of elementary public schools in compliance with the provisions of this act to educate every person residing in such district between the ages of six and twenty-one years who may attend and may establish equip furnish and maintain the following additional schools or departments for the education and recreation of persons residing in said district and for the proper operation of its schools which said additional schools or departments when established shall be an integral part of the public school system in such school district and shall be so administered namely

High schools
Manual training schools
Vocational schools
Domestic science schools
Cafeterias
Agricultural schools
Evening schools
Kindergartens
Nursery schools
Libraries
Museums
Reading-rooms
Gymnasiums
Playgrounds
Schools for blind deaf and mentally deficient
Truant schools
Parental schools
Schools for adults
Junior colleges

Public lectures together with such other schools or educational departments as they in their wisdom may see proper to establish

Provided that no pupil shall be refused admission to the courses in those additional schools or departments by reason of the fact that his elementary or academic education is being or has been received in a school other than a public school

(2) The board of school directors of each school district of the first second third and fourth class may establish and maintain kindergartens or nursery schools or both for children between the ages of four and six years Whenever petitioned in behalf of twenty-five or more children by the parents of the said children it shall subject to budgetary limitations be the duty of the board of school directors of any district to provide for such kindergartens or nursery schools When established the kindergartens and nursery schools shall be in integral part of the elementary school system of the district

The number of kindergartens in any one district shall be fixed by the board of school directors and shall be open during the school year

If the average attendance in any one kindergarten in any district is ten or less for the school year the school

directors shall at the close of the school year discontinue the same

The board of school directors shall appoint and assign a sufficient number of teachers to such kindergartens who shall be certified in accordance with the rules and regulations prescribed by the State Council of Education

(3) The board of school directors in any school district shall have power to establish equip and maintain and operate cafeterias in any of the schools under its jurisdiction whenever in its judgment it is deemed advisable to do so and shall have power to appoint such directors supervisors or other employes as are necessary and fix their salaries

The cost of housing and equipping such cafeterias shall be charged against the funds of the school district

The food served shall be sold to the pupils teachers and school employes of the cafeterias at such price as will not materially exceed the cost of operation and will pay the cost of maintaining the cafeterias

It shall be legal for boards of school directors to authorize the proper school employe to purchase perishable food supplies for cafeterias without advertisements for bids

There shall be a separate cafeteria fund and all payments rom said fund shall be made upon a special order drawn by the school employe authorized to purchase food supplies and said employe shall present each month to the board of directors for approval a statement of receipts and expenditures

The accounts shall be subject to audit by the auditors of the school district in like manner as other accounts of the school districts are audited

(4) The board of school directors in any school district may with the approval of the State Council of Education establish junior colleges and provide for the support and maintenance thereof by taxation or tuition or both No junior college shall be established in any school district unless the need therefor is certified by the State Council of Education All junior colleges when established shall meet all requirements prescribed by the State Council of Education The Department of Public Instruction may out of any State appropriation available for such purpose make an allotment to any school district maintaining a junior college on account of salaries of the instructors in such junior college

On the question,

Will the Senate agree to the section?

Mr. RUTH. Mr. President, I move to amend Section 1 Section 401 (1) page 3, line 4, striking out the words "Manual training" and inserting in lieu thereof the words "Practical arts"; amend Section 1 Section 401 (1) page 3, line 6, by striking out the words "Domestic science schools"; amend Section 1 Section 401 (1), page 3, line 8, by striking out the words "Agricultural schools"; amend Section 1 Section 401 (2) page 4, line 4, by striking out the works "between the ages of four and" and inserting in lieu thereof the words "who have not attained the age of"; amend Section 1 Section 401 (1) page 3, line 21 by striking out all the words in said line; amend Section 1 Section 401 (2), page 4, line 2, by inserting after the word "Kindergartens" the words "and nursery schools"; amend Section 1 Section 401 (2) page 4, line 15, by inserting after the word "kindergarten" the words "or nursery schools"; amend Section 1 Section 401 (2) page 4, line 19, by inserting after the word "kindergartens" the words "and nursery schools"; amend Section 1 (Section 401 (4) page 5, lines 18 and 26 by striking out all the words in said lines; amend Section 1 Section 401 (4) page 6, lines 1 and 2 by striking out all the words in said lines.

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows:

An Act to further amend section four hundred and one of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by authorizing school districts to establish nursery schools and Junior colleges.

On the question,

Will the Senate agree to the section?

Mr. RUTH. Mr. President, I move to amend title, page 1, line 13, by striking out the following words: "and Junior colleges"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Mr. RUTH. Mr. President, I call up at this time Senate Bill 869 on second reading, postponed, entitled:

A Supplement to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for certain additions to minimum annual salaries for members of the teaching staffs of schools in fourth class school districts and authorizing the suspension of this supplement in certain cases

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 869 (House Bill No. 1978), entitled:

A Supplement to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for certain additions to minimum annual salaries for members of the teaching staffs of schools in fourth class school districts and authorizing the suspension of this supplement in certain cases

The first to the third sections inclusive of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the amount now required to be paid under the provisions of an act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended there shall be added to the minimum annual salaries of all members of the teaching staffs of elementary schools in fourth class school districts an amount which together with the said amount required by law to be paid will equal one thousand dollars ($1,000) and the minimum annual increment for such teachers shall be fifty dollars ($50) and the minimum number of increments shall be four and the minimum annual salary of members of the teaching staffs of high schools in fourth class school districts shall be one thousand one hundred seventy dollars ($1,170) and the minimum annual increment for such teachers shall be one hundred dollars ($100) and the minimum number of increments shall be four (4) Provided That none of the said increments for the members of the teaching staffs of elementary or high schools in such districts shall be required before the first day of July one thousand nine hundred thirty-eight

Of the difference between the minimum salary required by this supplement to be paid to each member of the teaching staff of the schools of districts of the fourth class and the minimum salary now required by law the amount paid by the Commonwealth to a school district of the fourth class which has a true valuation per teacher of assessable property of fifty thousand dollars ($50,000) or less shall be seventy-five per centum (75%) the amount paid to each school district of the fourth class which has a true valuation per teacher of assessable property of more than fifty thousand dollars ($50,000) and not more than one hundred thousand dollars ($100,000) shall be sixty per centum (60%) and the amount paid to each school district of the fourth class which has a true valuation per teacher of assessable property of more than one hundred thousand dollars ($100,000) shall be fifty per centum (50%)

Section 3 All salary increments required by the provisions of this act are conditioned upon evidence of professional growth on the part of the teacher Any teacher failing or refusing to complete within each period of three years under her contract at least six semester hours of professional education approved by the county superintendent and in districts having a supervising principal jointly approved by the county superintendent and the supervising principal shall be denied further benefits of the said increments and the rate of her salary shall automatically revert to the minimum rate provided in this act unless the said teacher has a master's degree or the equivalent thereof

The fourth section of the bill was read as follows and agreed to:

Section 4 If the act entitled "An act imposing an annual license tax for the privilege of operating maintaining or controlling within this Commonwealth a store or stores as herein defined prescribing the method and manner of collecting such tax and its disposition and providing penalties" enacted at this session of the General Assembly be declared invalid void or unconstitutional by final decision in any court of competent jurisdiction then and in that event the Governor by proclamation shall under authority hereby conferred upon him suspend this act

On the question,

Will the Senate agree to the section?

Mr. RUTH. Mr. President, I move to amend section 4, page 4, line 26 by inserting after the word "stores" and before the word "as" the following: "theater or theaters;" amend section 4, page 4, line 27 by inserting after word "disposition" and before the word "and" the following: "including an appropriation for the purpose of administering this act"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifth section of the bill was read as follows and agreed to:

Section 5 This act shall become effective the first day of July one thousand nine hundred thirty-seven

The title of the bill was read as follows and agreed to:

An Act to the act approved the eighteenth day of May one thousand nine hundred eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for certain additions to minimum annual salaries for members of the teaching staffs of schools in fourth class school districts and authorizing the suspension of this supplement in certain cases

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

QUESTION OF PERSONAL PRIVILEGE

Mr. STIEFEL. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Philadelphia, Mr. Stiefel, will state his question of personal privilege.

Mr. STIEFEL. Mr. President, as one of the new Senators I have postponed making speeches on the floor, but there are two insurance bills of importance here that the lobbyists are trying to create opinions against the passage of these bills. Now, in good old England, there was a custom that when a fellow violated the law, they would string him to a pole in the middle of the street to make an example of him. I pledge here today that the first lobbyist who complains about Senate Bill 754, I shall follow the example of good old Merrie England.

Mr. RUPP. Mr. President, I would like to have the opportunity of seconding the Senators motion, providing it includes the heads of our administration departments as well.

REPORT OF COMMITTEE CONFERENCE ON SENATE BILL NO. 639

Mr. DENT. Mr. President, now that there has been an interruption, I ask unanimous consent to present a report of the Committee of Conference on Senate No. 639 (House Bill No. 2172), entitled:

An Act to protect the right of employes to organize and bargain collectively creating the Pennsylvania Labor Relations Board conferring powers and imposing duties upon

the Pennsylvania Labor Relations Board officers of the State government and courts providing for the right of employes to organize and bargain collectively declaring certain labor practices by employers to be unfair further providing that representatives of a majority of the employes be the exclusive representatives of all the employes authorizing the Board to conduct hearings and elections and certify as to representatives of employes for purposes of collective bargaining empowering the Board to prevent any person from engaging in any unfair labor practice and providing a procedure for such cases including the issuance of a complaint the conducting of a hearing and the making of an order empowering the Board to petition a Court of Common Pleas for the enforcement of its order and providing a procedure for such cases providing for the review of an order of the Board by a Court of Common Pleas on petition of any person aggrieved by such order and establishing a procedure for such cases providing for an appeal from the Common Pleas Court to the Supreme Court providing the Board with investigatory powers including the power to issue subpoenas and the compelling of obedience to them through application to the proper court providing for service of papers and process of the Board prescribing certain penalties.

The PRESIDENT. Is there objection? The Chair hears none. The report will be noted on the calendar.

BILLS ON CONCURRENCE IN HOUSE AMENDMENTS

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 358, as follows:

An Act to amend section five hundred forty-seven as amended and and sections eight hundred two and nine hundred and two A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for and regulating the method of making appropriations expenditures contracts employments and purchases by the townships relating to the preparation of the annual budget on forms to be prepared by representatives of the State Association of Township Supervisors the Department of Highways and the Department of Internal Affairs providing for public notice of the preparation of such budget relating to the filing of such budget with the Department of Internal Affairs requiring auditors to file an annual report with such Department conferring jurisdiction of certain cases upon aldermen magistrates and justices of the peace and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth in General Assembly met and it is hereby enacted by the authority of the same That section five hundred forty-seven of the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" which was last amended by section one of the act approved the eighteenth day of July one thousand nine hundred thirty-five (P. L. 1299) is hereby further amended to read as follows

Section 547 Completion Publication and Filing of Auditors' Statement Filing of Report with Department of Internal Affairs The auditors shall complete their audit settlement and adjustment within as short a time as possible and in no case shall more than twenty days be expended on such audit They shall within ten days thereafter publish by advertisement in at least one newspaper of general circulation printed in the township or county or by posting at least five copies in public places in the township a concise itemized statement of the receipts and expenditures of the several officers for the preceding fiscal year They shall also within ten days hereafter file a copy of such statement with the secretary and another copy of such statement with the clerk of the Court of Quarter Sessions When any two offices are exercised by the same person only one satement shall be required

The auditors shall also annually make a report of the financial condition of the township to the Department of Internal Affairs within sixty days after the close of the fiscal year signed by each auditor and duly verified by the oath of one of the auditors Any auditor refusing or wilfully neglecting to file such report shall upon conviction thereof in a summary proceeding brought at the instance of the Department of Internal Affairs be sentenced to pay a fine of five dollars for each day's delay beyond said sixty days and cost All fines recovered shall be for the use of the Commonwealth

The report to the Department of Internal Affairs shall be presented on a uniform form prepared and furnished as herein provided

Section 2 That section eight hundred two of said act is hereby amended to read as follows

Section 802 Letting Contracts All purchases of materials equipment [and/or] and machinery for the construction reconstruction and improvement of roads and bridges involving an expenditure in excess of two hundred dollars shall be by contract in writing and shall be made only after competitive bidding The secretary of the board shall either advertise once a week for two weeks in one or more newspapers of general circulation in the township for competitive bids or shall obtain quotations from at least 3 responsible concerns It shall be unlawful for the supervisors to evade the provisions of this section by making two or more contracts for small amounts which should have been in one If the auditors find there has been any such evasion they shall refuse to approve the same

The supervisors shall not hire any work to be done purchase any material or make any contract in any amount which will cause the sums appropriated for such purposes to be exceeded No contracts or purchases not provided for by an appropriation or which shall cause any appropriation to be exceeded shall be valid

All [such] contracts which in this section are required to be in writing and all contracts for the construction reconstruction and improvement of roads and bridges shall be valid only when approved by the Department of Highways of the Commonwealth

A record of all purchases of material equipment [and/or] and machinery for road purposes involving an expenditure of less than two hundred dollars shall be kept by the supervisors and furnished to the Department of Highways in the annual report

Section 3 That section nine hundred two of said act is hereby amended to read as follows

Section 902 Annual Budget The board of township supervisors of townships of the second class shall annually before their organization meeting in January or as soon thereafter as practicable [make a written estimate of the] [amount of money required] and at least thirty days prior to the adoption of the annual budget prepare a proposed budget or annual estimate of revenues and expenditures for the [ensuing] fiscal year beginning on the first Monday of January which shall be filed with the treasurer In all townships in which the estimated expenditures in the budget exceed five thousand dollars ($5,000) the budget shall be prepared on a uniform form prepared and furnished as hereafter provided [Such] The estimates in the budget for the purpose of aiding the board in determining how much road [tax] and other taxes to levy shall specify

(a) The amount of money necessary for the maintenance repair and improvement of highways including sluices

(b) The amount of money necessary for the repair and construction of culverts and bridges

(c) The amount of money necessary for the purchase hire repair and custody of tools implements and machinery

(b) The amount of money necessary for each other governmental activity of the township for which a special tax levy may or may not be authorized

[(d)] (e) The amount of money necessary for the payment of debts or other miscellaneous purposes

Upon the preparation of a proposed budget in which the estimated expenditures exceed five thousand dollars ($5,000) the supervisors shall either give public notice of the detailed contents thereof or of the fact that the proposed budget will be available for public inspection at a designated place in the township After the expiration of twenty (20) days following the giving of public notice of the detailed contents of the budget or after the budget has been available for twenty (20) days as herein provided such supervisors shall after making such revisions therein as appear advisable adopt the budget and the necessary appropriation measures required to put it into effect In townships in which the estimated expenditures do not exceed five thousand dollars ($5,000) the supervisors shall as soon as possible after the expiration of thirty days following the preparation of the proposed budget adopt the budget and the necessary appropriation measures required to put it into effect

The total appropriation shall not exceed the revenues estimated as available for the fiscal year In all townships in which the estimated expenditures in the budget exceed five thousand dollars ($5,000) the board of supervisors shall within fifteen days after the adoption of the budget file a copy of the same in the office of the Department of Internal Affairs

The supervisors may by resolution transfer unencumbered moneys from one [fund] road tax account to another but no moneys shall be transferred [except] from the fund allocated for the payment of debts or from any fund raised by a special tax levy for a particular purpose Such transfers shall not be made during the first three months of the fiscal year No money shall be paid out of the township treasury except upon appropriation made according to law

Section 4 That said act is hereby amended by adding thereto the following section

Section 902A The uniform forms for the annual budget and for the annual report to the Department of Internal Affairs to be used as herein provided shall be prepared by a committee consisting of four representatives from the Pennsylvania State Association of Township Supervisors one representative from the State Department of Highways and the Secretary of Internal Affairs or his agent

Such representatives of the Association of Township Supervisors shall be appointed by the president of the organization within sixty days after the effective date of this act As far as possible such representatives shall be chosen to represent townships in the various population groups among the range of townships of the second class The president of the organization shall supply to the Secretary of Internal Affairs the names and addresses of such representatives immediately upon their appointment The representatives of the Department of Highways shall be appointed by the Secretary of Highways

Such representatives of the townships shall serve without compensation but shall be reimbursed by the Commonwealth for all necessary expenses incurred in attending meetings of the committee The committee shall meet at the call of the Secretary of Internal Affairs or his agent who shall serve as Chairman of the Committee

In preparing the uniform forms for both budgets and annual reports the Committee shall give careful consideration to the fiscal needs and procedure of townships of the various population groups producing separate forms if necessary to meet the needs of townships of varying sizes In the preparation of forms for financial reports the same shall be so arranged that corresponding information required to be reported to the Department of Highways may be used for the information required to be furnished to the Department of Internal Affairs

It shall be the duty of the Secretary of Internal Affairs or his agent to see to it that the forms required by this act are prepared in cooperation with such committee In the event that such committee should for any reason fail to furnish such cooperation the Secretary of Internal Affairs or his agent shall prepare the forms After they are prepared he shall issue such forms and distribute them annually as needed to the proper township officers

Section 5 The provisions of this act shall become effective immediately upon its approval by the Governor They shall be first put into operation in connection with the preparation of budgets for the fiscal year nineteen hundred thirty-eight and the preparation of annual reports of financial transactions for the fiscal year nineteen hundred thirty-seven

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution.

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barthold,	Gilson,	Law,	Rupp,
Bean,	Haluska,	Mallery,	Ruth,
Cavalcante,	Henney,	McCreesh,	Scarlett,
Chapman,	Heyburn,	McGinnis,	Shapiro,
Dando,	Homsher,	Mundy,	Sipe,
Deitrick,	Huffman,	Owlett,	Sones,
Dent,	Jacobs,	Pierson,	Sordoni,
DiSilvestro,	Jaspan,	Pytko,	Stiefel,
Ealy,	Kahle,	Rankin,	Thompson,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Woodward,
Gelder	Lanius,	Rodgers,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 371, as follows:

Mr. SHAPIRO. Mr. President, the amendment to this bill limits the salaries and fees paid to Registers of Wills in the Commonwealth of Pennsylvania. When the bill was first introduced, it provided a limitation of fees from an estate to $5,000., which, together with the salaries paid to Registers of Wills in first and second-class cities, would have given $10,000. to the Registers of Wills. The bill has since been amended to increase the limitation of estate fees to $10,000., and you haven't any conflict by the passage of this rate, and there is a provision in it giving the right to the State to collect a certain tax pending against certain corporations.

I am going to vote in favor of this bill, but I want to place myself on record as saying that I do not agree with the same and that I am voting for a principle enunciated by this bill, namely, that there shall be a limitation upon the amount of fees the public officials may receive for performing a State duty in connection with their offices. In my opinion the salary of $10,000 for the Register of Wills in Philadelphia is more than ample to compensate him for the duty he performs in our particular county, and as a matter of fact he performs no duties, he merely keeps an office and pays counsel a salary of $7500., a lawyer who solves all legal problems for him, and, as a matter of fact, the office is only an adjunct of the Orphans' Court, and the Clerk of the Orphans' Court has charge of all those duties, and he performs the duties with less expenses and a smaller payroll.

I hope that when the city and county merger plan is

finally consummated and a Commission appointed under the new City Charter Act, it will take into consideration that fact and correct the condition, therefore, I am asking the Senate to vote in favor of the amendments for the reason that I believe that in this jurisdiction the condition should be corrected, and until that is corrected this bill should become a law.

An Act to amend sections twenty-one and forty-seven of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by providing for the filing of bond with the Department of Revenue and by limiting the amount to be retained by registers of wills for their own use for collection of inheritance taxes as agents of the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section twenty-one of the Act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An Act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" is hereby amended to read as follows

Section 21 The registers of wills upon their filing with the [Auditor General] Department of Revenue the bond hereinafter required shall be the agents of the Commonwealth for the collection of the said tax in the case of resident decedents For services rendered in collecting and paying over the same they shall be allowed to retain for their own use upon the gross amount collected during any year five per centum upon the tax collected if such tax shall amount to a sum of fifty thousand ($50,000) dollars or less three per centum on the amounts collected in excess of fifty thousand ($50,000) dollars and not exceeding one hundred thousand ($100,000) dollars one per centum on the amounts collected in excess of one hundred thousand ($100,000) dollars and not over two hundred thousand ($200,000) dollars and one-half of one per centum on the amounts collected in excess of two hundred thousand ($200,000) dollars and not over one million ($1,000,000) dollars and one-quarter of one per centum on the amounts collected in excess of one million ($1,000,000) dollars Provided that the total amounts to be so retained by such registers of wills for their own use shall not exceed the total sum of ten thousand dollars ($10,000) during any year

Section 2 That section forty-seven of the said act is hereby amended to read as follows

Section 47 The act approved May sixth one thousand eight hundred and eighty-seven entitled "An act to provide for the better collection of collateral inheritance taxes" and the amendments and supplements thereto and the act approved the eleventh day of July one thousand nine hundred and seventeen entitled "An act for the imposition and collection of certain inheritance taxes" and all other acts or parts of acts inconsistent with the provisions of this act are hereby repealed but nothing in this repealer shall affect or impair the lien of any taxes heretofore assessed or any tax due owing or payable or any remedies for the collection of the same or to surrender any remedies powers rights or privileges acquired by the Commonwealth under said act approved May sixth one thousand eight hundred and eighty-seven entitled "An act to provide for the better collection of collateral inheritance taxes" its amendments and supplements and the said act approved the eleventh day of July one thousand nine hundred and seventeen entitled "An act for the imposition and collection of certain inheritance taxes" or to relieve any person or corporation from any tax or penalty imposed by said acts Provided That the registers of wills shall not retain any amount for their own use for the collection of taxes under said acts as agents for the Commonwealth

Section 3 This act shall become effective immediately upon its final enactment

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barthold,	Gilson,	Law,	Rupp,
Bean,	Haluska,	Mallery,	Ruth,
Cavalcante,	Henney,	McCreesh,	Scarlett,
Chapman,	Heyburn,	McGinnis,	Shapiro,
Dando,	Homsher,	Mundy,	Sipe,
Deitrick,	Huffman,	Owlett,	Sones,
Dent,	Jacobs.	Pierson,	Sordoni,
DiSilvestro.	Jaspan,	Pytko,	Stiefel,
Ealy,	Kahle,	Rankin,	Thompson,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Woodward,
Gelder.	Lanius.	Rodgers,	

NAYS— 0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 749, as follows:

An Act to amend Section Four Hundred Ten as amended and Four Hundred Eleven of the Act approved the Seventeenth Day of May One Thousand Nine Hundred and Twenty-One (P. L. 682) entitled "An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" requiring companies of other states and foreign governments to make a provision for loans in policies of life insurance prohibiting any provision by which a policy of life insurance would take effect before the original application was made

Section 1 Be it enacted by the Senate and House of Represntatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Sections Four Hundred and Ten of the Act approved the Seventeenth Day of May One Thousand Nine Hundred and Twenty-one (P. L. 682)

entitled "An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by the act approved the fifteenth day of July one thousand nine hundred and thirty-five (P. L. 1020) is hereby further amended to read as follows

Section 410 Uniform Policy Provisions No policy of life or endowment insurance except policies of industrial insurance where the premiums are payable monthly or oftener shall hereafter be issued or delivered by any stock or mutual life insurance company in this Commonwealth unless it contains in substance the following provisions

(a) A provision that all premiums shall be payable in advance either at the home office of the company or to an agent of the company upon delivery of a receipt signed by one or more of the officers of the company who shall be named in the policy

(b) A provision that the insured is entitled to a grace either of thirty days or one month within which the payment of any premium after the first year may be made subject at the option of the company to an interest charge not in excess of six per centum per annum for the number of days of grace elapsing before the payment of the premium during which period of grace the policy shall continue in full force but in case the policy becomes a claim during the said period of grace before the overdue premium or the deferred premiums of the current policy year if any are paid the amount of such premiums with interest on any overdue premiums may be deducted in any settlement under the policy

(c) A provision that the policy shall be incontestable after it has been in force during the lifetime of the insured two years from its date of issue except for nonpayment of premiums and for engaging in military or naval service in time of war without the consent in writing of an executive officer of the company and that at the option of the company provisions relative to benefits in the event of total and permanent disability and provisions which grant additional insurance specifically against death by accident may also be excepted

(d) A provision that the policy shall constitute the entire contract between the parties but if the company desires to make the application a part of the contract it may do so provided a copy of such application shall be endorsed upon or attached to the policy when issued and in such case the policy shall contain a provision that the policy and the application therefor shall constitute the entire contract between the parties

(e) A provision that if the age of the insured has been misstated the amount payable under the policy shall be such as the premium would have purchased at the correct age

(f) A provision that the policy shall participate in the surplus of the company and that beginning not later than the end of the third policy-year the company will annually determine the portion of the divisible surplus accruing on the policy and that the owner of the policy shall have the right to have the dividend arising from such participation paid in cash or applied to the payment of premium or the purchase of paid up additions to the policy as the policyholder may elect

In lieu of the foregoing provisions the policy may contain a provision that the policy shall participate in the surplus of the company and that beginning not later than the end of the fifth policy-year the company will determine the portion of the divisible surplus accruing on the policy and that the owner of the policy shall have the right to have the current dividend arising from such participation paid in cash and that at periods of not more than five years thereafter such apportionment and payment at the option of the policy-holder shall be had

Renewable term policies of ten years or less may provide that the surplus accruing to such policies shall be determined and apportioned each year after the second policy-year and accumulated during each renewal period and that at the end of any renewal period or renewal of the policy by the insured the company shall apply the accumulated surplus as an annuity for the next succeeding renewal term in the reduction of premiums

(g) A provision specifying the options to which the policy holder holder is entitled in the event of default in a premium payment after three full annual premiums shall have been paid

(h) A provision that after three full years' premiums have been paid the company at any time while the policy is in force will advance on proper assignment or pledge of the policy and on the sole security thereof at specified rate of interest a sum equal to or at the option of the owner of the policy less than the reserve at the end of the current policy year on the policy and on any dividend additions thereto less a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto and that the company will deduct from such loan value any existing indebtedness on the policy and any unpaid balance of the premium for the curret policy-year and may collect interest in advance on the loan to the end of the current policy-year which provision may further provide that such loan may be deferred for not exceeding six months after the application therefor is made A company may in lieu of the provision hereinabove permitted for the deduction from a loan on the policy of a sum not more than two and one-half per centum of the amount insured by the policy and of any dividend additions thereto insert in the policy a provision that one-fifth of the entire reserve may be deducted in case of a loan under the policy or may provide therein that the deduction may be the said two and one-half per centum or the one-fifth of the said entire reserve at the option of the company

(i) A provision which in event of default in premium payments after premiums shall have been paid for three years shall secure to the owner of the policy a stipulated form of insurance the net value of which shall be at least equal to the reserve at the date of default on the policy and on any dividend additions thereto specifying the mortality table and rate of interest adopted for computing such reserves less a sum not more than two and one-half per centum of the amount insured by the policy and of any existing dividend additions thereto and less any existing indebtedness to the company on the policy Such provision shall stipulate that the policy may be surrendered to the company at its home office within one month from date of default for a specified cash value at least equal to the sum which would otherwise be available for the purchase of insurance as aforesaid and may stipulate that the company may defer payment for not more than six (6) months after the application therefor is made This provision shall not be required in term insurance of twenty years or less

(j) A table showing in figures the loan value if any and the options available under the policy each year upon default in premium payments during at least the first twenty years of the policy and if the proceeds of the policy are payable in installments or as an annuity a table showing the amount of the installment or annuity payment

(k) A provision that the holder of a policy shall be entitled to have the policy reinstated at any time within three years from the date of default in premium payments unless the policy has been duly surrendered or the extension period expired upon the production of evidence of insurability satisfactory to the company and the payment of all overdue premiums and any other indebtedness to the company upon said policy with interest at the rate of not exceeding six per centum per annum

(l) A provision that when a policy shall become a claim by the death of the insured settlement shall be made up receipt of due proof of death

Any of the foregoing provisions or parts thereof not applicable to single premium or non-participating or term policies shall to that extent not be incorporated therein [and paragraph (h) shall not apply to companies of other States and foreign governments] Provided however That the policies of an insurance company organized under the laws of any State or foreign government may contain

when issued in this Commonwealth any provision which may be prescribed by laws of the State or government under which the company is organized and the policies of a life insurance company organized under the laws of this Commonwealth may when issued in any other State Territory or foreign country contain any provision required by the laws of such State Territory or foreign country to be contained in policies issued therein

Section 2 That section four hundred and eleven of said act is hereby amended to read as follows

Section 411 Prohibited Policy Provisions No policy of life insurance shall be issued or delivered in this Commonwealth by any stock or mutual life insurance company organized under the laws of any other State or country or be issued by any stock or mutual life insurance company organized under the laws of this Commonwealth except policies of industrial insurance where the premiums are payable monthly or oftener if it contain any of the following provisions

(a) Any provision for forfeiture of the policy for failure to repay any loan on the policy or to pay interest on any such loan while the total indebtedness on the policy is less than the cash value thereof In ascertaining the indebtedness due upon the policy loan the interest if not paid when due shall be added to the principal of such loan and shall bear interest at the rate specified in the note or loan agreement

(b) Any provision limiting the time within which any action at law or equity may be commenced to less than two years after the cause of action shall accrue

(c) Any provision by which the policy shall purport to be issued or to take effect [more than six months] before the original application for the insurance was made if thereby the assured would rate at an age younger than his age at date when the application was made according to his age at nearest birthday

(d) Any provision for a mode of settlement at maturity of less value than the amount insured on the face of the policy plus dividend additions if any less the indebtedness to the company on the policy and less any premiums that may by the terms of the policy be deducted

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barthold,	Gilson,	Law,	Rupp,
Bean,	Haluska,	Mallery,	Ruth,
Cavalcante,	Henney,	McCreesh,	Scarlett,
Chapman,	Heyburn,	McGinnis,	Shapiro,
Dando,	Homsher,	Mundy,	Sipe,
Deitrick,	Huffman,	Owlett,	Sones,
Dent,	Jacobs,	Pierson,	Sordoni,
DiSilvestro,	Jaspan,	Pytko,	Stiefel,
Ealy,	Kahle,	Rankin,	Thompson,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Woodward,
Gelder,	Lanius,	Rodgers,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 894, as follows:

An Act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting and park purposes

Whereas Commissioners for the Commonwealth of Pennsylvania and Commissioners for the State of Ohio negotiated a compact or agreement relative to the development use and regulation of Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes and

Whereas Such compact or agreement has been executed in duplicate one for each State on behalf of the Commonwealth of Pennsylvania by and through the Water and Power Resources Board and on behalf of the State of Ohio by and through the Conservation Division which compact or agreement is contained in the following words

AGREEMENT BETWEEN THE COMMONWEALTH OF PENNSYLVANIA AND THE STATE OF OHIO RE PYMATUNING LAKE

THIS AGREEMENT made and concluded between the Commonwealth of Pennsylvania acting by and through its lawfully authorized agency namely the Water and Power Resources Board as party of the first part and the State of Ohio acting by and through its lawfully authorized agency namely its Director of Conservation as party of the second part

WITNESSETH

Whereas By act of Assembly of Pennsylvania approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1503) as amended by the acts approved the fifth day of May one thousand nine hundred and thirty-one (Pamphlet Laws 84) the twenty-fourth day of April one thousand nine hundred and thirty-three (Pamphlet Laws 67) and the ninth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 619) the Department of Forests and Waters of Pennsylvania acting through the Water and Power Resources Board was authorized inter alia to complete the work begun and continued under an act approved the twenty-fifth day of July one thousand nine hundred and thirteen (P L 1270) entitled "An act providing for the erection of a dam at the outlet of Pymatuning Swamp and the establishment of a reservoir to conserve the waters thereof providing for the taking of land and materials necessary thereto vesting certain powers and duties in the Water Supply Commissoin and making an appropriation" and did duly complete said work whereby there was created a lake or reservoir now known and hereinafter called Pymatuning Lake extending in part across the boundary line between said States of Ohio and Pennsylvania into the State of Ohio and

Whereas The primary purposes of the project by which said lake was created was to conserve water draining said swamp all of which has its source in Pennsylvania as well as control floods and regulate the flow of water in the Shenango and Beaver Rivers and secondary thereto permit the water and the land surrounding the same to be used for fishing hunting recreational and park purposes under such terms and conditions as the Water and Power Resources Board might determine in such way or ways as in the opinion of the said board will not materially interfere with the primary purpose in said acts of assembly and hereinbefore specifically referred to and

Whereas In view of the fact that a certain part of the lake extends into the State of Ohio whereby it is necessary and desirable that the use of the lake for the secondary puropses namely hunting fishing and recreational use be uniformly provided for as well as to guard against inconveniences and mischiefs which might hereafter arise from the uncertainty or jurisdiction within and on said lake to the end that the lake may be adequately policed and conflicts of jurisdiction for the arrest and punishment of offenders be avoided

Now then Therefore In order that law and justice may in all cases be executed and take effect upon said lake from shore to shore in all parts and places thereof

where the lake is a boundary between said states the said parties hereto do agree for and in behalf of their respective states in the manner following

1. General Use

It is hereby agreed that the entire Pymatuning Lake or Reservoir subject to the primary use thereof by the Commonwealth of Pennsylvania for regulating the flow of the water in the Shenango and Beaver Rivers as in Paragraph 9 hereinafter more specifically mentioned shall be open for recreational use equally to the citizens of both contracting parties save as restricted as to hunting fishing and boating in this agreement set forth or hereafter mutually agreed upon by both parties but no person shall be permitted to hunt or fish therein or thereon unless the lawful holder of a fishing or hunting license authorizing him or her so to do issued by the proper authorities of Pennsylvania or of Ohio

2. Arrest and Prosecution of Offenders

That each state shall enjoy and exercise a concurrent jurisdiction upon the water (but not upon the dry land) between the shores of said lake including the islands therein with respect to the arrest and prosecution of offenders but in such sort that any boat or vessel fastened to or aground on the shore of either state shall be considered exclusively within the jurisdiction of said state but that all capital and other offenses trespasses or damages committed on or over said lake the judicial investigation and determination thereof shall be exclusively vested in the state wherein the offender or person charged with such offense shall be first apprehended arrested prosecuted or first brought to trial it being the intent of this agreement that an offender may be pursued and arrested anywhere on or over said lake or shores thereof or islands therein regardless of the boundary line by any peace officers or persons of either state authorized to make arrests whether the offenses be committed on or over any part of the lake on the shores or islands therein regardless of the state in which the place where the offense was committed lies

3 Islands

All islands within the lake shall be considered as part of the State of Pennsylvania

4. Pollution of Water

The lake shall forever be protected against pollution of its waters by industrial trade waste individual or municipal sewage from shore or boat and the discharge of any noxious or deleterious substance liquid or solid into the waters of the lake which is or may become inimical or injurious to public health or to animal or aquatic life is hereby expressly forbidden

No sewage may be discharged into the waters of the lake except after complete treatment and then only upon permit first approved by the Health Department of both States

5 Boats and Vessels

No power or motor boats nor hydroplanes or aquaplanes shall be permitted anywhere on said lake except such police or administration motor boats to the number which shall be mutually agreed upon by the parties hereto Sail boats row boats and canoes shall be permitted provided they first obtain a license from the respective state of which the owner is a resident under such regulations as each party to this agreement may now have or hereafter adopt

6 Fishing

Any person possessing a duly issued fishing license by either state shall be permitted to fish anywhere on the entire lake (except such portion thereof as is closed to shing by Paragraph 8 hereof or such further portion as may hereafter by regulatiin be mutually agreed to by the parties hereto) but no fisherman shall be entitled to fish from the shores of the state of which he is a nonresident unless he complies with the non-resident fishing license law of said state

In order to permit the fish to fully propagate and develop no part of the lake shall be open for fishing until the first day of July one thousand nine hundred and thirty-seven and thereafter shall be closed in each year between the tenth day of December and the thirtieth day of June

Until otherwise mutually agreed to by both parties hereto the creel size and season limits for the respective kinds of fish caught shall be such as may hereafter be agreed upon between the two states

7 Reciprocal Hunting Rights

Reciprocal hunting rights are hereby granted to the licensed hunters of each state on the water of that portion of the lake both in Pennsylvania and Ohio over the area bounded on the south by an east and west line crossing the State boundary five-tenth of a mile north of Simons Ohio and on the north by a line drawn between the point at which the Padanaram Road crosses the State boundary and a point formerly known as the Polleck Bridge but such reciprocal hunting rights hereby granted shall extend only to such wild migratory birds as are covered by the Federal Migratory Bird Treaty and Federal Laws adopted thereunder

Hunting in such portions of the lake as are not included in the area above described and designated shall be and remain under the jurisdiction of the Commonwealth of Pennsylvania

No permanent blinds shall be erected anywhere on the lake and shores thereof but these provisions shall not be interpreted as forbidding the use of a boat as a blind temporarily moored to or grounded on the shore of the lake or islands thereof

8 Wild Game and Fish Sanctuaries

A The Game Commission of the State of Pennsylvania having established a wild migratory bird and game sanctuary or refuge in that part of the lake located southeast of the Pennsylvania Railroad Crossing it is expressly agreed that nothing herein contained shall be interpreted as entitling the residents of either state whether licensed to fish or hunt or otherwise to fish or hunt trespass or enter upon said sanctuary for any purpose whatsoever Anyone so doing shall become amenable to prosecution therefor under the Game Laws of the State of Pennsylvania applicable to game refuges

B The Conservation Division of the Department of Agriculture of the State of Ohio having established a fish sanctuary and game refuge in the following portion of the lake

Being the southerly parts of Lots Numbers 79 and 80 Richmond Township all of Lot Number 41 and all of Lot Number 42 except the westerly 1000 feet thereof in Andover Township Ashtabula County Ohio

Beginning at a point in the west line of Lot Number 79 that is 1523 feet south of the north line of Lot Number 79 also being the center line of Padanaram Road thence southerly along the County Highway along the westerly side of Lot Number 79 1869.5 feet to the north line of Andover Township thence westerly along the northerly line of Andover Township 939.7 feet to the northwest corner of Lot Number 41 thence southerly along the highway that marks the westerly line of Lot Number 42 1000 feet to a point thence of Lot Number 42 thence easterly along the north line of Lot Number 42 1000 feet to a point thence in a southerly direction parallel to and 1000 feet easterly from the westerly line of Lot Number 42 2734 feet more or less to the southerly line of Lot Number 42 thence easterly along the said southerly line of Lot Number 42 5180.4 feet to the Ohio and Pennsylvania State line thence northerly along the said Ohio and Pennsylvania State line 7297.6 feet more or less to a point that is 1523 feet southerly from the north line of Lot Number 80 thence in a westerly direction 1523 feet southerly from and parallel to the north lines of Lots Numbers 79 and 80 5260 feet more or less to the place of beginning

It is expressly agreed that nothing herein contained shall be interpreted as entitling the residents of either state whether licensed to fish or otherwise to fish in hunt trespass or enter upon said sanctuary for any purpose whatsoever Anyone so doing shall become amenable to prosecution therefor under the laws of the State of Ohio applicable thereto

9 Reservation of Pennsylvania's Right to the Body of the Water

It is expressly agreed that nothing herein contained shall operate to deny limit or restrict the right of the Water and Power Resources Board of Pennsylvania or any authority established hereafter by said state to exercise such power to at any time now or hereafter raise or draw off so much of the waters of the lake as in their sole judgment may be necessary to maintain or regulate the flow of the Shenango and Beaver Rivers in furtherance of the primary purpose for which said lake was established and said Water and Power Resources Board shall without let or hindrance have the full right irrespective of other considerations to release so much of the water as they may deem proper to maintain the flow of the Shenango and Beaver Rivers irrespective of its effect on the level of the lake or use thereof for other purposes

In witness whereof The parties hereto have hereunto set their respective hands and seals by for and under the authority of their respective states this 28th day of October 1936

COMMONWEALTH OF PENNSYLVANIA
by and through
WATER AND POWER RESOURCES BOARD

Witness

By J F BOGARDUS
Chairman

CHAS E RYDER

STATE OF OHIO
by and through
CONSERVATION DIVISION
By L WOODDELL
Commissioner

Approved as to form and manner of execution
GROVER C LADNER
GROVER C LADNER
Deputy Attorney General
Commonwealth of Pennsylvania

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same

That the aforesaid Compact or agreement and every article matter and thing therein is hereby ratified and approved and shall be and hereafter remain in force agreeably to the true tenor and intent thereof

Section 2 This act shall become effective immediately upon its signing by the Governor and the passage by the State of Ohio of a substantially similar act ratifying the compact or agreement herein set forth and the passage of an act of Congress of the United States of America consenting thereto

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barthold,	Heyburn,	Mundy,	Shapiro,
Cavalcante,	Jaspan,	Pytko,	Sipe,
Dando,	Kahle,	Rankin,	Sones,
Dent,	Kilgallen,	Reed,	Sordoni,
DiSilvestro,	Kunkel,	Rice,	Stiefel,
Frey,	Lanius,	Rodgers,	Thompson,
Gilson,	Mallery,	Rupp,	Wolfenden,
Haluska,	McCreesh,	Ruth,	Woodward,
Henney,	McGinnis,	Scarlett,	

NAYS—8

Bean,	Deitrick,	Gelder,	Owlett,
Chapman,	Ealy,	Homsher,	Pierson,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILLS ON FINAL PASSAGE RECALLED FROM THE GOVERNOR

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 746, as follows:

An Act to amend subsection (c) paragraphs (3) (6) and (8) of section two hundred and two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by extending the purposes for which certain companies may be incorporated to include indemnifying banks bankers brokers or financial or moneyed associations or corporations against the loss of property as specified herein and also against loss resulting from damage to the insured's premises and other property from certain causes and against loss of property as specified herein during transportation by an armored motor vehicle under certain conditions insuring against loss or damage resulting from the breakage of glass insuring against loss or damage by robbery fraud vandalism or malicious mischief insuring against any and all kinds of loss or destruction of or damage to moneys securities currencies scrip coins bullion bonds notes drafts acceptance drafts bills of exchange and other valuable papers or documents insuring against loss or damage to automobiles and aircraft by burglary larceny or theft vandalism or malicious mischief confiscation or wrongful conversion and disposal or concealment and insuring against loss or damage to any goods or premises by water or other fluid

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That subsection (c) paragraphs (1) (3) (6) and (8) of section two hundred two of the act approved the Seventeenth day of May One thousand Nine hundred and Twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" be and they are hereby amended to read as follows

Section 202 (c) (1) Guaranteeing the fidelity of persons holding places of public or private trust guaranteeing the performance of contracts other than insurance policies guaranteeing the performance of insurance contracts where surety bonds are accepted from insurance companies by State or municipalities in lieu of actual deposits executing or guaranteeing bonds and undertakings required or permitted in all actions or proceedings or by law allowed and indemnifying banks bankers brokers financial or moneyed associations or financial or moneyed corporations against the loss of any bills of

exchange notes drafts acceptances of drafts bonds securities evidences of debt deeds mortgages warehouse receipts bills of lading documents currency [and] money gold platinum silver and other precious metals refined or unrefined and articles made therefrom jewelry watches necklaces bracelets gems precious and semi-precious stones and also against loss resulting from damage except by fire to the insured's premises furnishings fixtures equipment safes and vaults therein caused by burglary robbery hold-up theft or larcency or attempt thereat except against loss caused by marine risks or risks of transportation or navigation provided however that indemnification against the loss of such property may include loss occurring during transportation by an armored motor vehicle accompanied by one or more armed guards Also guaranteeing any Federal Land Bank against loss by reason of defective title or incumbrances on real property on which any such Federal Land Bank may make a loan secured by a mortgage

(3) To insure [glass] against loss of and damage to glass including lettering and ornamentation thereon and the frame in which the glass is set resulting from breakage of the insured glass

(6) To insure against loss or damage by burglary [or] larceny [or] theft robbery [or] forgery fraud vandalism or malicious mischief (or any one or more of such hazards) and to insure against any and all kinds of loss or destruction of or damage to moneys securities currencies scrip coins bullion bonds notes drafts acceptance drafts bills of exchange and other valuable papers or documents except while in the custody or possession of and being transported by a carrier for hire or in the mail and against loss or damage to automobiles and aircraft by burglary larceny or theft vandalism or malicious mischief confiscation or wrongful conversion disposal or concealment whether held under conditional sale contract or subject to chattel mortgages or otherwise or any one or more of such hazards

(8) To insure any goods or premises against loss or damage by water or other fluid caused by the breakage or leakage of sprinklers pumps or other apparatus erected for extinguishing fires or of other conduits or containers or of water pipes or caused by casual water entering through leaks or openings in buildings and against accidental injury from causes other than fire or lightning to such sprinklers pumps water pipes conduits containers or other apparatus and against damages from use or occupancy of premises by reason of such [breakage or leakage] loss or damage

Section 2 All acts and parts of acts inconsistent with this act are hereby repealed

Section 3 This act shall become effective immediately

which was returned from the House of Representatives with amendments.

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barthold,	Gilson,	Law,	Rupp,
Bean,	Haluska,	Mallery,	Ruth,
Cavalcante,	Henney,	McCreesh,	Scarlett,
Chapman,	Heyburn,	McGinnis,	Shapiro,
Dando,	Homsher,	Mundy,	Sipe,
Deitrick,	Huffman,	Owlett,	Sones,
Dent,	Jacobs,	Pierson,	Sordoni,
DiSilvestro,	Jaspan,	Pytko,	Stiefel,
Ealy,	Kahle,	Rankin,	Thompson,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Woodward,
Gelder	Lanius,	Rodgers,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration of Senate Bill No. 755, as follows:

An Act to amend section two hundred fifteen of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws by requiring the Insurance Commissioner to determine the qualifications of the incorporators of any proposed insurance company

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws is hereby amended to read as follows

Section 215 EXAMINATION OF COMPANIES CERTIFICATE TO DO BUSINESS

(a) As soon as the entire amount of the authorized capital of a stock insurance company incorporated under this act has been paid in certificates shall be issued therefor to the persons entitled to receive the same which certificates shall be transferable upon the books of the company and the president or secretary of the company shall notify the Insurance Commissioner that the entire capital of the company has been paid in and that it is ready to commence business Upon receipt of such notice the Insurance Commissioner shall in person or by deputy or examiners examine the company and in case he finds that it has complied with the provisions of this act and is possessed of funds invested in the manner hereinafter specified equal to the amount of its capital he shall issue to said company a certificate showing that it has been organized in accordance with the provisions of this act and that it has the requisite amount of capital for the transaction of business in the Commonwealth which certificate shall empower the company to issue policies and otherwise transact the business of insurance for which it was incorporated

(b) In the case of a mutual life insurance company incorporated under this act upon the receipt of a notice from the president or secretary of such company the Insurance Commissioner shall make an examination and if he finds that the necessary amount of insurance has been applied for and that fifty per centum (50%) of the guaranteed capital has been paid in and invested less the necessary expenses of organization and that obligations have been given for the remaining moiety of the guaranteed capital he shall issue a certificate authorizing the company to commence business

(c) The Insurance Commissioner shall upon the receipt of a notice from the president or secretary of any mutual company other than a life company incorporated under

this act make an examination of such company and if he finds that such company has complied with the provisions of this act he shall issue a certificate authorizing the company to commence business

The Insurance Commissioner may also conduct such examination of any proposed company as may be deemed necessary to determine whether the responsibility character and general fitness for the business of the incorporators and directors named in the articles are such as to command the confidence of the public and to warrant the belief that the business of the proposed company will be honestly and efficiently conducted in accordance with the intent and purpose of this act

which was returned from the House of Representatives with amendments.

Said amendments having been twice read and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barthold,	Henney,	Mallery,	Rupp,
Cavalcante,	Heyburn,	McCreesh,	Ruth,
Dando,	Jacobs,	McGinnis,	Shapiro,
Dent,	Jaspan,	Mundy,	Sipe,
DiSilvestro,	Kahle,	Pytko,	Sones,
Eroe,	Kilgallen,	Rankin,	Stiefel,
Frey,	Kunkel,	Reed,	Thompson,
Gilson,	Lanius,	Rice,	Wolfenden,
Haluska,	Law,	Rodgers,	

NAYS—7

Bean,	Ealy,	Homsher,	Woodward,
Deitrick,	Gelder,	Owlett,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the consideration fo Senate Bill No. 756, as follows:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one Pamphlet Laws seven hundred eighty-nine) entitled: "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" adding thereto Section 209A authorizing the Insurance Commissioner to impose penalties upon any insurance company association or exchange which exceeds the powers granted under a certificate of authority

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and interinsurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" is hereby amended by adding thereto Section 209A to read as follows

Section 209A Penalty For Exceeding Powers Granted Under Certificate of Authority Any insurance company association or exchange doing any insurance business within this Commonwealth that shall exceed the powers granted under a certificate of authority shall forfeit and pay to the Commonwealth a sum of not more than five hundred dollars ($500) for each and every policy issued in violation of this section Before the Insurance Commissioner shall take any action as above set forth he shall give written notice to the company association or exchange accused of violating the law stating specifically the nature of such alleged violation and fixing a time and place at least ten (10) days thereafter when a hearing of the matter shall be held After such hearing or failure of the accused to appear at such hearing the Insurance Commissioner shall impose such penalty as he deems advisable.

which was returned from the House of Representatives with amendments,

Said amendments having been twice read, and printed as required by the Constitution,

On the question,

Will the Senate concur in the same?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Howell,	Mundy,	Shapiro,
Dent,	Huffman,	Owlett,	Sipe,
DiSilvestro,	Jacobs,	Pierson,	Sones
Ealy,	Jaspan,	Pytko,	Stiefel
Eroe,	Kahle,	Rankin,	Wolfenden,
Frey,	Kilgallen,	Reed,	Woodward,
Gelder,	Kunkel,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk inform the House of Representatives accordingly.

BILL ON THIRD READING AND FINAL PASSAGE

Mr. LAW. Mr. President, I call up at this time Senate Bill No. 1288 (House Bill No. 1792) on third reading on today's calendar on page 17, entitled:

An Act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1288, (House Bill No. 1792), entitled:

An Act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Barthold,	Heyburn,	Law,	Rice,
Cavalcante,	Huffman,	Mallery,	Rodgers,
Dando,	Jacobs,	McCreesh,	Ruth,
DiSilvestro,	Jaspan,	McGinnis,	Shapiro,
Eroe,	Kahle,	Mundy,	Sipe,
Frey,	Kilgallen,	Pytko,	Scnes,
Gilson,	Kunkel,	Rankin,	Stiefel,
Haluska,	Lanius,	Reed,	Wolfenden,

NAYS—11

Bean,	Dent,	Homsher,	Scarlett,
Chapman,	Ealy,	Howell,	Woodward,
Deitrick,	Gelder,	Owlett,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON FINAL PASSAGE

Mr. SHAPIRO. Mr. President, I call up at this time Senate Bill No. 1190, (House Bill No. 1186) on final passage on page 4 of the Calendar.

The PRESIDENT. The Chair serves notice now that this is the last bill to be called up out of order.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 1190, (House Bill No. 1186), as follows:

An Act authorizing school districts to make contracts of group accident insurance for the benefit of pupils in vocational schools at the expense of the school district defining the status of the school district and pupils under existing and future insurance laws and requiring school districts to make certain reports to the Department of Public Instruction

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That any school district may make contracts of insurance with any insurance company authorized to transact business within this Commonwealth insuring all or any class of pupils in the vocational schools of the district under a policy or policies of group insurance covering accident insurance or any two or all of them and in such case shall agree to pay all of the premiums or charge for carrying such contracts and shall appropriate out of its treasury any money necessary to pay the same

Section 2 All contracts procured hereunder shall conform and be subject to all the provisions of any existing or future laws concerning group insurance The school district shall for the purposes of such laws be deemed to be the employer and the pupils in the vocational schools of the district shall be deemed to be the employes

Section 3 On or before the first day of November of each year each school district shall make a report to the Department of Public Instruction showing in such detail as the department may require whether or not and to what extent it is operating under the provisions of this act

Section 4 All acts and parts of acts inconsistent herewith are hereby repealed

Section 5 The provisions of this act shall become effective on the first day of July one thousand nine hundred and thirty-seven.

and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

BILL POSTPONED

Mr. SHAPIRO. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. RUTH. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON FINAL PASSAGE

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 713, (House Bill No. 904), entitled:

An Act relating to peace officers providing for the qualifications and appointments of deputy sheriffs regulating the manner of their selection and compensation regulating the source of compensation for other peace officers declaring void certain contracts inconsistent with the provisions hereof providing penalties and repealing inconsistent acts.

and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. KILGALLEN. Mr. President, I move to reconsider the vote by which Senate Bill No. 713, House Bill No. 904 on final passage, passed third reading.

Mr. RODGERS. Mr. President, I second the motion

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. KILGALLEN. Mr. President, I ask unanimous consent to amend Section 1, page 3, line 13, by inserting after the word "the" and before [county" the word: prothonotary; amend Section 4, page 6, line 19 by striking out at the end of the line the following: [not later than the]; amend Section 4, page 6, line 20 by striking out at the beginning of the line the following: [fifteenth day of January of each year] and inserting in lieu thereof the following: from time to time; amend Section 5, page 7, line 7, by inserting after the word "services" the following: Provided, however, That nothing herein contained shall prohibit such officers from serving writs and other legal process as now authorized by law; amend Section 7, page 9, line 15, by striking out after "(3)]" and before "(1)" the word: [one]; amend Section 7, page 9, line 15, by striking out after the word "night" and before "(2)" the following: [watchman two] and inserting in lieu thereof the word: watchmen; amend Section 7, page 9, line 16, by striking out after the word "police" and before "(3)" the word: [three]; amend Section 7, page 9, line 16, by striking out after the word "police" and be-

fore "(4)" the word: [four]; amend Section 7, page 9, line 16, by striking out at the end of the line the word: [five]; amend Section 7, page 9, line 17 by striking out after the word "special" and before the word "to" the word: [policement] and inserting in lieu thereof the word: policemen; amend Section 7, page 9, line 20 by striking out after "and before "(6)" the word: [six]; amend Section 7, page 9, line 22 by striking out at the beginning of the line the word: [seven]; amend Section 15, page 9, line 24 by striking out after the word "Section" and before the word "If" the following: [15] and inserting in lieu thereof the following: 8; amend Section 16, page 10, line 9 by striking out after "[4]" and before the word "All" the following: [16] and inserting in lieu thereof the following: 9; amend Section 17, page 10, line 11 by striking out after "[5]" and before the word "This" the following: [17] and inserting in lieu thereof the following: 10.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 1196. (House Bill No. 1524), as follows:

An Act to further amend the act approved the nineteenth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 589) entitled "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops barber schools and barber colleges and apprentices and students therein conferring certain powers and duties on the Department of Public Instruction and providing penalties" by modifying the provisions relating to barber schools the licensing of persons as barbers and the issuing of renewal student or apprentice permits providing additional grounds for suspension and revocation of permits and registrations discontinuing the use of the term "barber college" and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of the act approved the nineteenth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 589) entitled "An act to promote the public health and safety by providing for the examinations and licensure of those who desire to engage in the occupation of barbering regulating barber shops barber schools and barber colleges and apprentices and students therein conferring certain powers and duties on the Department of Public Instruction and providing penalties" is hereby amended to read as follows

AN ACT

To promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering regulating barber shops and barber schools [and barber colleges] and apprentices and students therein regulating compensation for service rendered conferring certain powers and duties on the Department of Public Instruction and providing penalties

Section 2 Section three of said act as amended by section one of the act approved the ninth day of May one thousand nine hundred and thirty-five (Pamphlet Laws 158) is hereby further amended to read as follows

Section 3 Any person not holding a certificate of registration under the provisions of the preceding section and desiring to obtain a license under this act shall make application under oath or affirmation in such form as the department shall prescribe Such application shall be accompanied by an affidavit which shall be made by a practicing physician and shall set forth that the applicant was examined [and] that a test of his or her blood was made and that he or she is free from all contagious and infectious disease The applicant at the time of filing such application and affidavit shall pay to the department an examination fee of five dollars or such other fee as may be fixed by the department and shall present himself or herself at the next examination of applicants as hereinafter provided The department shall thereupon proceed to examine such person after being satisfied that he or she is about the age of sixteen years free from contagious and infectious disease has [completed work of the elementary school] a certificate showing graduation from an eighth grade school or its equivalent and has either (a) studied the occupation for a period of two years covering a period of at least 2500 hours as a registered apprentice under a qualified and practicing barber as hereinafter provided or (b) studied the occupation and trained as a registered student in a registered and properly appointed and conducted school under the instruction of a registered teacher for a period of at least [two years] six months and served at least [six] eighteen months covering a period of at least 1500 hours as an apprentice with a registered barber under no circumstances shall a student or apprentice receive wages directly or indirectly for service rendered [or (c) practiced the occupation for a period of at least twenty-four months within the five years next preceding the effective date of this act] If the department is satisfied as a result of the examination the applicant is possessed of requisite skill in said occupation to properly perform all the duties thereof including his or her knowledge and ability in the antiseptic preparation of tools shaving hair cutting and all the duties and services incident thereto and is possessed of sufficient knowledge concerning the common diseases of the face and skin to avoid the aggravation and spreading thereof in the practice of said occupation and the knowledge of the Barber's Licensing Laws and rules and regulations of the department adopted thereunder it shall enter his or her name in the register hereinaftr provided for and shall issue a certificate of registration to him or her authorizing him or her to practice such occupation or to teach in registered barber schools as the case may be

For any person to be registered as a teacher in a barber school [or college] he must be at least [twenty-one] twenty-three years of age a graduate from an approved high school or its equivalent and have had either (a) at least five years' experience as a registered barber in a registered barber shop or (b) training in a registered barber school of at least fifteen hundred hours in not less than ten months and in addition thereto two years' experience as a registered barber or in lieu of subsections (a) and (b) hereof fifteen years experience as a barber five years of which experience shall have been as a registered barber in a registered barber shop in this State The examination for a teacher's certificate shall differ from the examination for a barber's certificate in that it shall be of a more exacting nature and require higher standards of knowledge of the practice and theories of barbering including ability to teach properly the various practices and theories of barbering physiology hygiene elementary chemistry relating to sterilization and antiseptics massaging and manipulating the muscles of the face neck scalp hair cutting bobbing shaving and trimming the beard dyeing the hair and the Barber laws of this State and the rules and regulations adopted by the department and advisory committee the registration fee for teachers shall be five dollars and the annual renewal fee shall be five dollars

Section 3 Section four of said act is hereby amended to read as follows

Section 4 [Any person who holds a certificate of registration granted after examination by a board of barber examiners of any other state who shall present credentials showing that he or she is a qualified barber under the laws of that state and who shall file an affidavit made by a practicing physician as hereinbefore provided may be granted a certificate of registration by the department without practical examination upon the payment of the registration fee of two dollars or such other fee as may be fixed by the department]

(a) Any person who is at least eighteen years of age and of good moral character and temperate habits and has a certificate showing graduation from an eighth grade school or an equivalent education as determined by an examination conducted by the department and either (1) Has a license or certificate of registration as a practicing barber from another state or country which has substantially the same requirements for licensing or registering barbers as required by this act or (2) can prove by sworn affidavits that he has practiced as a barber in another state or county for at least five years prior to making application in this state shall upon the payment of the required fee be granted permission to take an examination to determine his fitness to receive a certificate of registeration to practice barbering Should he fail to pass the examination upon payment of the required fee he may take one other examination if he so desires In no event shall he or she be permitted to practice barbering until he or she has received a certificate of registration as a registered barber

Section 4 Sections five and seven of said act as amended by section one of the act approved the ninth day of May one thousand nine hundred and thirty-five (Pamphlet Laws 158) are hereby further amended to read as follows

Section 5 Nothing in this act shall prohibit any person from serving as an apprentice in such occupation under a registered barber of this Commonwealth or from serving as a student in any barber school for the training of students in said occupation under the training of a duly registered [barber] teacher authorized to[practice] teach such occupation in this Commonwealth Provided That such apprentice or student shall apply to the department to have his or her name registered with the department in a book which shall be kept by the department and secure a permit upon the payment of a fee of one dollar to practice as an apprentice [or student] under a duly registered barber or student under a duly registered teacher such permit to be displayed in front of his or her working chair Students upon graduation from a registered barber school [or barber college] and having served [six] eighteen months' apprenticeship in a barber ship and apprentices upon completion of two years' apprenticeship in a barber shop as hereinbefore specified shall make application for examination at the next regular period specified in this act [Temporary permits to practice barbering may be issued at the discretion of the department to persons filing application for examination and submitting proof of two years' practice as a journeyman barber within the five years immediately preceding the date of the application Upon receipt of the application with the proper fee the department shall issue a temporary permit which shall be valid until the results of the subsequent examination are determined] In case the applicant fails to pass such examination he or she shall secure a new [student or] apprentice permit upon the payment of a fee of one dollar which shall be valid until the next succeeding examination [during which time the applicant shall present himself or herself for re-examination and pay the proper examination fee]

Apprentice permits not exceeding two to practice as an apprentice barber may be issued at the discretion of the department

Section 7 The department shall furnish to each person to whom a certificate of registration is issued a certificate stating that the holder thereof is entitled to practice the occupation of barbering or to teach in registered schools [or colleges] of barbering The holder of such certificate shall display the same in a conspicuous place in front of his or her working chair where it may be readily seen by all persons whom he or she may serve

Section 5 Section nine of said act is hereby amended to read as follows

Section 9 The department may suspend or revoke any permit or certificate of registration granted by it under this act to any person who (a) habitually indulges in the use of ardent spirits narcotics or other stimulants to such an extent as in the opinion of the department incapacitates such person from the duties of a barber (b) has or imparts any contagious or infectious disease to any recipient of such person's services as a barber (c) performs work in an unsanitary of filthy manner or place of business [or (d) who is grossly incompetent (e) who conducts his business of barbering on Sundays (f) who displays any price list for barber services in or upon any part of premises of a barber shop in such manner that such list shall be visible from the outside of the barber shop Section (G) unethical or dishonest practice or conduct (H) employing an unlicensed person Before any such permit or certificate shall be suspended or revoked for any of the reasons contained in this section the holder thereof shall have notice in writing of the charge or charges against him or her and shall at a day specified in said notice which shall be at least five days after the service thereof be given a public hearing before a duly authorized representative of the department with a full opportunity to produce testimony in his or her behalf and to confront the witnesses against him or her Any person whose permit or certificate of registration has been so suspended or revoked may after the expiration of ninety days on application have the same reissued to him or her upon satisfactory showing that the disqualification has ceased except where such certificate was suspended or revoked for having or imparting any contagious or infectious disease in which case a new certificate shall not be issued for a period of at least one year and then only after the provisions of this act have been fully complied with by such person in the same manner as if he or she had never been registered

Section 6 Sections ten twelve and thirteen of said act as amended by section one of the act approved the ninth day of May one thousand nine hundred and thirty-five (Pamphlet Laws 158) are hereby further amended to read as follows

Section 10 The department may adopt reasonable rules and regulations prescribing the sanitary requirements of each barber shop or barber school [or barber college] in cooperation with the Department of Health and shall cause the rules and regulations so approved to be printed in a suitable form and may transmit a copy thereof to the proprietor or person operating such barber shop or school [or barber college] which shall at all times be kept conspicuously displayed in such shop or school It shall be unlawful for any person to open either a new barber shop or move his shop to another place or take over as owner an existing barber shop until he or she has filed an application with the department for the inspection and approval of such shop It is further provided that no barber shop may open for business until said inspection has been had and the shop approved [or college] It shall be unlawful for any person to sleep in or for any owner or manager to permit any person to sleep in or use for residential purposes any room used as a barber shop or a school of barbering All rooms used for such purposes shall be for barbering [and beauty] purposes exclusively Any officer or duly authorized agent of the department may enter and make reasonable examination of any barber school [or barber college] during the business hours for the purpose of ascertaining the sanitary conditions thereof and ascertaining whether the shop or school and all persons working therein are properly licensed and registered Any barber shop barber school [barber college] or tools appliances and furnishings in use therein kept in an unclean and unsanitary condition as to be a danger to health or to the creation and spreading of infectious and contagious diseases is hereby declared to be a public nuisance and the department may suspend or revoke the certificate

of the proprietor thereof or any person operating in such barber shop or school [or barber college] or the permit hereinafter required for such shop or school [or college] or both the certificate and permit

Section 12 In no barber shop shall there be more than one apprentice who must be at all times under the supervision of a barber authorized under this act to practice such occupation All barber schools [or barber colleges] shall keep prominently displayed at every entrance to said school at sign reading ["Barber College" or] "Barber School" Any copartnership corporation or person desiring to operate or conduct a barber shop or barber [college] school shall first secure from the department a permit or registration certificate to do so and shall keep the same prominently displayed The fee for registration of each barber school [or college] shall be fifty dollars and the annual renewal fee therefor shall be twenty-five dollars The department may pass upon the qualifications appointments and course of study in said [college] school which shall be not less than [two years] six months All barber schools [or barber colleges] shall have not less than one registered teacher for every [twelve] twenty students and in no case less than [two such teachers] one full-time teacher who shall be in attendance at all times during the hours the school is open for instruction

No school of barbering shall be granted a certificate of registration unless it requires as a prerequisite to admission thereto graduation from an eighth grade school or its equivalent as determined by an examination conducted by the department and it shall attach to its staff as a [consultant] part-time teacher a person licensed by the Commonwealth to practice medicine and employ and maintain a sufficient number of competent teachers registered as such and shall possess apparatus and equipment sufficient for the proper and full teaching of all subjects of its curriculum shall keep a daily record of the attendance of each student shall maintain regular class and instruction hours which shall not be less than seven nor more than eight hours per day the school is open for instruction shall establish grades and hold examination before issuance of diplomas and shall be required to maintain a course of study requiring not less than one thousand hours for completion in not less than six months and shall comprise all of [or a majority of the practices of barbering as provided by this act] the subjects pertaining to barbering the barber laws of this State and the rules and regulations adopted by the department and shall include practical demonstrations and theoretical studies and studies in sanitation sterilization and the use of antiseptics cosmetics and electrical appliances consistent with the practical and theoretical requirements as applicable to barbering or any practice thereof

No school of barbering shall permit its students to practice barbering on the public under any circumstances except by way of clinical work upon persons willing to submit themselves to such practice after first being properly informed that the operator is a student No school of barbering shall directly or indirectly charge any money whatsoever for treatment by its students or for materials used in such treatments

Section 13 To shave or trim the beard to cut hair to give facial and scalp massaging facial and scalp treatment with any preparations made for this purpose either by hand or by mechanical appliances to singe and shampoo the hair to apply any makes of hair tonics and to dye hair of any person for compensation direct or indirect the person performing such service shall be construed as practicing the occupation of barber within the meaning of this act No person shall practice or attempt to practice barbering for compensation directly or indirectly in any place other than a registered barber ship [or where the barber is a registered barber] except that any registered barber in a registered barber shop may furnish barber services to persons at their place of residence or in institutions in cases of [appointment] sickness incapacitation confinement and other emergencies provided however That nothing contained in this section shall be construed to include hospitals or colleges and private schools for children so-called beauty shops or hair-dressing parlors or schools of beauty culture except that it shall be unlawful and a violation of this act for any person to employ or to accept employment in any such shops parlors or schools who has been refused a certificate by the department

Section 7 Section fifteen of said act is hereby amended to read as follows

Section 15 Any barber apprentice or student who shall practice the occupation of barber while suffering from contagious or infectious disease or who shall knowingly serve any person afflicted with such disease shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one hundred dollars or undergo an imprisonment not exceeding thirty days or both at the discretion of the court

Any barber apprentice or student who shall infect any person or who shall impart any contagious or infectious disease by reason of carelessnes or negligence in the practice of such occupation shall be guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine not exceeding five hundred dollars or to undergo an imprisonment not exceeding six months or both at the discretion of the court

It shall be unlawful

(a) To own manage operate or control any barber shop unless continuously hot and cold running water be provided for therein except in communities lacking such facilities

Nothing contained in this act or the act to which this is an amendment shall be construed as prohibiting any municipality from adopting appropriate ordinances not inconsistent with the provisions of this act or the rules and regulations adopted thereunder as may be deemed necessary to promote the public health and safety and regulate the conduct of barber shops and schools and any municipality shall have the power by proper ordinances to fix the days and hours during which barber shops in the said cities may be open for business provided however That in any such ordinance provisions shall be made that a designated local health or police official may upon application of the proprietor of any barber shop and upon proof that barber service to the public so requires issue a permit effective for a limited time for the operation of a particular barber shop at such times outside of and beyond those fixed in the said ordinances as is required by temporary public necessity with the power to renew the said permit upon further proof of public necessity

(b) To own manage operate or control any barber school or part or portion thereof whether connected therewith or in a separate building wherein the practice of barbering is engaged in or carried on unless all entrances to the place wherein the practice of barbering is so engaged in or carried on shall display a sign indicating that the work is done by students exclusively

(c) To own manage control or operate any barber shop unless the same displays a recognized sign indicating that it is a barger shop which shall be clearly visible at the main entrance to said shop

(d) For the owner of any barber shop to display a permit or certificate of registration of any barber not employed in such shop

The department and advisory committee shall have power to make such other rules and regulations and prescribe such other sanitary requirements as shall be deemed necessary to carry out the provisions of this act

Any person who shall violate any of the [other] provisions of this act except as herein otherwise provided shall [be guilty of a misdemeanor and] upon summary conviction thereof [shall] be sentenced to pay a fine [not exceeding one hundred dollars] of not less than ten dollars nor more than ninety dollars or to undergo an imprisonment [not exceeding ninety] of not less than ten days nor more than sixty days or both at the discretion of the court any such person shall have the right to appeal as in other cases of summary conviction

Section 8 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decision shall not affect the validity of

any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein.

and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Bean,	Haluska,	Kunkel,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Scarlett,
Dent,	Huffman,	Mundy,	Shapiro,
DiSilvestro,	Jacobs,	Pytko,	Stiefel,
Ealy,	Jaspan,	Rankin,	Wolfenden,
Frey,	Kahle.	Reed,	Woodward,
Gilson,	Kilgallen,	Rice,	

NAYS—7

Barthold,	Eroe,	Lanius,	Sones,
Deitrick,	Gelder,	Sipe,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 1241, (House Bill No. 1764), as follows:

An Act relating to certain existing beneficial societies conferring certain rights and powers and duties upon them their officers and members authorizing the payment of benefits by them in the event of sickness accidental disability or death regulating such societies and corporations and limiting the amount for which they may issue membership certificates or policies providing for reserves imposing penalties and repealing certain existing laws and parts of law

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the provisions of this act shall apply to the following beneficial societies

(1) All beneficial societies incorporated under general or special laws since the thirteenth day of October one thousand eight hundred and fifty-seven

(2) All beneficial societies incorporated heretofore which have accepted the provisions of the Constitution and the general insurance laws enacted since the thirteenth day of October one housand eight hundred and fifty-seven

(3) All beneficial societies incorporated under any general or special law prior to the thirteenth day of October one thousand eight hunddred and fifty-seven which by the terms of their charters or the acts under which they were incorporated hold charters subject to alteration or revocation

B Any beneficial society heretofore incorporated as aforesaid and now actually conducting business may continue such business pending the issuance of a certificate of authority by the Insurance Commissioner or until notified by the Insurance Commissioner that he has declined to issue such certificate of authority

Section 2 Benefits Limited Any benecial society may pay or enter into contracts to pay money or benefits not exceeding twenty dollars ($20) per week in the event of sickness accident or disability and not exceeding two hundred and fifty dollars ($250) in the event of death

Section 3 Number Election Term and Classification of Directors Vacancies A The annual meeting of members for election of directors of a beneficial society shall be held at such time prior to the first day of May in every year as the by-laws of the society may direct Notice of the time and place of meeting shall be given to the members in accordance with the provisions of the by-laws At such annual meeting the members shall elect by ballot the number of directors stated in the articles of association or the by-laws which shall be not less than five nor more than thirteen Each director shall hold office for the term for which he is elected and until his successor shall have been duly elected and qualified

B Except as otherwise provided in the by-laws each director shall be elected for a term of one year If the articles or by-laws of a beneficial society so provide the directors thereof may be classified in respect to the time for which they shall severally hold office In such case each class shall be as nearly equal in number as possible the term of office of at least one class shall expire in each year and the members of a class shall not be elected for a shorter period than one year or for a longer period than three years At each ensuing election of directors after such classification only the number of directors equal to the number of the class whose terms expire at the time of the election shall be elected and such directors shall be elected for the longest term for which any class may have been elected as provided in this section

C Except as otherwise provided in the by-laws vacancies in the board of directors shall be filled by the remaining members of the board and each person so elected shall be a director until his successor is elected by the shareholders or members who may make such election at the next annual meeting of the shareholders or members or at any special meeting duly called for that purpose and held prior thereto

D Except as otherwise provided in this act the business and affairs of every beneficial society shall be run and regulated in accordance with the provisions provided by existing law relating to insurance companies

Section 4 Holding Management or Agency Corporations The business and affairs of each beneficial society shall be conducted and managed by its elected officers No contracts or agreements shall be entered into by any society with any holding management or agency corporation by which the control of the management of the society would pass to such holding management or agency corporation nor any person or persons holding management management or agency corporation by which the control of the management of the society would pass to such person or persons holding management or agency corporation nor through which percentages or portions of the members due and other payments would be paid over to them

Section 5 Reserves A A beneficial society doing business in this Commonwealth shall hereafter at all times maintain reserves as follows

(1) On the life portion contained in all policies or contracts hereafter issued reserves shall be based upon a standard table of mortality approved by the Insurance Commissioner with interest at a rate also approved by the Insurance Commissioner and such reserves shall be computed in accordance with the requirements provided by law for the computation of the reserve liability for life insurance

(2) On the disability portion contained in all policies or contracts hereafter issued reserves shall be computed in accordance with the requirements provided by law for the computation of the unearned premium reserve liability for casualty insurance

(3) For all definite and outstanding claims reserves shall be calculated in accordance with the requirements provided by law for the computation of reserves against unpaid losses in casualty insurance other than compensation or liability insurance

B A sum equal to the amount of the reserves required by this section shall be invested in those investments authorized by law for the investment of the reserve funds of life insurance companies

C The Insurance Commissioner shall each year approve the computation of the reserve liability as of the thirty-

first day of December of the preceding year of every beneficial society authorized to make insurance on lives in this Commonwealth

D Whenever any beneficial society doing business in this Commonwealth has not on hand the net value of all policies in force after all other debts and claims against it have been provided for the Insurance Commissioner shall notify such beneficial society to issue no new policies until its funds become equal to its liabilities

Section 6 Investment of Surplus The surplus of a beneficial society or a re-incorporated mutual beneficial society shall be invested in accordance with the requirements provided by law for the investment of the surplus of life insurance companies

Section 7 Annual Statements Penalties A Every beneficial society doing business in this Commonwealth shall annually on or before the first day of March file in the office of the Insurance Commissioner a statement which shall exhibit its financial condition as of the thirty-first day of December of the previous year and its business of that year Such statement shall be in the form prescribed or on forms furnished by the Insurance Commissioner and shall contain such information as shall seem to the Commissioner best adapted for the purpose of eliciting from the beneficial society a true exhibit of its financial condition It shall also within thirty days after requested by the Insurance Commissioner render such additional statement or statements concerning its affairs and financial condition as the Insurance Commissioner may in his discretion require

B Any beneficial society which neglects to make and file its annual statement in the form or within the time required by this section shall forfeit a sum of not more than one hundred dollars for each day during which its failure to file a statement continues and upon notice from the Insurance Commissioner its authority to transact new business shall cease while its default continues

C A beneficial society and the persons who make an oath or subscribe to a false annual statement in its behalf shall severally be punished for wilfully making a false annual statement by a fine of not less than five hundred dollars or more than five thousand dollars A person who makes oath to such false statement with the knowledge that it is false shall be deemed guilty of perjury

Section 8 Examinations The Insurance Commissioner or any person or persons he may appoint shall have the power of visitation and examination into the affairs of every beneficial society He may employ such additional assistance from time to time as he may deem necessary or expedient for the purpose of such examination and he or any person or persons he may appoint shall have free access to all the books papers and documents that relate to the business of the society and may summon and qualify as witness under oath and examine its officers and employes or other persons in relation to the affairs transactions and conditions of the society Such examinations shall be made every three (3) years or oftener as he deems it to be necessary and the costs of such examinations as determined by the Insurance Commissioner shall be imposed upon each society so examined

Whenever after examination the Insurance Commissioner is satisfied that any beneficial society is exceeding its powers or is transacting business fraudulently or is in such condition that its further transaction of business will be hazardous to its members or to the public or shall determine to discontinue business the Insurance Commissioner may present the facts relating thereto to the Attorney General who shall if he deems the circumstances warrant proceed against such society in the method prescribed by the laws of this State providing for the liquidation of insolvent or delinquent companies orders or associations transacting any class of isurance

No such proceedings shall be commenced by the Attorney General against any such society until after notice has been duly served on the chief executive officers of the society and a reasonable opportunity given to it on a date to be named in said notice to show cause why such proceedings should not be commenced No application for injunction against or proceedings for the dissolution of or appointment of a receiver for any beneficial society or branch thereof shall be entertained by any court of this Commonwealth unless the same is made by the Attorney General

Section 9 Copies of Policies Contracts and Certificates of Membership to Be Filed With and Approved by The Insurance Commissioner No policy contract or certificate of membership shall be issued or delivered by any beneficial society in this Commonwealth nor applications riders or endorsements used in connection therewith until the forms of the same have been submitted to and formally approved by the Insurance Commissioner under such reasonable rules and regulations as he shall make concerning the terms and provisions contained in such policies contracts or certificates of membership and their submission to and approved by him

Section 10 Qualifications of Solicitors and Agents Solicitors or agents for beneficial societies shall meet the same prerequisites as existing law requires of agents for insurance companies

Section 11 When Application Constitution By-Laws and Rules are Considered Part of Policy All beneficial certificates issued by any beneficial society in which the application of the member the constitution by-laws or other rules of the society form part of the certificate or contract between the parties thereto or have any bearing thereon shall contain or have attached thereto correct copies of the application as signed by the applicant or the constitution by-laws or other rules referred to and unless so attached and accompanying the certificate or contract such application constitution or by-laws or other rules shall not be received in evidence in any controversy between the parties to or interested in the certificate or contract nor shall such application constitution by-laws or other rules be considered a part of the certificate or contract between such parties

Section 12 Penalties A Any person or beneficial society violating any of the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than five hundred dollars for each violation thereof

B Upon satisfactory evidence of the violation of any of the sections of this act by any beneficial society the Insurance Commissioner may in his discretion pursue any one or more of the following courses of action (1) Suspend or revoke the certicate of authority of such offending beneficial society (2) refuse for a period of not to exceed one year thereafter to issue a new certificate of authority to such beneficial society (3) impose a penalty of not more than one thousand dollars for each and every act in violation of this act

Before the Insurance Commissioner shall take any action as above set forth he shall give written notice to the beneficial society accused of violating the law stating specifically the nature of such alleged violation and fixing a time and place at least ten days thereafter when a hearing of the matter shall be held After such hearing or upon failure of a duly authorized representative of the accused beneficial society to appear at such hearing the Commissioner shall impose such of the above penalties as he deems advisable The beneficial society may appeal from any action by the Commissioner pursuant to the section to the Court of Common Pleas of Dauphin County

Section 13 Scope of Act Provisions of this act shall not apply to

(1) Beneficial associations which are formed by or for the exclusive benefit of those who at the time of becoming members of such associations are engaged in educational work in any department or district of the public school system of the Commonwealth of Pennsylvania or in any college or university therein and which issues beneficiary certificates only to such members

(2) Fraternal charitable or secret societies issuing beneficial certificates and paying benefits to their membership through the lodge system

(3) Insurance or relief associations formed by or for the exclusive benefit of employes of corporations or firms or formed by or for the exclusive benefit of members of any religious corporation or association

(4) Associations whose benefits are limited to post-mortem assessments of the members

Section 14 Repealers The act approved the twentieth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws three hundred and seventeen) entitled "An act authorizing certain existing beneficial or protective societies heretofore incorporated to re-incorporate for the purpose of making insurance upon the health of individuals and against personal injury and disablement and death regulating such corporations and limiting the amount for which corporations may issue policies and imposing a tax on gross premiums of companies re-incorporated under the provisions of this act" and the act approved the twenty-sixth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred and five) entitled "An act authorizing the payment of benefits by certain beneficial societies in the event of sickness accident disability or death or in the event of any or all such contingencies and limiting the amount of such benefits providing for reserves of such societies providing penalties and repealing existing laws" and all acts or parts of acts inconsistent herewith are hereby repealed

Section 15 Constitutional Construction The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provisions not been included therein.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Gelder,	Kunkel,	Rice,
Bean,	Gilson,	Lanius,	Rodgers,
Cavalcante,	Haluska,	Law,	Rupp,
Chapman,	Henney,	Mallery,	Ruth,
Dando,	Heyburn,	McCreesh,	Scarlett,
Deitrick,	Homsher,	McGinnis,	Shapiro,
Dent,	Huffman,	Mundy,	Sipe,
DiSilvestro,	Jacobs,	Owlett,	Sones,
Ealy,	Jaspan,	Pytko,	Stiefel,
Eroe,	Kahle,	Rankin,	Wolfenden,
Frey,	Kilgallen,	Reed,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 1237, (House Bill No. 1780), entitled:

An Act to amend section five and sections sixteen seventeen and twenty-one as amended of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred and ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by providing for promoters partnerships and co-promoters a bond to protect contestants managers and officials changing license fees for promoters boxers seconds managers and wrestlers fixing minimum purse and requiring payuents to the Commonwealth for complimentary tickets

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred and ten) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties is hereby amended to read as follows

Section 5 License to Persons Promoters Partnerships and Corporations The commission may in its discretion issue a license to conduct hold or give boxing sparring or wrestling matches or exhibitions subject to the provisions of this act to any promoter partnership or corporation duly incorporated under the laws of this Commonwealth or to any person or persons but not otherwise When a promoter desires to associate with a promoter from outside this Commonwealth such co-promoter will be required to have a license in the same bracket as that required for the local promoter Such promoter partnership corporation person or persons must hol a lease of a term of at least three months for the premises in which such match or exhibition is to be held No license shall be issued to conduct hold or give boxing sparring or wrestling matches or exhibitions in any city borough town or township which has adopted or shall hereafter adopt any ordinance prohibiting such matches or exhibitions within its limits

Section 2 That sections sixteen and twenty-one of said act as last amended by the act approved on the twenty-ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws eight hundred and sixty) are hereby further amended to read as follows

Section 16 Bond Before a license shall be granted to a promoter partnership corporation or person such promoter partnership corporation or person shall execute and file with the commission a bond in such sum as shall be determined by the commission but not less than three thousand dollars All such bonds shall be approved as to form and sufficiency or sureties thereon by [said] the commission and the Department of Justice and shall be conditioned for the faithful performance by said promoter partnership corporation or person of the provisions of this act and the rules and regulations of the commission No such license shall be issued until such bond is approved and filed In case of default in the performance of any of the conditions prescribed by this act or by the rules and regulations of the commission the commission shall impose upon the delinquent promoter partnership corporation or person a penalty in the sum of not more than the amount of the bond for each offense which shall b recovered by the Attorney General in the name of the Commonwealth in the same manner as other penalties are recovered by law Any amount so recovered shall be paio to the State Treasurer for the use of the Commonwealth Funds due contestants managers or officials shall be recovered on the bond paid into the general fund and such contestants managers or officials shall be reimbursed by vouchers presented in the usual way against the funds appropriated to the State Athletic Commission

The failure on the part of any promoter upon postponement cancellation or default of any scheduled match to reimburse holders of tickets who have paid full purchase price thereof within ten days from the date of the original scheduled match be sufficient cause to warrant a forfeiture of the bond and imposition of penalty by the State Athletic Commission as hereinbefore provided From such fund realized on any such bond ticket purchase price refunds may be made on the order of the State Athletic Commission to persons who are purchasers at full face value of tickets issued by the promoter whose bond has thus been forfeited No person who has purchased tickets at less than full face value or persons receiving complimentary tickets shall receive any ticket purchasing refund

Section 21 Payments to State Every promoter partnership corporation or person holding any boxing sparring or wrestling match or exhibition under this act for which an admission is charged and received shall pay to the Commonwealth five per centum of the total gross receipts exclusive of any Federal taxes paid thereon Such payment shall be made within seventy-two hours after the holding of the contest and shall include payment on the face value of all tickets used including complimentary tickets and tickets All moneys received from such taxes shall be paid to the State Treasurer through the Department of Revenue

Section 3 That section seventeen of said act as last amended by the act approved the twenty-sixth day of May one thousand nine hundred and thirty-three (Pamphlet Laws one thousand and eighty-four) is hereby further amended to read as follows

Section 17 License Fees Amateur Exhibitions and Matches minimum purse Each applicant for a license shall before a license is issued by the commission and annually thereafter during the life of such license pay to the commission a license fee as follows Promoters partnerships corporations or persons in cities of the first class [two hundred and fifty dollars] where the building or structure has a seating capacity of two thousand or less one hundred dollars where the seating capacity is from two thousand and one to five thousand one hundred and fifty dollars where the seating capacity is five thousand and one or more two hundred and fifty dollars in cities of the second class one hundred dollars in cities of the third class and elsewhere twenty-five dollars physicians twenty-five dollars referees twenty-five dollars judges fifteen dollars timekeepers ten dollars professional boxes [ten] five dollars professional wrestlers [fifteen] ten dollars managers [forty] twenty-five dollars seconds ten dollars announcers fifteen dollars and matchmakers twenty-five dollars but the commission may issue without fee licenses to referees or physicians authorizing such referees or physicians to officiate only at boxing sparring or wrestling matches or exhibitions between amateurs and only without receiving any compensation for their services Permits for matches or exhibitions in which only amateurs participate shall be issued without fee and may be issued for a single match or exhibition or a series of matches or exhibitions or for a period not exceeding one year

Permits for amateur boxing exhibitions or wrestling matches shall not be isssued to any person or persons when such exhibitions or matches are conducted for individual profit

Permits for amateur boxing exhibitions or wrestling matches shall be issued only to bona fide amateur athletic associations as approved by the Commmission

A minimum purse of twelve dollars and fifty cents ($12.50) shall be paid by the promoter to each professional boxer for each bout in which such boxer is engaged

Section 4 This act shall become effective immediately upon its final enactment.

And said bill having been read at length the third time, and agreed to, and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass, finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—39

Barthold,	Frey,	Law,	Rupp,
Bean,	Gilson,	Mallery,	Ruth,
Cavalcante,	Haluska,	McCreesh,	Scarlett,
Chapman,	Henney,	McGinnis,	Shapiro,
Dando,	Jacobs,	Mundy,	Sipe,
Deitrick,	Jaspan,	Pytko,	Sones,
Dent,	Kahle,	Rankin,	Stiefel,
DiSilvestro,	Kilgallen,	Reed,	Wolfenden,
Ealy,	Kunkel,	Rice,	Woodward,
Eroe,	Lanius,	Rodgers,	

NAYS—3

Gelder,	Heyburn,	Homsher,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same with amendments in which the concurrence of the House is requested.

Agreeably to order,

The Senate resumed consideration of Senate Bill No. 1299, entitled:

An Act making an appropriation to the Department of Property and Supplies for sewer purpose in connection with the East Stroudsburg State Teachers' College

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of twenty-five thousand dollar ($25,000) or so much thereof as may be necessary is hereby specifically appropriated to the Department of Property and Supplies for the construction of a sewer from the East Strodusburg State Teachers' College or from the present sewer of said college to a connection with the sewerage system of the Borough of Strodusburg in Monroe County for the payment of the cost of acquiring any rights of way for payment to the Borough of Stroudsburg for making connection with the sewerage system of said borough and for the use of said sewerage system and for the payment of plans and specifications therefor and engineering and inspection costs in connection therewith

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barthold,	Gelder,	Lanius,	Rodgers,
Bean,	Gilson,	Law,	Rupp,
Cavalcante,	Haluska,	Mallery,	Ruth,
Chapman,	Henney,	McCreesh,	Scarlett,
Dando,	Heyburn,	McGinnis,	Shapiro,
Deitrick,	Homsher,	Mundy,	Sipe,
Dent,	Jacobs,	Owlett,	Sones,
DiSilvestro,	Jaspan,	Pytko,	Stiefel,
Ealy,	Kahle,	Rankin,	Wolfenden,
Eroe,	Kilgallen,	Reed,	Woodward,
Frey,	Kunkel,	Rice,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 292, (House Bill No. 634), entitled:

An Act to amend the act approved the thirteenth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws two hundred seventy-three) entitled "An act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscriptions to or orders for or undertaking to dispose of inviting offers for or inquiries about or deal-

ing in any manner in securities defined herein including securities issued by them conferring powers and imposing duties on the Pennsylvania Securities Commission and wise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania prescribing penalties and making appropriations" by extending the provisions thereof to employes subject to the Public Service Company Law

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Gelder,	Lanius,	Rodgers,
Bean,	Gilson,	Law,	Rupp,
Cavalcante,	Haluska,	Mallery,	Ruth,
Chapman,	Henney,	McCreesh,	Scarlett,
Dando,	Heyburn,	McGinnis,	Shapiro,
Deitrick,	Homsher,	Mundy,	Sipe,
Dent,	Jacobs,	Owlett,	Sones,
DiSilvestro,	Jaspan,	Pytko,	Sordoni,
Ealy,	Kahle,	Rankin,	Stiefel,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 309, entitled:

An Act to amend the first paragraph of section four of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 452), entitled "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct, improve, and operate projects, and to lease the same, and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor; granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act," by enlarging the purposes and powers of the General State Authority to include additions to land grant colleges.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rodgers,
Bean,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Mundy,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro	Jaspan,	Pytko,	Sones,
Ealy,	Kahle,	Rankin,	Stiefel,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Woodward,
Gelder			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 446, entitled:

An Act requiring inspectors of weights and measures to test and read all water gas and electric meters imposing the cost of apparatus therefor on counties and cities and imposing duties on the Public Service Commission

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rodgers,
Bean,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Scarlett,
Dando,	Homsher,	McGinnis,	Shapiro,
Deitrick,	Huffman,	Mundy,	Sipe,
Dent,	Jacobs,	Owlett,	Sones,
DiSilvestro,	Jaspan,	Pytko,	Sordoni,
Ealy,	Kahle,	Rankin,	Stiefel,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Woodward,
Gelder,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 474, entitled:

An Act to amend section six of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws two hundred eighty) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on nonpayment thereof requiring the receivers and collectors of county city borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by abolishing the commission allowed to tax collectors or receivers of taxes

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrich,	Huffman,	Mundy,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Wolfenden,
Frey,	Kunkel,	Reed,	Woodward,
Gelder			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 521, (House Bill No. 723, entitled:

An Act to amend section five hundred and eighty of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand two hundred seventy-eight) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended extending the powers of the county commissioners in the construction and maintenance of comfort stations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius.	Rice,
Bean.	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery.	Rupp,
Chapman,	Heyburn,	McCreesh.	Ruth.
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrich,	Huffman,	Mundy,	Shapiro.
Dent,	Jacobs.	Owlett,	Sipe.
DiSilvestro.	Jaspan,	Pierson,	Sones.
Ealy,	Kahle.	Pytko,	Stiefel.
Eroe,	Kilgallen,	Rankin,	Wolfenden,
Frey,	Kunkel,	Reed,	Woodward,
Gelder.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 525, (House Bill No. 935), entitled:

An Act requiring counties of the third class to repay moneys heretofore recovered on forfeited recognizances in certain cases and providing for the recapture of such moneys from future fines and forfeited recognizances payable to law and library associations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—30

Barthold.	Heyburn,	Law,	Rice,
Cavalcante,	Huffman,	McCreesh,	Rodgers,
Dent,	Jacobs,	McGinnis,	Rupp,
DiSilvestro,	Jaspan,	Mundy,	Ruth,
Eroe,	Kahle,	Pytko,	Shapiro,
Gilson,	Kilgallen,	Rankin,	Sipe,
Haluska,	Kunkel,	Reed,	Sones,
Henney.	Lanius,		

NAYS—12

Bean,	Ealy,	Mallery,	Scarlett,
Chapman,	Gelder,	Owlett,	Sordoni,
Deitrich,	Homsher,	Pierson,	Wolfenden,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 556, entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia School of Design for Women at Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

and the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barthold,	Haluska,	Law,	Rice,
Bean,	Henney,	Mallery,	Rodgers,
Cavalcante,	Heyburn,	McCreesh,	Rupp,
Chapman,	Homsher,	McGinnis,	Ruth,
Deitrick,	Huffman,	Mundy,	Scarlett,
Dent,	Jacobs,	Owlett,	Shapiro,
DiSilvestro,	Jaspan,	Pierson,	Sipe,
Ealy,	Kahle,	Pytko,	Sones,
Eroe,	Kilgallen,	Rankin,	Sordoni,
Gelder,	Kunkel,	Reed,	Wolfenden
Gilson,	Lanius,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL OVER IN ORDER

Mr. LAW. Mr. President, I ask unanimous consent that Senate Bill No. 602, on third reading, entitled:

An Act to amend section six, and sections eleven and eighteen as amended, of the act, approved the second day of June, one thousand nine hundred and fifteen (P. L. 762), entitled "An act providing for the creation and administration of a State Fund for the insurance of compensation for injuries to employes of subscribers thereto; declaring false oaths by the subscribers to be misdemeanors; and providing penalties for the violation there-

of," further regulating the administration of such Fund, the fixing of premiums payable by subscribers; the distribution of unexpended balances to subscribers; the collection of accounts against subscribes and providing for the giving of certified copies of the records of the Fund showing liens against subscribers and fixing fees therefor.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 683, entitled:

An Act to further amend sections six ten and twenty-nine of an act approved the thirty-first day of May one thousand nine hundred and eleven (Pamphlet Laws four hundred sixty-eight) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputies and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county-seats principal cities and towns and extending to the State line describing and defining same by route numbers as the State Highways of the Commonwealth providing for the improvement maintenance and repair of said State Highways solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State Highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll-roads forming all or part of any State Highway and procedure therein providing for work of improvement of State Highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of townships county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State Highways and State-aid highways and kind of materials to be used in the improvement providing for payment of cost of improvement and repairs providing penalty for injuring or destroying State Highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by amending Route Fifty-two, by adding thereto borough bridges over mill races as the responsibility of the Department of Highways by providing that no assessment shall be made against the Commonwealth to assist in the reconstruction of any structure eliminating grade crossings and by further authorizing the Attorney General under certain conditions to enter into agreements with townships for the payment in installments of certain claims of the Department of Highways against such townships for construction reconstruction or maintenance of State Highways

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Geldar,	Kunkel,	Reed,
Bean,	Gilson,	Lanius,	Rice,
Cavalcante,	Haluska,	Law,	Rodgers,
Chapman,	Henney,	Mallery,	Rupp,
Dando,	Heyburn,	McCreesk,	Ruth,
Deitrick,	Homsher,	McGinnis,	Scarlett,
Dent,	Huffman,	Mundy,	Shapiro,
DiSilvestro,	Jacobs,	Owlett,	Sipe,
Ealy,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle,	Pytko,	Stiefel,
Frey,	Kilgallen,	Rankin,	Wolfenden,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 752, entitled:

An Act to further amend section six hundred twenty-four of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws seven hundred eighty-nine) entitled "An act relating to insurance establishing an Insurance Department and amending revising and consolidating the law relating to the licensing qualification regulation examination and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" so as to permit excess brokers to procure policies of casualty insurance from companies associations or exchanges not authorized to do business in this Commonwealth when such insurance is not procurable from companies duly authorized to do business in this Commonwealth

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Geldar	Kunkel,	Reed,
Bean,	Gilson,	Lanius,	Rice,
Cavalcante,	Haluska,	Law,	Rodgers,
Chapman,	Henney,	Mallery,	Rupp,
Dando,	Heyburn,	McCreesk,	Ruth,
Deitrick,	Homsher,	McGinnis,	Scarlett,
Dent,	Huffman,	Mundy,	Shapiro,
DiSilvestro,	Jacobs.	Owlett,	Sipe,
Ealy,	Jaspan,	Pierson,	Sones,
Eroe,	Kahle.	Pytko.	Stiefel,
Frey.	Kilgallen,	Rankin,	Wolfenden,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Mr. SHAPIRO. Mr. President, I desire to explain my reason on the record for voting 'aye' on this bill. This bill attempts to correct a condition which exists in Philadelphia and I am quite sure all over the State, where a man who lives on one side of Pine Street pays a $90 rate for insurance and the man who lives on the other side pays $60, and the man who lives in the northern end of the city pays a lesser or greater rate than the man who lives within a few miles of the place. This was a bill framed by the Insurance Commissioner of the Commonwealth of Pennsylvania, who is charged with the duty of seeing to it that Insurance companies maintain the rate which is fair in the first place, and which. secondly, would permit them to maintain a solvency for the benefit of those persons who carry insurance and particularly for the benefit of people who may be injured by financially irresponsibile persons who want to carry insurance. Of course, this bill is not as important as the anti-barber bill and this bill is not as important as the bill to regulate paperhangers, this bill was only framed by the man who is charged with that responsibility, the man who is the commissioner of the insurance, after a careful study and after a public hearing, at which both sides were represented and their views expressed, and therefore it is logical and proper that this bill should receive the treatment that it has on the floor of the Senate. I am recording my reasons for voting 'aye' on this bill, so that when the people of Pennsylvania read the record they will not think that the ten members who voted against this bill were in the ridiculous position of voting for the bill.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 754, entitled:

An Act to amend the title and to add a new sub-division (h) and two new sections six hundred and seventy-six and six hundred and seventy-seven to the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by establishing one or more rating bureaus for the classification of risks underwriting rules premium rates and schedule or merit rating plans applying to all classes of insurance except fidelity surety accident and health which may be transacted by any stock or mutual casualty company or exchange.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—10

Cavalcante,	Jaspan,	McGinnis,	Ruth,
Dando,	Kunkel,	Mundy,	Shapiro,
DiSilvestro,	McCreesh,		

NAYS—33

Barthold,	Gilson,	Kahle,	Rodgers,
Bean,	Haluska,	Lanius,	Rupp,
Chapman,	Henney,	Owlett,	Scarlett,
Deitrick,	Heyburn,	Pierson,	Sipe,
Dent,	Homsher,	Pytko,	Sones,
Ealy,	Howell,	Rankin,	Sordoni,
Eroe,	Huffman,	Reed,	Stiefel,
Frey,	Jacobs,	Rice,	Wolfenden,
Gelder,			

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 778, entitled:

An Act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by amending subsection (e) of section two hundred six by reducing the maximum single risk permitted and increasing the cash premium to be held in cash or securities

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Howell,	Mundy,	Shapiro,
Dent,	Huffman,	Owlett,	Sipe,
DiSilvestro,	Jacobs,	Pierson,	Sones,
Ealy,	Jaspan,	Pytko,	Sordoni,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gelder,	Kunkel,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence,

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 856, as follows:

An Act to amend the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (P. L. 549) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with

reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for re-division of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act, by adding a new section thereto 11-A proing that in counties of the first class all appointments shall be equally divided between majority and minority commissioners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 549) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon County Commissioners and the Secretary of the Commonwealth providing for re-division of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" is hereby amended by adding thereto a new section 11-A to read as follows

Section 11-A All appointments made under the provisions of this act by the county commissioners in counties of the first class shall be equally divided between the majority commissioners and the minority commissioner so that the majority commissioners shall name one-half of all the appointees and the minority commissioner shall name one-half of all the appointees The provisions of this act apply to persons presently employed as well as to persons to be employed in the future and the county commissioners shall comply thereto within thirty days of the passage of this act

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—20

Barthold,	Haluska,	Kahle,	Rice,
Bardo,	Henney,	Kunkel,	Ruth,
DiSilvestro,	Huffman,	McCreesh,	Shapiro,
Eroe,	Jacobs,	Mundy,	Sipe,
Gilson,	Jaspan,	Pytko,	Stiefel,

NAYS—24

Bean,	Gelder,	Mallery,	Rodgers,
Cavalcante,	Heyburn,	McGinnis,	Rupp,
Chapman,	Homsher,	Owlett,	Salus,
Deitrick,	Howell,	Pierson,	Scarlett,
Ealy,	Kilgallen,	Rankin,	Sones,
Frey,	Lanius,	Reed,	Wolfenden,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

BILL OVER IN ORDER

Mr. RUPP. Mr. President, I ask unanimous consent that Senate Bill No. 930, on third reading entitled:

An Act to repeal the laws relating to the Lancaster County Prison, and relating to the election of a board of inspectors to manage said prison.

go over in its order.

The PRESIDENT. Is there objection?

Mr. KUNKEL. Mr. President, I object.

Mr. RUPP. Mr. President, as I said last night, and I say again that I have no personal interest in this bill whatsoever; it does not affect the county which I represent. So that the bill would be put on the calendar, I agreed with the sponsor of the bill that this bill was to be recommitted for further study after second reading. I made a motion last evening to put this bill on the postponed calendar, but the motion was defeated, and I then asked that the bill be recommitted to the Committee from which it came. In compliance with an agreement made with the sponsor, in Committee, I ask that this bill go over in its order.

The President. Is there objection? The Chair hears none.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 966, (House Bill No. 731), entitled:

An Act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Homsher,	McCreesh,	Ruth,
Dando,	Howell,	McGinnis,	Salus,
Deitrick,	Huffman,	Mundy,	Scarlett,
Dent,	Jacobs,	Owlett,	Shapiro,
DiSilvestro,	Jaspan,	Pierson,	Sipe,
Ealy,	Kahle,	Pytko,	Sones,
Eroe,	Kilgallen,	Rankin,	Stiefel,
Frey,	Kunkel,	Reed,	Wolfenden,
Gelder,			

NAYS—1

Heyburn,

A majority of all the Senators voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 974, (House Bill No. 1570), entitled:

An Act to promote safety for the travelling public on State highways to extend the responsibility for subsidence of such highways by the failure of vertical and lateral support and declaring said subsidence a public nuisance to provide for inspection of mine maps by the Department of Highways and the furnishing to said Department of copies of such mine maps in certain cases to authorize entry by the Department of Highways into mines in certain cases and to provide for notices to the Department of Highways of certain mining operations under or adjacent to highways and providing penalties

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED

Mr. MUNDY. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. GILSON. Mr. President, I second the motion.

The motion was agreed to.

BILL OVER IN ORDER

Mr. LAW. Mr. President, I ask unanimous consent that Senate Bill No. 1026, (House Bill No. 563) on third reading. entitled:

An Act to amend the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws nine hundred twelve) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" further regulating bakeries and the importation of bakery products providing for injunctions in certain cases and changing the penalties prescribed.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1062, (House Bill No. 1981), entitled:

An Act to amend the act approved the thirty-first day of May one thousand nine hundred and thirty-three (Pamphlet Laws 1116) entitled "An act for the protection of the Public Health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" further regulating the manufacture importation and sale of such products providing for injunctions and changing the penalties prescribed

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—47

Barthold,	Gilson,	Lanius,	Rodgers,
Bean,	Haluska,	Law,	Rupp,
Cavalcante,	Henney,	Mallery,	Ruth,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Howell,	Mundy,	Shapiro,
Dent,	Huffman,	Owlett,	Sipe,
DiSilvestro,	Jacobs,	Pierson,	Sones,
Ealy,	Jaspan,	Pytko,	Stiefel,
Eroe,	Kahle,	Rankin,	Thompson,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gelder,	Kunkel,	Rice,	Woodward,

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1075, entitled:

An Act to protect the public health and welfare by regulating employment in this Commonwealth with respect to hours and conditions of employment providing for certain exceptions imposing duties liabilities and conditions on employers defining the powers and duties of the Department of Labor and Industry and its officers and representatives and providing penalties.

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. OWLETT. Mr. President, I ask for a verification of the roll call on Senate Bill No. 1075.

The roll was verified and was as follows:

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—27

Barthold,	Haluska,	Lanius,	Reed,
Cavalcante,	Henney,	Law,	Rice,
Dando,	Jacobs,	McCreesh,	Rodgers,
Dent,	Jaspan,	McGinnis,	Ruth,
DiSilvestro,	Kahle,	Mundy,	Sipe,
Eroe,	Kilgallen,	Pytko,	Stiefel,
Frey,	Kunkel,	Rankin,	

NAYS—15

Bean,	Gelder,	Huffman,	Scarlett,
Chapman,	Gilson,	Mallery,	Sones,
Deitrick,	Heyburn,	Owlett,	Wolfenden,
Ealy,	Homsher,	Salus,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1159, entitled:

An Act to amend subsection (e) of section two hundred six of the act approved the seventeenth day of May

one thousand nine hundred and twenty-one (Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by providing minimum capital and financial requirements to do business for title insurance companies.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—42

Barthold,	Gelder,	Kunkel,	Ruth,
Bean,	Gilson,	Law,	Salus,
Cavalcante,	Haluska,	Lanius,	Scarlett,
Chapman,	Henney,	Mallery,	Shapiro,
Dando,	Heyburn,	McGinnis,	Sipe,
Deitrick,	Homsher,	Mundy,	Sones,
Dent,	Huffman,	Owlett,	Stiefel,
DiSilvestro,	Jacobs,	Pytko,	Wolfenden,
Ealy,	Jaspan,	Rankin,	Woodward,
Eroe,	Kahle,	Reed,	
Frey,	Kilgallen,	Rice,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1200, (House Bill No. 1693), entitled:

An Act authorizing townships of the second class to adopt and enforce zoning ordinances regulating the location construction and use of buildings the size of courts and open spaces the density of population and the use of land.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED

Mr. LAW. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. RUPP. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1204, (House Bill No. 1798), entitled:

An Act to repeal clause (c) as amended and to amend clause (d) of section fifty-eight of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate for the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilge of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the Court of Common Pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeal in certain cases and also generally dealing with the jurisdiction powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents" eliminating certain provisions relating to foreign fiduciaries selling assigning transferring and receiving the income from certain assets of decedents minors and cestui que trusts.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

BILL POSTPONED

Mr. KILGALLEN. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. JASPAN. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1206, (House Bill No. 1997), entitled:

An Act to amend sections one and two of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred fifty) entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstance of fire and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties" conferring police and building inspection powers on assistants appointed by the superintendent of State Police.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Gelder,	Lanius,	Rice,
Bean,	Gilson,	Law,	Rodgers,
Cavalcante,	Haluska,	Mallery,	Rupp,
Chapman,	Henney,	McCreesh,	Ruth,
Dando,	Heyburn,	McGinnis,	Salus,
Deitrick,	Homsher,	Mundy,	Scarlett,
Dent,	Huffman,	Owlett,	Shapiro,
DiSilvestro,	Jacobs,	Pierson,	Sipe,
Ealy,	Jaspan,	Pytko,	Sones,
Eroe,	Kahle,	Rankin,	Stiefel,
Frey,	Kilgallen,	Reed,	Wolfenden,

NAYS—1

Kunkel,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Mr. GILSON. Mr. President, I observed that this bill on the calendar refers, categorically speaking, to the State Police and the State Motor patrol. In view of the bill that has passed relating to the change in the State Police and Motor Patrol, I think we should reconsider this bill and put it over until we know the action of the House on the other bill. Therefore, I move to reconsider the vote by which this bill has just passed.

The PRESIDENT. The motion is not in order at this moment; other business must intervene before a motion to reconsider can be put.

BILLS OVER IN ORDER

Mr. MUNDY. Mr. President, I ask unanimous consent that Senate Bill No. 1227, on third reading, entitled:

An Act to further amend section eleven of the act, approved the seventeenth day of February, one thousand nine hundred six (Pamphlet Laws forty-five), entitled "An act to regulate the deposits of State Funds, to prescribe the method of selecting State depositories, to limit the amount of State deposits, to provide for the security of such deposits, to fix the rate of interest thereof, to provide for the publication of monthly statements of moneys in the general and sinking funds, to declare it a misdemeanor to give or take anything of value for obtaining the same, and prescribing penalties for violations of this act," by eliminating the publication of monthly statements of moneys in the State Treasury.

go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. GILSON. Mr. President, I move to reconsider the vote by which Senate Bill No. 1206, (House Bill No. 1997), entitled:

An Act to amend sections one and two of the act approved the twenty-second day of April one thousand nine hundred and twenty-seven (Pamphlet Laws four hundred fifty) entitled "An act relating to fires and fire prevention imposing duties and conferring powers upon the State Police authorizing the appointment of the chiefs of fire departments and certain public officers and others as assistants to said State Police and defining their powers and duties providing for the investigation of the cause origin and circumstances of fires and the inspection of all and the removal or change of certain buildings imposing duties on school authorities and on certain corporations associations and fire rating agencies providing for the attendance of witnesses before the said State Police and the enforcement of its orders and prescribing penalties" conferring police and building inspection powers on assistants appointed by the superintendent of State Police passed finally.

Mr. KUNKEL. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Shall the bill pass finally?

BILL POSTPONED

Mr. GILSON. Mr. President. I move that the question together with the further consideration of the bill be postponed for the present.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1235, entitled:

An Act providing for the creation division and consolidation of wards in cities of the first class and defining procedure therefor.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barthold,	Gilson,	Law,	Rodgers,
Bean,	Haluska,	Mallery,	Rupp,
Cavalcante,	Henney,	McCreesh,	Ruth,
Chapman,	Heyburn,	McGinnis,	Salus,
Dando,	Homsher,	Mundy,	Scarlett,
Deitrick,	Huffman,	Owlett,	Shapiro,
Dent,	Jacobs,	Pierson,	Sipe,
DiSilvestro,	Jaspan,	Pytko,	Sones,
Ealy,	Kahle,	Rankin,	Stiefel,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Woodward,
Gelder,	Lanius,		

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affimative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The PRESIDENT PRO TEMPORE (Mr. Harvey Huffman) in the Chair.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1265, entitled:

An Act to amend clause (c) of section fifty-eight of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents

rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate for the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charges on land the discharge of residuary estates and of real estate from the lien of legacies at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the Court of Common Pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents" as amended permitting the assignment transfer payment and delivery to a foreign appointed executor administrator trustee guardian committee or other fiduciary of any moneys and property within this Commonwealth by any debtor bailee custodian agent attorney pledgee trustee fiduciary or other individual association partnership or corporation a resident thereof owing the same to or holding the same in the name or for the account of a decedent minor legal incompetent or cestui que trust a non-resident of Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—43

Barthold,	Gilson,	Law,	Rupp,
Bean,	Haluska,	Mallery,	Ruth,
Cavalcante,	Henney,	McCreesh,	Salus,
Chapman,	Heyburn,	McGinnis,	Scarlett,
Dando,	Homsher,	Mundy,	Shapiro,
Deitrick,	Jacobs,	Pierson,	Sipe,
DiSilvestro,	Jaspan,	Pytko.	Sones,
Ealy,	Kahle,	Rankin,	Stiefel,
Eroe,	Kilgallen,	Reed,	Wolfenden,
Frey,	Kunkel,	Rice,	Huffman,
Gelder,	Lanius,	Rodgers,	Pres. Pro. Tem.

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1266, entitled:

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen and to make uniform the law with reference thereto.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—44

Barthold,	Haluska,	Mallery,	Rupp,
Bean,	Henney,	McCreesh,	Ruth,
Cavalcante,	Heyburn,	McGinnis,	Scarlett,
Chapman,	Homsher,	Mundy,	Shapiro,
Dando,	Jacobs,	Owlett,	Sipe,
Deitrick,	Jaspan,	Pierson,	Sones,
DiSilvestro,	Kahle,	Pytko,	Stiefel,
Ealy,	Kilgallen,	Rankin,	Thompson,
Eroe,	Kunkel,	Reed,	Wolfenden,
Frey,	Lanius,	Rice,	Huffman,
Gelder,	Law,	Rodgers,	Pres. Pro. Tem.
Gilson,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1310, entitled:

An Act to amend sections two and four of the joint resolution approved the twenty-ninth day of April one thousand nine hundred thirty-seven (Act No. 127) entitled "A joint resolution authorizing the appointment of a commission to make a thorough and impartial investigation into the operation of the oil industry in this Commonwealth with special reference to the adequate efficient and economical supplying of lubricating oils and gasoline to the people of this Commonwealth conferring upon the commission full power to issue subpoenas requiring the commission to make a report of its findings to the Governor together with its recommendations as to such regulatory legislation as may be needful to correct any abuses and evils connected with such industry which are prejudicial to the interests of the citizens of this Commonwealth authorizing the commission to employ counsel and employes and making an appropriation" by authorizing the several Courts of Common Pleas upon application to adjudge persons refusing to comply with subpoenas of the commission in contempt of court and by increasing the appropriation to the commission.

And said bill having been read at length the third time, and agreed to.

On the question,

Shall the bill pass finally?

Mr. OWLETT. Mr. President, I would like to inquire whether this bill was in the Committee on Appropriations?

I would like to call the Senate's attention to the fact that this is another $50,000 for an investigation of some kind.

I would like to have this bill go over in its order.

Mr. LAW. Mr. President, the interrogation was whether or not this item was in the Appropriation Committee. I would say that the record shows that this bill was reported from the Committee of Appropriations.

Mr. OWLETT. Mr. President, I would like to ask whether Mr. Keyes will soon be through with his work for the committee, and whether this $50,000 is to take care of him?

The PRESIDENT. Will the Senator from Berks, Mr. Ruth, answer the question of the Senator from Tioga?

Mr. RUTH. Mr. President. if the question is directed to me, I would say that from the evidence we have, there is plenty of room for Mr. Keyes and for half a dozen of his calibre to investigate.

Mr. LAW. Mr. President, I want to say that this will be given to the same commission which employed Mr. Keyes, and the question of how the money will be spent

will be left to a commission of distinguished citizens appointed by the Governor, or three of them, one by the President Pro Tempore of the Senate, and one by the Speaker of the House.

Mr. RICE. Mr. President, I do not like to take up the time of the Senate unduly on this, but I have before me here a letter addressed to the Governor and to the Members of the General Assembly, which are signed by the commission which was appointed to investigate the oil industry, by the Chairman, and three other members, which reads as follows:

"OIL INDUSTRY INVESTIGATION COMMISSION"
Authorized by the Act of April 29, 1937.

To The Honorable George H. Earle,
Governor, Commonwealth of Pennsylvania, and
The members of the General Assembly,
Commonwealth of Pennsylvania.

Gentlemen:

In authorizing the creation of the Oil Industry Investigation Commission you directed that it should be a commission "whose duty it shall be to make a careful, thorough and impartial investigation into the operation of the oil industry in this Commonwealth," with special reference to:

1—"The adequate, efficient and economical supplying of lubricating oils and gasoline to the people of this Commonwealth at reasonable prices not inconsistent with the fair costs of production and distribution," and

2—"To ascertain and report to the Governor as soon as possible its findings as to whether or not the oil industry is so affected with the public interests as to require statutory regulation," and

3—"(To report to the Governor as soon as possible) its recommendations, if any, as to legislation needful to correct any abuses and evils connected with the whole operation of the oil industry in this Commonwealth which are prejudicial to the interests of its citizens."

Your commission is ready and willing to carry out those instructions, which involve, however, a detailed study of a highly complex industry, with special reference to the production covering seven or nine counties; the transportation across Pennsylvania and importation into Pennsylvania of crude petroleum, involving a tremendous financial and business set-up; the refining, involving not only the large companies but a number of independent operators; and the great marketing and distributing organizations scattered in every corner of the State of Pennsylvania.

To do a good job here requires that a study be made:

1st: Of the production field, including the type of production lease; the equity with which producers are being treated by the large companies; the methods by which they may dispose of their raw product; and the opportunities for further development in this field, having in mind the protection of the Pennsylvania crude petroleum product.

2nd: Next it will be necessary to study the refining end of the business, which involves not only the seven large combinations, but forty or more independent refineries, with a view of determining not only the cost of production, the various methods used, the chemical analysis of the product, but also a determination of the qualities under which they operate and the tendency toward monopoly, which it is alleged is very evident.

3rd: There are more than 30,000 retail dealer outlets in Pennsylvania. The Commission has already received reliable written complaints about price cutting, unfair competition, attempts on the part of large organizations to drive out the independent businessmen, the use of fake leases, the subsidizing of gasoline stations and other practices which, if true, cannot but destroy the independent businessman and lead to the maintenance of an improperly maintained high price and the milking of the public.

4th: It will be necessary to make a study of all the law in Pennsylvania relating to the crude petroleum industry, as well as a comparative study, of the law in neighboring competitive states, such as New York, Delaware, Maryland, West Virginia and Ohio. In addition, a study must be made of the Federal law, insofar as it would tend to limit the field of action of an individual state.

5th: Hearings will be necessary to give he people an opportunity to present to the Commission the information they have regarding conditions in the industry, and, in addition, to afford opportunity to representative groups within the industry to present their side of the case. Those hearings will be held, in all probability in Philadelphia, Scranton, Erie, Oil City, Franklin, Pittsburgh and such other places as later developments may show advisable.

These are only a few of the questions which under your instructions will need thorough and careful investigation.

To do that work will require the hiring of lawyers, stenographers, clerks, engineers, certified public accountants, petroleum experts, statisticians and a large group of investigators. That you must have realized this necessity to some extent is evident from the bill creating the Commission, a portion of which reads: "The Commission may employ and fix the compensation of such counsel, experts, clerks and assistants as may be deemed necessary for the proper conduct of the work of the Commission." That is an excellent recognition of the fundamental necessity. The rub comes in the next sentence: "The sum of $5,000.00, or so much thereof as may be necessary, is hereby specifically appropriated" not only to hire all of the people necessary as counsel, experts, clerks and assistants, but for the purpose of paying all of the other expenses of the Commission, such as the expenses of the members, telephone and telegraph charges, witness fees, the cost of supplies and printing and any other expense necessary.

A brief consideration of this entire problem, it is submitted, will convince you of the utter impossibility of carrying out your instructions with so limited financial means. The undertaking which you have assigned the Commission is fundamental, wide-spread in its significance and of the utmost importance to the people of Pennsylvania. We of the Commission desire to do a good job. It is impossible even to do a fair job with the resources you have so far allowed. We have, therefore, requested that the appropriation be increased to $50,000.00, the clear necessity for which is evident in the matters set forth.

In one sentence, Gentlemen—you cannot investigate a Five Billion Dollar industry with Five Thousand Dollars.

Respectfully submitted,

Ralph H. Smith, Chairman.
Wiliam H. Godfrey
John E. McComb
Edward Jackson Thompson

Mr. OWLETT. Mr. President, I feel constrained to say a few words about this bill, for the reason that I represent one of the oil producing districts of Pennsylvania.

As everyone in this Senate knows, a very small proportion of the oil and petroleum products sold within the State of Pennsylvania is produced in this State. We of Pennsylvania, are peculiarly fortunate in the out put of oil from Pennsylvania for lubricating purposes is of the highest grade in this country. Mr. President, and members of this Senate, I want to point out the fact that the oil business in all its ramifications covers the whole territory of the United States. It is a physical impossibility, it is a practical impossibility, for any commission with $50,000 or $100,000 to make any kind of an investigation that would be worth one iota to the citizens of this State. Now we all know that this matter has been investigated time and again in Washington, it is an inter-state proposition and for us to throw away the money of this State, $50,000 to a commission which can only touch the surface of an industry involving this whole country, these whole United States, it seems to me perfectly silly. Of course, this commission wants more money, they want to employ experts and they want to employ accountants, and when we get through the report of this commission will be just like so many other reports, it will be filed away and nobody will ever see it again.

Mr. President, I think it is a shameful waste of the taxpayers money to spend $50,000 for an investigation of an industry that involves this whole country, and which is not a state problem, it is a national problem as we all know. We up in the oil section of the country are not at any state loss to protect that industry, as I know you are all anxious to protect that, as the letter of the commissioner states. It cannot be done by this kind of a commission and I ask the Senate to vote down this bill.

Mr. LAW. Mr. President, I want to say that I cannot agree with the Senator from Tioga, as to the position of the people on this. I represent an oil producing territory of Pennsylvania, I represent the city which was the birth-place of the oil industry in the United States and in America, the City of Titusville, and the people of the oil district want an investigation. One of the things that he has referred to is the fact of the high grade of the oil produced in Pennsylvania. I have talked to some of the members of this Commission and one of the things that they propose to do is to investigate the question of the sale of oil not produced in Pennsylvania, as Pennsylvania Oil, which is one of the abusives that is working against the interests of the oil producers of Pennsylvania, and in view of all this, I ask the members of the Senate to support this bill to give real power and their financial assistance to this committee.

Mr. THOMPSON. Mr. President, I think the Senator from Tioga, Mr. Owlett, has made the best speech in support of the bill that can be made. I certainly would not want to concede to the Senator from Tioga that there is any business so big that it is bigger than the Government of Pennsylvania, and I certainly would not concede to the Senator from Tioga that some of the concerned who were importing oil into this state to the disadvantage of the Pennsylvania oil producers, distributors and retailers, that they should be so far above the action of this State Government as to be not even subject to investigation. We all realize from the discussion that has taken place on this floor here before, that this is a big job and needs a big appropriation. The committee is substantially powerless to do the work with the appropriation as it was in the original bill. If we are going to try to protect the oil industry from some of the people who have gotten into it, people who have no interest in the State of Pennsylvania, we have to have some money to work with. The commission I know, wants to do a good job, and I may say that the vast majority of the people interested in the oil business in this State are so much interested in this business today, Mr. President, that they have voluntarily agreed that they shall be subjected to a small tax which came over here this morning in House Bill 2057, which the House passed, which will furnish ample finances to take care of this appropriation.

Mr. CHAPMAN. Mr. President, I want to interrogate the Senator from Centre, Mr. Thompson.

The PRESIDENT. Will the Senator from Centre, Mr. Thompson, permit himself to be interrogated?

Mr. THOMPSON. Mr. President, yes.

Mr. CHAPMAN. Mr. President, I would like to ask the Senator from Centre, whether he is a member of the commission to investigate the oil industry.

Mr. THOMPSON. Mr. President, yes.

Mr. CHAPMAN. Mr. President, I would like to ask the Senator from Centre what experience he had.

Mr. THOMPSON. Mr. President, I have had no experience in drilling an oil well or anything like that, but I have got a little experience in buying gasoline and oil.

Mr. CHAPMAN. Mr. President, has the Senator from Centre had any experience in the refining industry?

Mr. THOMPSON. Mr. President, no, I have had no experience in refining oil.

Mr. WOLFENDEN. Mr. President, I desire to interrogate the Senator from Adams, the Chairman of the Appropriations Committee.

The PRESIDENT. Will the Senator from Adams, Mr. Rice, permit himself to be interrogated?

Mr. RICE. Mr. President, I will.

Mr. WOLFENDEN. Mr. President, I would like to ask the Chairman of the Appropriations Committee whether he knows that New York State has just completed an investigation of this situation and they spent $200,000.

Mr. RICE. Mr. President, I did not.

Mr. WOLFENDEN. Mr. President, does the Senator from Adams know that they have introduced what they consider corrective legislation as a result of that investigation.

Mr. RICE. Mr. President, I am not aware of that.

Mr. WOLFENDEN. Mr. President, I understand that investigation has been made and I understand that another investigation has been made in California. I would suggest that the findings of that commission be used or at least be read before we spend $50,000. I think you will find that the bill to which the Senator from Centre, Mr. Thompson, referred, is similar to a bill introduced in the Legislature in the State of New York, and that bill is the result of an investigation. I suggest that the bill be voted down or go over in its order.

Mr. LAW. Mr. President, I think the fact that New York has seen fit to spend $200,000, and has from that spending obtained a study of the oil situation in New York State, upon which a good bill will be made, certainly is an additional jurisdiction of Pennsylvania spending $50,000 to take care of our situation.

Mr. HALUSKA. Mr. President, I believe in commissions and I believe in investigations. This Senate right

now is cutting the appropriations to hospitals right down to the bone, without regard to humanity, and at the same time I cannot see the logic of sitting here and giving the commission $50,000 or $5,000, $10,000, $15,000 or $50,000 to create a commission that God knows who may read the report. I am opposed to making this kind of an appropriation to any commission.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Barthold,	Jacobs,	McGinnis,	Ruth,
Cavalcante,	Jaspan,	Mundy,	Shapiro,
Dando,	Kahle,	Pytko,	Sipe,
Dent,	Kilgallen,	Rankin,	Sones,
DiSilvestro,	Kunkel,	Reed,	Stiefel,
Eroe,	Lanius,	Rice,	Thompson,
Frey,	Law,	Rodgers,	Huffman,
Gelder,	McCreesh,	Rupp,	Pres. Pro. Tem.
Henney,			

NAYS—12

Bean,	Haluska,	Mallery,	Salus,
Chapman,	Heyburn,	Owlett,	Scarlett,
Gelder,	Homsher,	Pierson,	Wolfenden,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1322, entitled:

An Act to further amend section one of the act approved the eleventh day of May one thousand nine hundred eleven (Pamphlet Laws 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by eliminating certain conditions of removal of inspectors and providing for their appointment in counties of the first class

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the eleventh day of May one thousand nine hundred eleven (Pamphlet Laws 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" as last amended by the act approved the nineteenth day of July one thousand nine hundred seventeen (Pamphlet Laws 1102) is hereby further amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the mayors of cities of the second and third class and the several boards of county commissioners shall respectively appoint one or more competent persons as inspectors of weights and measures in the respective county or city whose salary shall not be less than one thousand dollars per annum to be paid out of the respectice revenues of such county or city Provided however That the payment of a minimum salary shall not apply to counties having a population of fifteen thousand or less In addition to the salary provided by law the said county and city inspectors shall be entitled to receive the actual expenses incurred by them personally in performing the duties of their office such as transportation hotel livery telephone telegraph and postal charges to be paid by the boards of county commissioners of their respective counties and by the proper officers of their respective cities in such proportion as may be agreed upon by said boards of county commissioners and proper officers of cities on bills itemized and properly sworn to Provided however That nothing in this act shall be construed to prevent two or more counties or any county and city from combining the whole or any part of their districts as may be agreed upon by the board of county commissioners and mayors of cities with one set of standards and one inspector upon the written consent of the chief of the bureau of standards Provided further In cities of the first class the inspectors shall be appointed by the county commissioners of the county in which the said city may be located Any inspector appointed in pursuance of an agreement for such combination shall subject to the terms of his appointment have the same authority and duties as if he had been appointed by each of the authorities who are parties to the agreement The county and city inspectors of weights and measures as appointed by the respective counties and cities shall hold their office during good behavior [and shall not be removed discharged or reduced in pay or position except for inefficiency incapacity conduct unbecoming employes or other just cause and until the said officials shall have been furnished with written statements of the reason for such removal discharge or reduction and shall have been given reasonable time to make written answer thereto Nor shall such removal discharge or reduction be made until the charge or charges shall have been examined into and found true in fact by the appointed power of such county or city at a hearing upon reasonable notice to the person charged at which time he may be represented by counsel and offer testimony or witnesses in his own behalf] It shall be unlawful for any sealer or inspector of weights and measures or any of his deputies to perform clerical or other services for the county or city of their respective districts

All the appointments made under the provisions of this act by the county commissioners in counties of the first class shall be equally divided between the majority commissioners and the minority commissioners so that the majority commissioners shall name one-half of all appointees and the minority commissioners shall name one-half of all the appointees The provisions of this act apply to persons presently employed as well as to persons to be employed in the future and the county commissioners shall comply therewith within thirty days of the passage of this act.

Mr. SALUS. Mr. President, and members of the Senate this bill, 1322, is the twin sister to Bill 856, which was defeated a few moments ago. This bill of itself has no value, because it depends on the passage of No. 856. If Bill 856 had passed, the County Commissioners would have been able to divide the patronage in our county. This bill would simply fix the rules and regulations under which that patronage could be disposed of. The bill by itself has no value to anybody, neither Republican or Democrat, and I hope the members of the Senate will follow the precedent just established in the previous bill and vote against it.

Mr. LAW. Mr. President, I desire to interrogate the Senator from Philadelphia, Mr. Salus?

The PRESIDENT. Will the Senator from Philadelphia, Mr. Salus, permit himself to be interrogated?

Mr. SALUS. Mr. President, I will.

Mr. LAW. Mr. President, does not Senate Bill No. 856 have to deal with the matters of election officers?

Mr. SALUS. Mr. President, no, Senate Bill No. 856 has to do solely with the question of employees in the

county commissioners office, and has absolutely nothing to do with the election of officers.

Mr. LAW. Mr. President, is Senate Bill 856, not a bill amending a bill dealing with election officers?

Mr. SALUS. Mr. President, that bill is not before the Senate. At this time bill No. 1322 is before the Senate. Bill No. 856 has been voted on and defeated.

Mr. LAW. Mr. President, is not Senate Bill No. 1322, a bill dealing with the matter of inspectors of weights and measures, and not inspectors of elections?

Mr. SALUS. Mr. President, it is a matter dealing with the inspectors of weights and measures, that is correct. The other bill, 856, that we have put back to committee, was on the question of patronage, and in the patronage that would have been obtained or given out by the county commissioners would be included two men who are employed in the Department of Sealers of Weights and Measures. This present bill provides in the case of employees who are employed by the county commissioners. This will put rings around the county commissioners and tell them why, how and under what conditions these particular employees might be dismissed. This bill has no value whatever without the other bill, unless you want to strengthen the hands of the Republican Commissioners. If you pass this bill, and I want to be honest and fair with you, all you do is, where a majority of the commissioners are Republicans, you are strengthening their hands as to what disposition will be made of the employees of the county commissioners office.

Mr. LAW. Mr. President, I do not see any connection between the two bills, except that the word 'inspector' may occur in both of them, and one is 'inspector of elections' and the other of weights and measures.

Mr. SALUS. Mr. President, I want to say to the members of this Senate, and in all honesty, if they want to pass this bill as it is in its present form I have no objection and I have no objection to every member of this Senate voting for this bill, because I want to be frank and honest, at least to some extent, even if my friends may think to the contrary, this bill will do nothing now, after the other bill has been defeated, but strengthen the hands of the Republican commissioners in our county and give them a power and authority which they are not entitled to, and if this Senate wants to pass this bill now, I find no fault with it.

And the question recurring,

Shall the bill pass finally?

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—33

Barthold,	Henney,	McCreesh,	Ruth,
Cavalcante,	Heyburn,	McGinnis,	Shapiro,
Dando,	Jacobs,	Mundy,	Sipe,
Dent,	Jaspan,	Pytko,	Sones,
DiSilvestro,	Kahle,	Reed,	Stiefel,
Eroe,	Kilgallen,	Rice,	Thompson,
Frey,	Kunkel,	Rodgers,	Huffman,
Gilson,	Lanius,	Rupp,	Pres. Pro. Tem.
Haluska,	Law,		

NAYS—12

Bean,	Ealy,	Mallery,	Salus,
Chapman,	Gelder,	Owlett,	Scarlett,
Deitrick,	Homsher,	Rankin,	Wolfenden,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

The PRESIDENT (Lieutenant-Governor Thomas Kennedy) in the Chair.

RECONSIDERATION OF SENATE BILL NO. 856

Mr. CAVALCANTE. Mr. President, in view of the discussion here on the bill that we have just passed, that it has some connection with Bill No. 856, on page 11 of the calendar, which we have just defeated, I feel that we should not permit the bill we passed to go to the House without the bill we have already defeated; so, therefore, I move to reconsider by which Senate Bill No. 856 was defeated.

Mr. STIEFEL. Mr. President, I second the motion.

On the question,

Will the Senate agree to the motion?

Mr. SALUS. Mr. President, before we adopt this motion, I would like to explain to the Senate what this bill means, and I think they understand what it does mean: It means that the county commissioners in Philadelphia

. . . . . .

POINT OF ORDER

Mr. SHAPIRO. Mr. President, I rise to a point of order.

The PRESIDENT. The Senator from Philadelphia, Mr. Shapiro, will state his point of order.

Mr. SHAPIRO. Mr. President, my point of order is that the motion to reconsider is not debatable.

The PRESIDENT. It is not debatable, but it is not prohibitive. I think the Senator has a right to explain.

Mr. SALUS. Mr. President, they have in Allegheny, County Commissioners, we have in Philadelphia, County Commissioners. The County Commissioners in Allegheny and the County Commissioners in Philadelphia County are very nearly similar. Now, here this morning many of the Allegheny County Senators voted against the bill that was on the Calendar, and no doubt they voted against this bill because there was some spirit of fair play in their makeup. Now, all the City of Philadelphia asks is to be given the same privilege that Allegheny County has; if this bill is good for Philadelphia, it should be good for Allegheny County. There was an amendment put in the bill last evening including cities of the second class. The Commissioner from Allegheny County, Senator Rankin, said that this was not a bill that he could support or would support for his own county, and that he would not want second-class cities attached to this bill, the reason for it being, as we all know, that the majority of the commissioners are Republicans in Philadelphia County, and, naturally, they have the patronage; in Allegheny County they are Democrats and they control the patronage; on the political horizon that seems to be fair play, and the way the game should be played. Now, what is this bill supposed to do? In Philadelphia, the Republicans take control of the Republican patronage, only, but in Allegheny County, where it is controlled

by the Democrats, the Republicans are to get no patronage. This is simply another one of those bills where, regardless of what the citizens may have done at the election by their votes, it is consistent with the legislation that has been passed during this entire session, for our Democratic friends have, little by little, taken every vestige of patronage they could from the Republican organization of Philadelphia, regardless of the right and will of the people, and this patronage has all been grabbed up right and left. It does not even seem to have the semblance of fairness to it. I was very much pleased when I heard the returns on the vote on this bill. I thought possibly some of our friends on the Democratic side had been brought to their senses, and had come to the conclusion that fair play was part of their game, and I am convinced that they had that in mind, and I am further convinced that they had that in mind, and I am further convinced that they voted in accord with the American spirit of fair play, but after the vote was cast and the bill defeated, there was an exodus of certain Senators who immediately reported to powers that be that some of the Democratic Senators had used their own opinions and voted according to the dictates of their consciences, with the spirit that binds the American people in the performance of their public duties and pay heed to the will of the people, but I still have confidence that manhood is still within their bodies and that they still have the spirit of fair play and common justice in trying to do the right thing. On a matter that is so obviously wrong as this attempt to discredit and in reconsidering the bill at this time, I will be very much disappointed if the votes of the members who voted against this bill will now be changed.

The PRESIDENT. The motion is to reconsider the vote by which this bill was defeated.

Mr. SALUS. Mr. President, my record shows that the Senator from Philadelphia, Mr. Stiefel, voted 'aye' on this bill this morning.

Mr. STIEFEL. Mr. President, I voted 'aye' and then I changed it to 'no'.

The PRESIDENT. That is the recollection of the Chair.

Mr. SALUS. Mr. President, I did not get that.

The PRESIDENT. The recollection of the Chair is that the Senator voted 'aye' on the first vote taken, and then changed it from 'aye' to 'no'.

Mr. SALUS. Mr. President, I have here a copy of the roll made directly from the copy on the table by the Clerk and in my copy the records shows that the Senator from Philadelphia, Mr. Stiefel, voted 'aye'.

The PRESIDENT. The record at the desk shows that the Senator voted 'aye' and then changed it to 'no'.

Mr. PYTKO. Mr. President, if there be some doubt as to how the Senator from Philadelphia, Mr. Stiefel, voted, there is no doubt that I changed my vote to 'no', therefore, Mr. President, I will second that motion.

The PRESIDENT. The motion is legitimate and in order.

And the question recurring,

Will the Senate agree to the motion?

Mr. SALUS. Mr. President, I ask for a roll call.

The yeas and nays were required by Mr. SALUS and Mr. CAVALCANTE and were as follows, viz:

YEAS—25

Barthold,	Haluska,	Lanius,	Rupp,
Cavalcante,	Henney,	McCreesh,	Ruth,
Dando,	Jacobs,	McGinnis,	Shapiro,
Dent,	Jaspan,	Mundy,	Sipe,
DiSilvestro,	Kahle,	Pytko,	Stiefel,
Eroe,	Kunkel,	Rice,	Thompson,
Frey,			

NAYS—16

Bean,	Gelder,	Mallery,	Rodgers,
Chapman,	Heyburn,	Owlett,	Salus,
Deitrick,	Homsher,	Pierson,	Scarlett,
Ealy,	Kilgallen,	Reed,	Wolfenden,

So the question was determined in the affirmative.

And the question recurring,

Shall the bill pass finally?

BILL OVER IN ORDER

Mr. SHAPIRO. Mr. President, I ask unanimous consent that Senate Bill No. 856 go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1326, entitled:

An Act to amend section one thousand five hundred eleven of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws three hundred nine) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added requiring school districts of the first second and third classes to employ dental hygienists

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Law,	Rodgers,
Bean,	Haluska,	Mallery,	Rupp,
Cavalcante,	Henney,	McCreesh,	Ruth,
Chapman,	Homsher,	McGinnis,	Salus,
Dando,	Huffman,	Mundy,	Scarlett,
Deitrick,	Jacobs,	Owlett,	Shapiro,
Dent,	Jaspan,	Pierson,	Sipe,
DiSilvestro,	Kahle,	Pytko,	Sones,
Ealy,	Kilgallen,	Rankin,	Stiefel,
Eroe,	Kunkel,	Reed,	Thompson,
Frey,	Lanius,	Rice,	Wolfenden,
Gelder,			

NAYS—1

Heyburn,

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1328, entitled:

An Act prohibiting the wearing or imitation of the uniform of the Pennsylvania Motor Police and prescribing penalties

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Mundy,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gelder.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1336 (House Bill No. 362), entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Mundy,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gelder.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1337 (House Bill No. 611), entitled:

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Mundy,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gelder.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1342 (House Bill No. 1434), entitled:

An Act making a deficiency appropriation to the Department of Agriculture for reimbursing certain incorporated agricultural associations

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Mundy,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gelder.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1344 (House Bill No. 1566), entitled:

An Act making an appropriation to the Department of Welfare for the purchase of materials to be used in making articles required at the State institutions in connection with sewing projects established in Pennsylvania by the Federal Works Progress Administration

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Mundy,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gelder,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1349 (House Bill No. 1983), entitled:

An Act making an appropriation to the Department of Health to carry on the work of sealing abandoned coal mine openings

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Mundy,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gelder,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1350 (House Bill No. 2038), entitled:

An Act to further amend the second paragraph of section one of Article One of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," by providing that the mayor shall receive no compensation other than his salary for acting as justice of the peace.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Mundy,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gelder,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1351 (House Bill No. 2119), entitled:

An Act making an appropriation to the Department of Welfare for the payment of claims, charges, court costs and other expenses against the Commonwealth for the erection and construction of a reservoir at the State Industrial Home for Women at Muncy, Pennsylvania.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Mundy,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gelder,			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1352 (House Bill No. 2136), entitled:

An Act to amend the act approved the eighteenth day of May, one thousand nine hundred and eleven, (P. L. 309), entitled "An act to establish a public school system in the Commonwealth of Pennsylvania, together with the provisions by which it shall be administered, and prescribing penalties for the violation thereof; providing revenue to establish and maintain the same, and the method of collecting such revenue; and repealing all laws, general, special or local, or any parts thereof, that are or may be inconsistent therewith;" requiring medical inspectors to make eye and ear tests annually; providing for the use of scientific apparatus furnished by school districts, and providing for certain instruction in State teachers' colleges, for the appointment of certain experts in the Department of Public Instruction; and making an appropriation.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Mundy,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gelder			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate has passed the same without amendments.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1355, entitled:

An Act to amend section twenty-seven of the act approved the twentieth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand one hundred forty-three) entitled "An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injurying library property and for violations of library regulations and repealing existing laws in relation to the above subjects" by exempting from collateral inheritance tax all gifts devises grants or endowments made to national libraries

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section twenty-seven of the act approved the twentieth day of July one thousand nine hundred seventeen (Pamphlet Laws one thousand one hundred forty-three) entitled An act relating to free public nonsectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public nonsectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" is hereby amended to read as follows

Section 27 Any building which shall be owned and occupied by a free public nonsectarian library and the land on which it stands and that which is immediately and necessarily appurtenant thereto shall be exempt from all county city borough town school bounty poor or road taxes notwithstanding the fact that some portion or portions of said building or lands appurtenant may be yielding rentals to the corporation or association managing such library Provided That the net receipts of said corporation or association from rentals shall be used solely for the purpose of maintaining the said library All gifts devises grants or endowments made to such a library or to a national library and for such purposes shall be free from collateral inheritance tax and any gifts endowments or funds of such [a library] libraries which are invested in interest bearing securities the income from which is used solely for the purpose of books or the maintenance of such [library] libraries shall be exempt from any State tax on money at interest

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45.

Barthold,	Gilson,	Lanius,	Rice,
Bean,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Ruth,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Huffman,	Mundy,	Shapiro,
Dent,	Jacobs,	Owlett,	Sipe,
DiSilvestro,	Jaspan,	Pierson,	Sones,
Ealy,	Kahle,	Pytko,	Stiefel,
Eroe,	Kilgallen,	Rankin,	Thompson,
Frey,	Kunkel,	Reed,	Wolfenden,
Gelder.			

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL RECOMMITTED

Mr. MUNDY. Mr. President, I move that Senate Bill No. 1357, entitled:

An Act creating a commission to study the practice of chiropractic; defining the powers and duties of said commission; providing for the temporary licensing of chiropractors; and making an appropriation.

be recommitted to the Committee on Appropriations.

Mr. KAHLE. Mr. President, I second the motion.

The motion was agreed to.

BILL POSTPONED

Mr. RICE. Mr. President, I move that the question together with the further consideration of the bill be postponed for the present.

Mr. DANDO. Mr. President, I second the motion.

The motion was agreed to.

BILL ON THIRD READING

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1357, as follows:

A Joint Resolution creating a commission to study the practice of chiropractic defining the powers and duties of said commission and making an appropriation

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That a commission is hereby created which shall consist of nine members seven of whom shall be appointed by the Governor as follows four shall be chiropractors one shall be a doctor of medicine one shall be an osteopath and two shall be citizens not engaged in the practice of any of the healing arts The chairmen of the committees of appropriations in the Senate and House of Representatives shall be ex-officio members of such commission It shall be the duty of the commission to study the situation with respect to the licensing of chiropractors in this State and to report thereon to the next session of the General Assembly including drafts of legislation for the permanent licensing of chiropractors in this Commonwealth and the regulation of said profession The commission shall have power to sit after the adjournment of the session of the General Assembly of one thousand nine hundred and thirty-seven

Section 2 Each chiropractor now practicing in this Commonwealth shall be required to submit to the commission within six months after the effective date of this act on a form prepared and furnished by the commission on request a statement under oath showing (a) his or her name age residence and place where he or she is practicing (b) the name of the school or college from which graduated and the date of graduation (c) the length of course taken (d) the length of time practiced and (e) such other information as the commission may require

Section 3 The word "chiropractic" as used in this act shall be construed to mean the examination of the human spine by observation palpation or X-ray and the adjustment of any and all misalignments of the vertebrae or adjacent bones or tissues through the use of the hands

Section 4 The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby specifically appropriated to the commission created by this resolution for the payment of the expenses of the commission and for the purpose of carrying into effect the provisions of this resolution

Section 5 All acts and parts of acts inconsistent herewith are hereby repealed

Section 6 This act shall become effective immediately upon its final enactment

And said bill having been read at length the third time, and agreed to,

And the amendments made thereto having been printed as required by the Constitution,

On the question,

Shall the bill pass finally?

Mr. KAHLE. Mr. President. this bill or joint resolution brought before us, I do not think needs very much investigation. They want $5,000 and we already know the status of what they are asking for. Here is a group of people who have been trying year after year to have the State license them and permit them to practice the healing art in the State of Pennsylvania, when they have no qualifications whatever to do it. There is a law today whereby those people are governed, they are governed by that law, and they can get a license and practice legally. The osteopaths have their licenses, the allopaths have their licenses covering their requirements, and why should we spend five cents, let alone $5,000, to investigate something that we know is illegal and unjust. Do you want, or do I want, or anyone else want men illegally practicing the healing art, as I have said, taking the lives of your families in their hands, and placing them in jeopardy. You do not know it, but we do know that, and that is the reason that it should go back to the committee, I say, and why should we spend $5,000 for an investigation of that kind, when five cents would make that investigation, and I think we should cut it down about $4,000.

Mr. HALUSKA. Mr. President, I realize that the motion is not debatable, but possibly I can reach out a little further than the motion goes. If I were a doctor, I would never have it appear that this is competition. There is nothing in this resolution stating anything about any regulation whatsoever. We are trying to determine whether or not these men have qualifications, and if they have qualifications, we feel that it is our duty to license them in the same manner as we have licensed the medical doctors, and I see no harm in this. I have the privilege, if I so choose, of going to any medical doctor or any other kind of a doctor, so again I ask my colleagues for a favorable vote on this resolution, except the doctors.

Mr. KAHLE. Mr. President, it is not a matter of ignorance, it is commonly known today among the authorities of the State that are medical men are registered. We have a department that looks after that. The osteopathic group of the healing art, they have registration, the dentists have their registrations, but these people do not have registration. Last year, or two years ago, the State of New York passed laws whereby the chiropractors in the State of New York have flooded into this country, and they want licenses to go out, as I said before, and take the lives of our people in their hands, without knowing how much surgery they have, how much anatomy they know, and how much materia medica they have. They know nothing about the active practice. They even go so far to say that there is no virtue in certain preparations such as we have today for diphtheria toxin and that, there is no such thing as a germ theory. Just think how many hundreds of these men are going over our country spreading such ideas as this; it is wrong. Let them abide by the law that they already have, and let them take their own human beings. I am not objecting to these people as far as practice is concerned, it does not interest me one bit. I have practiced medicine for so long and I have seen the folly of the men who are and have been doing this, but it is time for humanity's sake that we restrict them, we must do something even if we have to arrest them and make them abide by the laws. They must be qualified to do this work the same as the allopath and medical practitioner, or else they will have to cut it out.

Mr. OWLETT. Mr. President, I just want to call attention to an error in this bill, or rather in this resolution. It seems to me that this resolution will have to go back to committee. This resolution provides for a commission to be created consisting of nine members, seven of them whom are appointed by the Governor and four of whom should be chiropractors, one should be a doctor of medicine, one should be an osteopath, that makes six

members, and two citizens, making a total of eight. They say that seven will be appointed by the Governor and then they provide for two more members and still they create a commission of only nine. It will have to go back to the committee to be amended.

And the question recurring.

Will the Senate agree to the motion?

POINT OF INFORMATION

Mr. HALUSKA. Mr. President, I ask for a point of information.

The PRESIDENT. The Senator from Cambria, Mr. Haluska , will state his point of information.

Mr. HALUSKA. Mr. President, do we have a quorum here? I would like to have a call of the House.

The PRESIDENT. There is nothing in order but the roll call. The Clerk will proceed.

And the question recurring,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. HALUSKA, and were as follows, viz:

YEAS—17

Chapman,	Homsher,	Mundy,	Ruth,
Deitrick,	Kahle,	Owlett,	Scarlett,
Eroe,	Lanius,	Pierson,	Shapiro,
Frey,	Mallery,	Pytko,	Wolfenden,
Henney,			

NAYS—17 .

Barthold,	Jaspan,	McGinnis,	Rodgers,
Bean,	Kilgallen,	Rankin,	Rupp,
Haluska,	Law,	Reed,	Salus,
Heyburn,	McCreesh,	Rice,	Sipe,
Jacobs,			

The PRESIDENT. I see there are 17 nays and 17 ayes, and in view of the statement of the Chairman of the Appropriations Committee, the Chair votes "no."

So the question was determined in the negative.

BILL OVER IN ORDER

Mr. HALUSKA. Mr. President, I now move that this bill go over in its order.

The PRESIDENT. Is there objection?

Mr. KAHLE. Mr. President, I object.

The PRESIDENT. The Chair hears objection.

BILL POSTPONED

Mr. HALUSKA. Mr. President, I move that the bill be placed on the postponed calendar.

Mr. DANDO. Mr. President I second the motion.

On the question,

Will the Senate agree to the motion?

A division being called for, 27 Senators voted in the affirmative and 9 in the negative, whereupon the question was decided in the affirmative.

QUESTION OF PERSONAL PRIVILEGE

Mr. SIPE. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Armstrong will state his question of personal privilege.

Mr. SIPE. Mr. President, I would like to have the opportunity of voting for Senate Bill No. 1357 some time, for this reason: The osteopaths, I understand, are licensed, and it is within my recollection when the good old-fashioned medical doctors claimed the same thing about the osteopaths as they now do about the chiropractors; therefore, I think it might be well to have an investigation to see whether or not the chiropractors should be licensed. Many of the gentlemen who have come to my office are against the granting of licenses, some of them are osteopaths and some of them medical doctors, but I feel that this investigation should be made, and, if necessary, license the chiropractors.

BILLS ON THIRD READING AND FINAL PASSAGE

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1358, entitled:

An Act to amend section six of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (Pamphlet Laws thirteen) entitled "An act to carry into effect section five of article fourteen of the constitution relative to the salaries of county officers and the payment of fees received by them into the state or county treasury in counties containing over one hundred and fifty thousand inhabitants" by providing that in counties of the first class salaries of respective county officers shall not exceed the amount fixed by the tax levying body of such county for such offices.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barthold,	Haluska,	Mallery,	Rupp,
Bean,	Henney,	McGinnis,	Ruth,
Cavalcante,	Homsher,	Mundy,	Salus,
Dando,	Jacobs,	Pierson,	Scarlett,
Deitrick,	Jaspan,	Pytko,	Shapiro,
Ealy,	Kahle,	Rankin,	Sones,
Eroe,	Kilgallen,	Reed,	Stiefel,
Frey,	Lanius,	Rice,	Wolfenden,
Gilson,	Law,	Rodgers,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1370, entitled:

A Joint Resolution proposing an amendment to section one article eighteen of the Constitution of the Commonwealth of Pennsylvania

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. LAW. Mr. President, I ask unanimous consent to amend Section 1, page 1, line 10, by striking out after the word "by" the word "a"; amend Section 1, page 1, line 11, by striking out before the word "of" the word "majority", and inserting in lieu thereof the following: two-thirds.

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1404, entitled:

An Act to further amend subparagraph three of subsection (a) of section five hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) entitled 'An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the court refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by making further provisions relative to interest upon State deposits.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—35

Barthold,	Gilson,	Kunkel,	Rodgers,
Bean,	Haluska,	Lanius,	Rupp,
Cavalcante,	Henney,	Law,	Salus,
Chapman,	Heyburn,	Mallery,	Shapiro,
Dando.	Homsher,	Mundy,	Sones,
Deitrick,	Jacobs,	Pierson,	Stiefel,
Dent,	Jaspan,	Pytko,	Thompson,
Eroe,	Kahle,	Reed,	Wolfenden,
Frey.	Kilgallen,	Rice,	

NAYS—0

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. FREY. Mr. President, I call up at this time for consideration Senate Bill No. 1240, on second reading.

The PRESIDENT. Is there objection? The Chair hears none.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate proceeded to the second reading and consideration of Senate Bill No. 1240 (House Bill No. 947), entitled:

An Act to amend section three of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as amended requiring buildings to be equipped with certain equipment in connection with gas meters to prevent or retard the escape of gas

The first section of the bill was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That Section three of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing certain acts" as amended by the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1523) is hereby amended to read as follows

Section 3 Special Requirements There shall be installed such emergency lighting systems sprinkler systems [and] fire alarm systems and gas shut-off valves in such of the buildings enumerated in this act as the Department of Labor and Industry may specify and which in its judgment are necessary to give the proper protection from fire and panic to those employed assembled lodged or housed therein No such systems shall be installed unless they are of a type approved by the Department of Labor and Industry

All buildings enumerated in this act which may be supplied from some outside source with gas shall be equipped by the builder or owner of such building with a gas shut-off valve attached to the gas supply pipe or pipes on the inside of the building at a point where said pipes enter the building and before they reach the gas meter which valve shall be connected with a conspicuous and conveniently accessible control box at a place on the exterior of the building so arranged as to allow the gas supply to be shut off by any member of any fire department immediately whenever the necessity arises. The fire department of any municipality shall have the exclusive use of gas shut-off valves and their operation in the event of fire or other emergency. Such shut-off valve and said control box for the shut-off valve shall be so marked as to indicate their respective purpose. The gas shut-off valve shall be so constructed as to automatically shut off the gas when subjected to sufficient heat.

All existing buildings and every building hereafter

erected subject to the provisions of the act shall be equipped with such device and necessary appliances within eighteen months after the approval of this act.

On the question,

Will the Senate agree to the section?

Mr. FREY. Mr. President, I move to amend Section 1, (Section 3), page 3, line 7 by inserting after the word "systems" the following: or devices; amend Section 1, (Section 3), page 3, line 20 by inserting after the words "in this act" the following: as the Department of Labor and Industry may specify; amend Section 1, (Section 3), page 4, lines 10 to 14 inclusive by striking out: all of said lines; amend Section 1, (Section 3), page 4, lines 17 and 18 by striking out the following: "within six months after the effective date of this act" and substituting in lieu thereof: at the discretion of the Department of Labor and Industry.

Mr. RICE. Mr. President, I second the motion.

On the question, Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to amend section three of the act approved the twenty-seventh day of April one thousand nine hundred and twenty-seven (Pamphlet Laws 465) entitled "An act to provide for the safety of persons employed housed or assembled in certain buildings and structures not in cities of the first class second class and second class A by requiring certain construction and ways of egress equipment and maintenance providing for the licensing of projectionists requiring the submission of plans for examination and approval providing for the promulgation of rules and regulations for the enforcement of this act providing for the enforcement of this act by the Department of Labor and Industry and in certain cases by the chiefs of fire departments in cities of the third class providing penalties for violations of the provisions of this act and repealing acts" as amended requiring buildings to be equipped with certain equipment in connection with gas meters to prevent or retard the escape of gas.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

RECONSIDERATION OF SENATE BILL NO. 638.

Mr. RUTH. Mr. President, I call up at this time Senate Bill No. 638, recalled from the House, entitled:

An Act to further amend section four of the act approved the eighteenth day of June one thousand nine hundred and nineteen (P. L. 498) entitled "An act defining consolidation of schools providing for the establishment and regulation of consolidated schools and providing for the transportation of pupils to and from consolidated schools" by making certain changes in the provisions for reimbursements by the Commonwealth.

Mr. RUTH. Mr. President, I move to reconsider the vote by which the Senate non-concurred in the amendments made by the House to said bill.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted "no."

Mr. RICE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RICE. Mr. President, I voted "no."

The motion was agreed to.

And the question recurring.

Will the Senate concur in the amendments?

Mr. RUTH. Mr. President, I move to reconsider the vote by which this bill passed finally.

The PRESIDENT. How did the Senator vote?

Mr. RUTH. Mr. President, I voted "aye."

Mr. RICE. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. RICE. Mr. President, I voted "aye."

On the question,

Will the Senate agree to the motion?

It was agreed to.

And the question recurring,

Shall the bill pass finally?

Mr. RUTH. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. RICE. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

Mr. RUTH. Mr. President, I ask unanimous consent to amend sec. 1 (sec. 4), page 3, line 7, by striking out the heavy-face bracket before the word "To"; amend sec. 1 (sec. 4), page 4, line 7, by striking out the heavy-face bracket after the figure "(5%)."

The PRESIDENT. Is there objection?

Mr. GILSON. Mr. President, I would like the Senator to tell us the effect of the amendment.

Mr. RUTH. Mr. President, I was on the point of making an explanation that this bill pass the Senate and the House. The House put a number of amendments in, to which we agreed, but the printer inadvertently put brackets in bracketing out the new amendments and it is simply to correct a printer's error. The amendments which I put in were agreed to, but the printer bracketed out the new amendments.

The PRESIDENT. Is there objection? The Chair hears none.

On the question,

Will the Senate agree to the amendments?

It was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

RECONSIDERATION OF SENATE BILL NO. 1324.

Mr. McGINNIS. Mr. President, I move to reconsider the vote by which Senate Bill No. 1324, entitled:

An Act to amend section five of the act approved the third day of May, one thousand nine hundred and thirty-three (Pamphlet Laws, two hundred forty-two), entitled "An act to promote the public health and safety, by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers, and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by providing for limited certificates of registration for operators and managers engaged in particular types of beauty culture subject to rules of the Department of Public Instruction.

was defeated on final passage.

The PRESIDENT. How did the Senator vote?

Mr. McGINNIS. Mr. President, I voted "no."

Mr. KUNKEL. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. KUNKEL. Mr. President, I voted "no."

On the question,

Will the Senate agree to the motion?

The yeas and nays were required by Mr. McGINNIS and Mr. KUNKEL and were as follows, viz:

YEAS—24

Cavalcante,	Jaspan,	McGinnis,	Rodgers,
Dando,	Kilgallen,	Mundy,	Ruth,
Frey,	Kunkel,	Pytko,	Shapiro,
Gilson,	Lanius,	Rankin,	Sipe,
Haluska,	Law,	Reed,	Stiefel,
Howell.	McCreesh,	Rice,	Thompson,

NAYS—19

Barthold,	Ealy,	Homsher,	Salus,
Bean,	Eroe,	Jacobs,	Scarlett,
Buckman,	Gelder,	Owlett,	Sones,
Chapman,	Henney,	Pierson,	Wolfenden,
Deitrick,	Heyburn,	Rupp,	

So the question was determined in the affirmative.

And the question recurring.

Shall the bill pass finally?

Mr. McGINNIS. Mr. President, I move to reconsider the vote by which the bill passed third reading.

Mr. KUNKEL. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring.

Will the Senate agree to the bill?

Mr. SHAPIRO. Mr. President, the idea is suggested to me that in view of the fact that many of the members are not here and it might be well to put the bill on the postponed calendar. I would like to make a statement in connection with this bill so that the members of the Senate will know just what we are voting for. This is probably the first bill that I have had anything to do with that deals with beauty parlors, and there is a specific reason for this bill. Before I introduced this bill I took it up with Dr. Ade, who is in the Department of Public Instruction. The purpose of this bill is not to change the act dealing with beauty parlors, but it permits a certain type of women who are engaged in a recognized profession to avoid the necessity of taking an examination for something which they do not intend to practice. It is no secret that this bill is intended to take care of a situation that arises in places like what is well known as the "Elizabeth Arden" parlor. They have women who work or apply certain cosmetics in places of business, and they give only facial massages. If those women want to get a license, they have to take an examination and prepare themselves for hairdressing, manicuring and a complete curriculum to engage in a business in which they do not desire to engage. We notice that in this particular bill there is an exception and a limited certificate issued to those people who desire to engage in manicuring, they do not have to take the hairdressers' examination, and so the business houses engaging in that business have requested that the law be amended so as to enable a limited certificate to be issued by the Department of Public Instruction upon rules and regulations and in accordance with the provisions of the act to allow those persons to give merely facial massages in the place of business in which they are engaged and it seems to me that there can be nothing objectionable to that bill. For that reason I am trying to call up this bill at this time for action, because unless this is up now, it will have little or no chance to pass in the House in the remaining days left in the session.

Mr. OWLETT. Mr. President, I confess that I know very little about this bill, and I would like to interrogate the Senator, the sponsor of this bill, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I will.

Mr. OWLETT. Mr. President, I would like to ask if this bill is opposed by the organized beauticians of Pennsylvania.

Mr. SHAPIRO. Mr. President, not that I know of. I do not see how it could be opposed by them if they get no more than a limited certificate, which is permitted.

Mr. OWLETT. Mr. President, we have letters on our desk signed by recognized officers opposing this bill, that is why I voted against it, I do not know anything about it.

Mr. SHAPIRO. Mr. President, if it is true, I do not know whether they are or not, but I am quite sure that the opposition to this bill in the Senate and everywhere arises from this impression that it is an attempt to change the 'Evans' Act. It is not, it merely attempts to take it away from a group of people who practice as beauticians and gives them a board provided by law.

And the question recurring,

Will the Senate agree to the bill?

BILL OVER IN ORDER

Mr. McGINNIS. Mr. President, I ask unanimous consent that Senate Bill No. 1324, go over in its order.

The PRESIDENT. Is there objection? The Chair hears none.

REPORTS FROM COMMITTEES

Mr. THOMPSON. Mr. President, I ask unanimous consent to make reports from committees at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. THOMPSON from the Committee on Judiciary General reported as committed. Senate Bill No. 249 (House Bill No. 243), entiled:

An Act to amend section two of the act, approved the twenty-seventh day of May, one thousand nine hundred and nineteen (P. L. 306), entitled "An act relating to criminal procedure before aldermen, justices of the peace, and magistrates, in cases of assault and assault and battery, and providing for the assessment of costs in such cases upon the prosecutor, defendant, or county, and the commitment of the prosecutor or defendant in case of default," providing for appeals by defendants against whom costs have been assessed.

Mr. THOMPSON from the Committee on Judiciary General reported as committed, Senate Bill No. 616 (House Bill No. 370), entitled:

An Act relating to the business of selling or leasing furniture and household articles on the installment or deferred payment plan and prohibiting the joining in one agreement of sale or lease of articles purchased or leased at different times.

Mr. THOMPSON from the Committee on Judiciary General reported as committed, Senate Bill No. 659 (House Bill No. 673), entitled:

An Act regulating and prescribing the computation and running of sentences for criminal offenses.

Mr. THOMPSON from the Committee on Judiciary General reported as committed, Senate Bill No. 1092 (House Bill No. 880), entitled:

An Act to prohibit the admission in criminal cases of evidence illegally secured or acquired.

Mr. THOMPSON from the Committee on Judiciary General reported as committed, Senate Bill No. 1096 (House Bill No. 1357), entitled:

An Act limiting the questions to be decided in any new trial granted because of the inadequacy or excessiveness of a verdict.

Mr. THOMPSON from the Committee on Judiciary General reported as committed, Senate Bill No. 1147 (House Bill No. 1325), entitled:

An Act to add Section 48.1 to the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilege of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the Court of Common Pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by providing for the apportionment of estate taxes in certain cases.

Mr. THOMPSON from the Committee on Judiciary General reported as committed, Senate Bill No. 1178 (House Bill No. 717), entitled:

An Act to further amend clause (a) of section two of the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws 388) entitled "An act relating to the jurisdiction powers and procedure of the Orphans' Court and the Court of Common Pleas as to sales mortgages conveyances on ground-rent leases extinguishment of ground-rents partition exchange squaring and adjusting of lines between adjoining owners consolidation and combination of mining lands and the leasing thereof the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands and the sub-division of premises so as to command the highest price or greatest rents and for such purpose the laying out or dedication of roads streets and alleys or the vacation of such as have not been accepted by the public authorities where the court shall be of opinion that such decree will be to the interest and advantage of all those interested and where the legal title is held by minors lunatics habitual drunkards or weak-minded persons a married person whose spouse is a lunatic or has abandoned him or her for one year or has been absent and unheard of for seven years by corporations having no capacity to convey or by any unincorporated association by any religious beneficial or charitable society or association incorporated or unincorporated and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law by a corporation or individual or individuals and is subject to a trust of any description whatever by any person as to whom a presumption of death may have arisen or any interest wherein is held by any person under legal disability to dispose thereof where the legal title is an estate tail or is subject to the lien of debts of a decedent not of record contingent remainders executory devises or remainders to a class some or all of whom may not be in being or ascertained where estates shall have been devised or granted for special or limited purposes where there is a power of sale but the time may have arrived for its exercise any preliminary act may not have been done to bring it into exercise the time limited for its exercise may have expired or any one or more persons required to consent or join in its exercise may be non compos mentis have removed out of the State have died refuse to act unreasonably without consent or be absent and unheard of where there has been or shall be a defective appointement in any deed or will and the necessary power is not given to the executor devisee or appointee to make sale and conveyance where a trust has been created and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm and to the effects of such decrees" extending the provisions of said act to cases where real estate is held by entireties and the one spouse has been absent and unheard from for seven years under those circumstances from which the law would presume his or her decease.

Mr. THOMPSON from the Committee on Judiciary General reported as committed, Senate Bill No. 1205 (House Bill No. 1879), entitled:

An Act to amend section one of the act approved the twenty-second day of June one thousand nine hundred and thirty-five (P. L. 450) entitled "An act to promote public morals abolishing civil causes of action for alienation of affections except in certain cases and breach of promise to marry making it unlawful to file cause to be filed threaten to file or threaten to cause to be filed any such action fixing a time for the commencement of such causes of action heretofore accrued declaring void all future contracts in settlement of such actions making it unlawful to induct the execution of such a contract or payment thereunder or institution of suit thereon and providing penalties" correcting an error in said section.

Mr. THOMPSON from the Committee on Judiciary General reported as committed, Senate Bill No. 1338 (House Bill No. 756), entitled:

An Act to amend section one of the act, approved the thirteenth day of June, one thousand eight hundred and eighty-three (P. L. 89), entitled "An act granting authority to the Courts of Common Pleas, in the several counties of this Commonwealth, to issue writs of estrepement to stay waste upon lands sold for taxes, during the time provided for redemption"; by extending the provisions thereof to seated lands sold by county treasurers and to lands sold at sheriffs' sales under tax or municipal claims.

Mr. THOMPSON from the Committee on Judiciary General reported as committed, Senate Bill No. 1427 (House Bill No. 2057), entitled:

An Act to protect the public against fraud and decep-

tion regulating the business of selling liquid fuels by requiring persons engaged in the sale or distribution of liquid fuels to secure a permit or permits for pumps or outlets used therein, prescribing the method and manner of obtaining such permit or permits and prescribing the fees for the issuance thereof, conferring powers and imposing duties on the Department of Revenue and prescribing penalties.

Mr. THOMPSON from the Committee on State Boards re-reported as amended, Senate Bill No. 341, entitled:

An Act to re-enact and further amend the title and the act approved the twenty-ninth day of November, one thousand nine hundred and thirty-three (Pamphlet Laws fifteen, 1933-34) entitled, as amended, "An act to regulate and restrain the sale, manufacture, possession, transportation, importation, traffic in and use of alcohol and alcoholic and malt or brewed beverages, conferring powers and imposing duties upon the Pennsylvania Liquor Control Board and its agents, the Department of Public Instruction, other officers of the State government, courts, and district attorneys, authorizing the establishment and operation of State stores for the sale of such beverages not for consumption on the premises and the granting of licenses subject to local option to sell such beverages for consumption on and off the premises, forbidding importation or bringing of such beverages into the State except as herein provided, prohibiting certain sales or practices in connection with and transactions in such beverages by licensees and others, making disposition of the receipts from State stores and of fees and imposing penalties," further regulating the manufacture, sale, importation, use and traffic in liquors, alcohol and malt and brewed beverages, conferring additional powers and imposing additional duties on the Pennsylvania Liquor Control Board, further regulating those licensed under this act, imposing additional filing fees and increasing fees for certain permits and providing for the disposition thereof, further regulating the establishment of State liquor stores and the employment and use of personnel by the board, regulating and providing the procedure for the granting, transfer, revocation and suspension of licenses and for compromises in certain cases and the disposition of moneys arising therefrom, providing for the forfeiture of certain property, regulating the jurisdiction of courts and local option procedure, prohibiting certain interlocking business and providing penalties.

Mr. THOMPSON from the Committee on State Boards re-reported as amended, Senate Bill No. 342, entitled:

An Act to re-enact and amend the act approved the nineteenth day of February, one thousand nine hundred twenty-six (Pamphlet Laws sixteen) entitled, as amended, "An act regulating under permit through the Pennsylvania Liquor Control Board the manufacture, production, distillation, development, use in manufacture, denaturization, redistillation, rectification, blending, recovery, reuse, holding in bond, holding in storage by bailees for hire and transportation for hire of any alcohol alcoholic liquid or alcoholic beverage by certain persons, requiring the registration of Federal permits also providing for fees and the disposition thereof and for appeals to the courts, also authorizing the inspection of the records of permittees and purchasers of said alcohol, alcoholic liquid and alcoholic beverages, also declaring certain places nuisances and providing for their abatement, also providing penalties and also repealing all acts or parts of acts inconsistent with this act," further regulating the manufacture, sale, use and traffic in alcohol and alcoholic liquids, conferring additional powers and imposing additional duties upon the Pennsylvania Liquor Control Board, further regulating those licensed under this act, imposing filing fees, changing the method of calculating certain license fees, providing for the use of the word "license" instead of "permit", regulating and providing the procedure for the granting, suspension and revocation of licenses and for compromises in certain cases, providing for the disposition of fees, compromise penalties and forfeitures, regulating the jurisdiction of courts and providing penalties.

Mr. THOMPSON from the Committee on State Boards re-reported as amended, Senate Bill No. 343, entitled:

An Act to re-enact and further amend the title and the act approved the third day of May, one thousand nine hundred and thirty-three (Pamphlet Laws two hundred fifty-two) entitled, as amended, "An act to regulate and restrain the traffic in malt and brewed beverages as herein defined, providing for the licensing of the manufacture, transportation, sale and distribution of such beverages, imposing license and permit fees and providing for collection and distribution thereof, restricting ownership and interest in licensed places, permitting municipalities and townships by vote of the electors to prevent the licensing therein of places where such beverages may be sold for consumption on the premises and regulating elections for this purpose, imposing duties upon county treasurers, the Pennsylvania Liquor Control Board, Quarter Sessions Courts, district attorneys, the Department of Justice, proper authorities of political sub-divisions of the State and election officers, providing penalties and repealing existing acts," defining and further defining and regulating licensees, application for licenses and sales by licensees, and fixing fees for amusement permits, regulating the granting, suspension, revocation and transfer of licenses and the procedure therefor and conferring jurisdiction on certain courts, providing for the granting of licenses by the Pennsylvania Liquor Control Board instead of the county treasurer and prescribing the powers and duties of said board, providing for compromises where licenses are suspended and for the disposition of application, license, permit fees, forfeitures and penalties and providing penalties.

BILLS INTRODUCED

Mr. RICE. Mr. President, I ask unanimous consent to read bills in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE read in his place and presented to the Chair Senate Bill No. 1429, entitled:

An Act making an appropriation to the Department of Welfare for pensions for the blind.

Which was committed to the Committee on Appropriations.

Mr. RICE read in his place and presented to the Chair Senate Bill No. 1430, entitled:

An Act making an appropriation to the Department of Welfare for Mothers' Assistance.

Which was committed to the Committee on Appropriations.

Mr. RICE read in his place and presented to the Chair Senate Bill No. 1431, entitled:

An Act making an appropriation to the Department of Welfare for old age assistance.

Which was committed to the Committee on Appropriations.

Messrs. FREY and THOMPSON. Mr. President, we ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Messrs. FREY and THOMPSON read in their places and presented to the Chair Senate Bill No. 1432, entitled:

An Act for the protection of the health and welfare of wage earners, by regulating, under police power, the minimum fair wages which shall be paid by employers; providing for wage boards and defining the powers and duties of such boards and of the Department of Labor and Industry; imposing duties on employers; providing for directory and mandatory orders on employers and the publication of the names of employers who do not comply with such orders; exempting certain persons from the provisions of this act; and providing penalties.

Which was committed to the Committee on Labor and Industry.

BILLS ON THIRD READING AND FINAL PASSAGE

Mr. McGINNIS. Mr. President, I call up at this time Senate Bill No. 1324, on third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1324, entitled:

An Act to amend section five of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred forty-two) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by providing for limited certificates of registraton for operators and managers engaged in particular types of beauty culture subject to rules of the Department of Public Instruction

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the third day of May one thousand nine hundred and thirty-three (Pamphlet Laws two hundred forty-two) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops schools students apprentices teachers managers and operators conferring certain powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" is hereby amended to read as follows

Section 5 (a) A limited certificate of registration to manicure the nails only may be applied for and granted under all the terms and conditions of this act except that the examination therefor may be limited to such practice only and the required schooling shall be not less than one month

(b) A limited certificate of registration for operators and managers engaged in the practice of other particular types of beauty culture may likewise be applied for and granted to persons who shall meet the eligibility requirements contained in section four subject to such reasonable rules as the Department may prescribe

Section 2 Effective date This act shall become effective immediately upon final enactment.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—32

Barthold,	Frey,	Kunkel,	Rice,
Bean,	Gilson,	Law,	Rodgers,
Cavalcante,	Haluska,	McCreesh,	Ruth,
Chapman,	Heyburn,	McGinnis,	Salus,
Dando,	Howell,	Mundy,	Shapiro,
Dent,	Jacobs,	Pytko,	Sipe,
Ealy,	Jaspan,	Rankin,	Stiefel,
Eroe.	Kilgallen,	Reed,	Thompson,

NAYS—11

Buckman,	Henney.	Pierson,	Sones,
Deitrick,	Homsher.	Rupp,	Wolfenden,
Gelder,	Owlett,	Scarlett,	

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

Mr. LAW. Mr. President, I call up at this time Senate Bill No. 1026, (House Bill No. 563) on third reading entitled·

An Act to amend the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws nine hundred twelve) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops connected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" further regulating bakeries and the importation of bakery products providing for injunctions in certain cases and changing the penalties prescribed.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 1026 (House Bill No. 563), entitled·

An Act to amend the act approved the twenty-second day of May one thousand nine hundred and thirty-three (Pamphlet Laws nine hundred twelve) entitled "An act to protect the public health defining and providing for the licensing of bakeries and regulating the inspection maintenance and operation of bakeries and premises stores and shops conected therewith defining and regulating the manufacture sale and offering for sale of bakery products conferring powers on the Department of Agriculture and providing penalties" further regulating bakeries and the importation of bakery products providing for injunctions in certain cases and changing the penalties prescribed.

And said bill having been read at length the third time,

On the question,

Will the Senate agree to the bill?

Mr. LAW. Mr. President, I ask unanimous consent to amend Sec. 2 (Sec. 6). page 5, paragraph b, line 6, by inserting after the word "Commonwealth" the following: "for sale within this Commonwealth"

The PRESIDENT. Is there objection? The Chair hears none.

The amendment was agreed to.

On the question,

Will the Senate agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended be printed for the use of the Senate.

REPORT FROM COMMITTEE

Mr. SHAPIRO. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SHAPIRO from the Committee on Judiciary General reported as amended, Senate Bill No. 1364 (House Bill No. 1363), entitled:

An Act making voidable releases of claims for personal injuries or death and providing for the avoidance of the same.

BILL INTRODUCED

Mr. STIEFEL. Mr. President, I ask unanimous consent to read a bill in place at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. STIEFEL read in his place and presented to the Chair Senate Bill No. 1433, entitled:

An Act to amend clause (d) of section three of Article twelve of the act, approved the twenty-fifth day of June, one thousand nine hundred and nineteen (P. L. 581), entitled "An act for the better government of cities of the first class of this Commonwealth,' by requiring transfers of appropriations to be approved by the city controller.

Which was committed to the Committee on City Government.

REPORTS FROM COMMITTEES

Mr. HENNEY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. HENNEY from the Committee on State Boards re-reported as amended, Senate Bill No. 1353 (House Bill No. 1214), entitled:

An Act to further amend the act, approved the third day of May, one thousand nine hundred and thirty-three (P. L. 242), entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture; defining beauty culture, and regulating beauty culture shops, schools, students, apprentices, teachers, managers and operators; conferring powers and duties upon the Department of Public Instruction; providing for appeals to certain courts by applicants and licensees; and providing penalties," by further defining beauty culture; making certain changes regarding the examination and registration of those who desire to engage in the occupation of beauty culture; modifying and increasing the regulations and requirements to be met and complied with by beauty culture schools, shops, students, apprentices, teachers, managers, operators and manicurists; prescribing certain qualifications for examiners, inspectors, investigators and supervisors; making certain changes in the powers and duties of the Department of Public Instruction and in the procedures to be followed in the enforcement of the act.

Mr. RICE from the Committee on Appropriations reported as committed, Senate Bill No. 1411 (House Bill No. 1177), entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the publis schools for two years beginning June first, one thousand nine hundred and thirty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-seven.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1407 (House Bill No. 486), entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1412 (House Bill No. 1372) entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such Department with the General State Authority for the use and occupancy by the Commonwealth of various projects structures, buildings and facilities of the Authority or for the services rendered by the Authority or its projects.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1414 (House Bill No. 2330) entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1392 (House Bill No. 2145) entitled:

An Act making an appropriation to the Department of Agriculture to advance the potato interests of this Commonwealth.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1420 (House Bill No. 1390) entitled:

An Act making an appropriation to the General State Authority to defray the costs and expenses of the said Authority in connection with the organization, administration and operation thereof.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1410 (House Bill No. 1153) entitled:

An Act making an appropriation to the Department of Property and Supplies for repairs, alterations and additions to or replacements of existing buildings and equipment to eliminate fire and other hazards to safety at State institutions.

Also, from the Committee on Appropriation reported as committed, amended, Senate Bill No. 1409 (House Bill No. 1141) entitled:

An Act making an appropriation to the Navigation Commission for the Delaware River and its navigable tributaries.

Also, from the Committee on Appropriations reported as amended, Senate Bill No. 1408 (House Bill No. 638) entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

Also, from the Committee on Appropriations reported as amended, Senate Bill No. 1423 (House Bill No. 408) entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1418, entitled:

An Act making an appropriation out of the General Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth on account of the Pennsylvania Motor Police Retirement System.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1417, entitled:

An Act making an appropriation out of the Motor License Fund to the State Employes' Retirement Board to meet the obligations of the Commonwealth on account of the Pennsylvania Motor Police Retirement System.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1431, entitled:

An Act making an appropriation to the Department of Welfare for old age assistance.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1430, entitled:

An Act making an appropriation to the Department of Welfare for Mothers' Assistance.

Also, from the Committee on Appropriations reported as committed, Senate Bill No. 1429, entitled:

An Act making an appropriation to the Department of Welfare for pensions for the blind.

BILL DROPPED FROM CALENDAR

Mr. RUPP. Mr. President, I move that Senate Bill No. 583, on page 22 of the calendar, on third reading postponed, be dropped from the calendar.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

RESOLUTION

DIRECTING LEGISLATIVE REFERENCE BUREAU TO CODIFY THE LAWS RELATING TO LIQUORS

Mr. CAVALCANTE. Mr. President, I ask unanimous consent to offer a resolution at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. CAVALCANTE offered the following resolution which was twice read:

In the Senate, May 25, 1937.

Resolved (if the House of Representatives concur), That the Legislative Reference Bureau be directed to prepare a subject code of the existing laws, relating to liquors and malt or brewed beverages, scientifically arranged by articles, and submit such code in printed form with appropriate annotations to the 1939 session of the General Assembly for its consideration.

Mr. CAVALCANTE. Mr. President, I ask unanimous consent that Rule 39, which requires resolutions to be referred to an appropriate committee, be suspended and that the Senate do now proceed to the consideration of the resolution just read.

The PRESIDENT. Is there any objection?

The Chair hears none.

On the question,

Will the Senate agree to the resolution?

It was agreed to.

Ordered, That the Clerk present the same to the House of Representatives for concurrence.

COMMUNICATION FROM THE GOVERNOR

The Chair cleared his table and laid before the Senate communication in writing from His Excellency, the Governor of the Commonwealth, which was read as follows:

APPROVAL OF SENATE BILLS NOS. 64, 65 AND 66.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburgh, May 25, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 64, Printer's No. 525, entitled "An Act To establish a separate orphans' court in and for the County of Dauphin."

Senate Bill No. 65, Printers No. 523, entitled "An Act to amend section one of the act approved the seventh day of April one thousand eight hundred seventy (Pamphlet Laws fifty-seven) entitled 'An act to enlarge the jurisdiction of the Court of Common Pleas for the County of Dauphin in cases wherein the Commonwealth may be plaintiff and to provide for the issuing of writs of foreign attachment in such cases' by extending the provisions of the said section to the judges of the Orphans' Court of Dauphin County."

Senate Bill No. 66, Printer's No. 630, entitled "An Act to amend section five of the act approved the sixteenth day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand seven hundred eighty) entitled 'An act to fix the salaries and compensation of the judges of Supreme Court the judges of the Superior Court the judges of the Courts of Common Pleas the judges of the Orphans' Courts the judges of the Municipal Court of Philadelphia and the judges of the County Court of Allegheny County' by extending the provisions of the said section to the judges of the Orphans' Court of Dauphin County."

GEORGE H. EARLE.

NOMINATIONS BY THE GOVERNOR

The Secretary to the Governor being introduced presented communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows and referred to the Committee on Executive Nominations:

JUDGE OF THE ORPHANS' COURT OF DAUPHIN COUNTY

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 25, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J Dress Pannell, of Harrisburg, Dauphin County, for appointment as Judge of the Orphans' Court of Dauphin County, to serve until the first Monday of January, 1938.

GEORGE H. EARLE.

MEMBERS OF MINE INSPECTORS EXAMINING BOARD

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the Mine Inspectors' Examining Board For the Bituminous Coal Mines of Pennsylvania to serve until the third Tuesday of January, 1939, and until their successors are appointed and qualified:

Thomas Morgan, Mining Engineer, Philipsburg, Centre County.

George Smith, Mining Engineer, Indiana, Indiana County.

William L. Davis, Blairsville, Indiana County.

Richard Todhunter, Barnesboro, Cambria County.

Joseph Linden, McDonald, Washington County.

GEORGE H. EARLE.

MOTION TO READ BILLS THE FIRST TIME

Mr. LAW. Mr. President, I move that all bills reported from committees at today's session be read for the first time.

Mr. McCREESH. Mr. President, I second the motion.

BILLS ON FIRST READING

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 249, (House Bill No. 243), entitled:

An Act to amend section two of the act approved the twenty-seventh day of May one thousand nine hundred and nineteen (Pamphlet Laws three hundred six) entitled "An act relating to criminal procedure before aldermen justices of the peace and magistrates in cases of assault and assault and battery and providing for the assessment of costs in such cases upon the prosecutor defendant or county and the commitment of the prosecutor or defendant in case of default" providing for appeals by defendants against whom costs have been assessed.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 452, (House Bill No. 562), entitled:

An Act to amend the act approved the sixth day of April, one thousand nine hundred and eleven (Pamphlet Laws fifty-one) entitled, "An act providing for the protection of the public health and the prevention of fraud and deception by prohibiting the sale, the offering for sale, or exposing for sale or having in possession with intent to sell of adulterated or deleterious sausage, defining sausage and prescribing the penalty for the violation thereof," as amended, further regulating the adulteration of sausages, changing the penalties prescribed and providing for injunctions in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 502, (House Bill No. 868), entitled:

An Act to prohibit the wilful and malicious breaking or destruction of certain milk bottles or other dairy product containers and prescribing fines or penalties therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 519, (House Bill No. 501), entitled:

An Act to amend section two hundred and one of the act approved the first day of May, one thousand nine hundred and twenty-nine (Pamphlet Laws one thousand five) entitled, "An act relating to and regulating tractors and trailers and their operation, providing for their registration and the licensing of certain operators by the Department of Revenue upon payment of prescribed fees, prescribing and limiting the powers of local authorities to deal with the subject matter of this act, conferring powers and imposing duties upon the Department of Revenue, the Department of Highways, peace officers, mayors, burgesses, magistrates, aldermen, justices of the peace, the courts and the clerks thereof, owners of tractors and trailers, providing that records are admissible as evidence imposing upon owners, counties, cities, boroughs, incorporated towns, and townships within the Commonwealth, liability for damages caused by the negligent operation of tractors and trailers, imposing penalties, imposing certain costs upon counties, providing for the disposition of fines, forfeitures, fees and miscellaneous receipts, making an appropriation and providing for refunds," as amended, by exempting farm wagons attached to tractors from registration in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 616, (House Bill No. 370), entitled:

An Act relating to the business of selling or leasing furniture and household articles on the installment or deferred payment plan and prohibiting the joining in one agreement of sale or lease of articles purchased or leased at different times.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 659, (House Bill No. 673), entitled:

An Act regulating and prescribing the computation and running of sentences for criminal offenses.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 851, entitled:

An Act establishing a Code of Criminal Procedure.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1092, (House Bill No. 880), entitled:

An Act to prohibit the admission in criminal cases of evidence illegally secured or acquired.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1096, (House Bill No. 1357), entitled:

An Act limiting the questions to be decided in any new trial granted because of the inadequacy or excessiveness of a verdict.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1147, (House Bill No. 1325), entitled:

An Act to add section 48.1 to the act approved the seventh day of June one thousand nine hundred and seventeen (Pamphlet Laws four hundred forty-seven) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate from the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other buildings devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the court of common pleas of balances due by fiduciaries the rights powers and liabilities of nonresident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the orphans' court in all matters relating to fiduciaries concerned with the estates of decedents" by providing for the apportionment of estate taxes in certain cases.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1178, (House Bill No. 717), entitled:

An Act to further amend clause (a) of section two of the act, approved the seventh day of June, one thousand nine hundred and seventeen (P. L. 388), entitled "An act relating to the jurisdiction, powers, and procedure of the orphans' court and the court of common pleas as to sales, mortgages, conveyances on ground-rent leases, extinguishment of ground-rents, partition, exchange, squaring and adjusting of lines between adjoining owners, consolidation and combination of mining lands and the leasing thereof, the joining by owners of undivided interests in making and taking conveyances in order to change the route or location of any right of way or passage over adjoining or other lands, and the subdivision of premises so as to command the highest price or greatest rents, and, for such purpose, the laying out or dedication of roads, streets, and alleys, or the vacation of such as have not been accepted by the public authorities, where the court shall be of opinion that such decree will be to the interest and advantage of all those interested; and where the legal title is held by minors, lunatics, habitual drunkards, or weak-minded persons, a married person whose spouse is a lunatic, or has abandoned him or her for one year or has been absent and unheard of for seven years; by corporations having no capacity to convey or by any unincorporated association, by any religious, beneficial, or charitable society or association, incorporated or unincorporated, and the title is subject to forfeiture if real estate is held in excess of the amount prescribed by its charter or by law; by a corporation, or individual or individuals, and is subject to a trust of any description whatever; by any person as to whom a presumption of death may have arisen, or any interest wherein is held by any person under legal disability to dispose thereof; where the legal title is an estate tail or is subject to the lien of debts of a decendent not of record, contingent remainders, executory devises, or remainders to a class, some or all of whom may not be in being or ascertained; where estates shall have been devised or granted for special or limited purposes, where there is a power of sale but the time may have arrived for its exercise, any preliminary act may not have been done to bring it into exercise, the time limited for its exercise may have expired, or any one or more persons required to consent or join in its exercise may be non compos mentis, have removed out of the State, have died, refuse to act, unreasonably withhold consent, or be absent and unheard of, where there has been or shall be a defective appointment in any deed or will, and the necessary power is not given to the executor, devisee, or appointee to make sale and conveyance; where a trust has been created, and no power conferred on the trustee to do any of the acts which the court is hereby empowered to authorize or confirm; and to the effects of such decree," extending the provisions of said act to cases where real estate is held by entireties and the one spouse has been absent and unheard from for seven years under those circumstances from which the law would presume his or her decease.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1199, (House Bill No. 1671), entitled:

An Act to amend clause A of section two hundred and two of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the courts of common pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" as amended restricting the use of certain words in corporate names

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1205, (House Bill No. 1879), entitled:

An Act to amend section one of the act, approved the twenty-second day of June, one thousand nine hundred and thirty-five (P. L. 450), entitled "An act to promote public morals, abolishing civil causes of action for alienation of affections, except in certain cases, and breach of promise to marry; making it unlawful to file, cause to be filed, threaten to file, or threaten to cause to be filed any such action; fixing a time for the commencement of such causes of action heretofore accrued; declaring void all future contracts in settlement of such actions; making it unlawful to induce the execution of such a contract or payment thereunder or institution of suit thereon; and providing penalties," correcting an error in said section.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1292, (House Bill No. 2040), entitled:

An Act to amend section fifty-nine, as amended, section one hundred ninety, as added, section two hundred four, as amended, and sections two hundred forty-seven and six hundred seventy-five of, to add sections one hundred fifty and one-tenth and one hundred fifty-five to, and to repeal section two hundred five of, the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "An act relating to counties of the second, third, fourth, fifth, sixth, seventh and eighth classes; and revising, amending and consolidating the laws relating thereto;" by changing the provisions for filling vacancies in the office of coroner, sheriff, district attorney and county treasurer, providing for and prescribing the procedure for leasing of real property belonging to counties; and providing for the appointment of assistant solicitors and clerks and stenographers to solicitors in counties of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1338, (House Bill No. 756), entitled:

An Act to amend section one of the act approved the thirteenth day of June, one thousand eight hundred and eighty-three (Pamphlet Laws eighty-nine) entitled, "An act granting authority to the Courts of Common Pleas in the several counties of this Commonwealth to issue writs of estrepement to stay waste upon lands sold for taxes during the time provided for redemption," by extending the provisions thereof to seated lands sold by county treasurers and to land sold at sheriffs sales under tax or municipal claims.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1348, (House Bill No. 1858), entitled:

An Act to amend section two thousand five hundred fifty-three as amended of the act approved the twenty-third day of June, one thousand nine hundred and thirty-one (Pamphlet Laws nine hundred thirty-two) entitled, "An act relating to cities of the third class and amending, revising and consolidating the law relating thereto," permitting city treasurers to give fidelity bonds as tax collectors of school districts of the second class and regulating the premiums thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1363 (House Bill No. 946), entitled:

A Joint Resolution proposing an amendment to section eight, Article Five of the Constitution of the Commonwealth of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order.

The Senate proceeded to the first reading and consideration of Senate Bill No. 1364 (House Bill No. 1363), entitled:

An Act making voidable releases of claims for personal injuries or death and providing for the avoidance of the same.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1392 (House Bill No. 2145), entitled:

An Act making an appropriation to the Department of Agriculture to advance the potato interests of this Commonwealth.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1407 (House Bill No. 486), entitled:

An Act making an appropriation to the Trustees of Temple University at Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1408 (House Bill No. 638), entitled:

An Act making an appropriation to the Trustees of the College of Lincoln University, Chester County.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1409 (House Bill No. 1141), entitled:

An Act making appropriation to the Navigation Commission for the Delaware River and its navigable tributaries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1410 (House Bill No. 1153), entitled:

An Act making an appropriation to the Department of Property and Supplies for repairs, alterations and additions to or replacements of existing buildings and equipment to eliminate fire and other hazards to safety at State institutions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1411 (House Bill No. 1177), entitled:

An Act to provide for the ordinary expenses of the Executive, Legislative and Judicial Departments of the Commonwealth interest on the public debt and the support of the public schools for two years beginning June first, one thousand nine hundred and thirty-seven and for the payment of bills incurred and remaining unpaid at the close of the fiscal year ending May thirty-first one thousand nine hundred and thirty-seven.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1412 (House Bill No. 1372), entitled:

An Act making an appropriation to the Department of Property and Supplies for the payment of rates, rentals and other charges that may become due on leases and other contracts executed by such Department with the General State Authority for the use and occupancy by the Commonwealth of various projects, structures, buildings and facilities of the Authority or for the services rendered by the Authority for its projects.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1414 (House Bill No. 2330), entitled:

An Act making an appropriation to the Trustees of the Hahnemann Medical College and Hospital of Philadelphia, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1417, entitled:

An Act making an appropriation out of the Motor License Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth on account of the Pennsylvania Motor Police Retirement System.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1418, entitled:

An Act making an appropriation out of the General Fund to the State Employees' Retirement Board to meet the obligations of the Commonwealth on account of the Pennsylvania Motor Police Retirement System.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1420 (House Bill No. 1390), entitled:

An Act making an appropriation to the General State Authority to defray the costs and expenses of the said Authority in connection with the organization, administration and operation thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1423 (House Bill No. 408), entitled:

An Act making an appropriation to the Downingtown Industrial and Agricultural School, Downingtown, Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1427 (House Bill No. 2057), entitled:

An Act to protect the public against fraud and deception regulating the business of selling liquid fuels by requiring persons engaged in the sale or distribution of liquid fuels to secure a permit or permits for pumps or outlets used therein, prescribing the method and manner of obtaining such permit or permits and prescribing the fees for the issuance thereof, conferring powers and imposing duties on the Department of Revenue and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1429, entitled:

An Act making an appropriation to the Department of Welfare for pensions for the blind.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1430, entitled:

An Act making an appropriation to the Department of Welfare for Mothers' Assistance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The Senate proceeded to the first reading and consideration of Senate Bill No. 1431, entitled:

An Act making an appropriation to the Department of Welfare for old age assistance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILLS SIGNED

The PRESIDENT (Lieutenant-Governor, Thomas Kennedy(announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 358, entitled:

An Act to amend section five hundred forty-seven as amended, and sections eight hundred two and nine hundred two of, and to add section nine hundred and two A to the act, approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class: and amending

revising, consolidating and changing the law relating thereto," providing for and regulating the method of making appropriations, expenditures, contracts, employments, and purchases by the townships; relating to the preparation of the annual budget on forms to be prepared by representatives of the State Association of Township Supervisors, the Department of Internal Affairs; providing for public notice of the preparation of such budget; relating to the filing of such budget with the Department of Internal Affairs; requiring auditors to file an annual report with such Department; conferring jurisdiction of certain cases upon aldermen, magistrates and justices of the peace; and providing penalties.

Senate Bill No. 371, entitled:

An Act to amend section twenty-one of the act approved the twentieth day of June one thousand nine hundred nineteen (Pamphlet Laws five hundred twenty-one) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a nonresident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by providing for the filing of bond with the Department of Revenue and by limiting the amount to be retained by registers of wills for their own use for collection of inheritance taxes as agents of the Commonwealth.

Stnate Bill No. 749, entitled:

An Act to amend sections four hundred ten and four hundred eleven of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by the State Workmen's Insurance Fund Providing penalties and repealing existing laws" requiring companies of other states and foreign governments to make a provision for loans in policies of life insurance prohibiting any provision by which a policy of life insurance would take effect before the original application was made.

Senate Bill No. 894, entitled:

An Act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State-owned land surrounding said lake for fishing hunting recreational and park purposes.

Whereupon,

The PRESIDENT (Lieutenant-Governor, Thomas Kennedy) in the presence of the Senate signed the same.

RECESS

Mr. LAW. Mr. President, I move that the Senate do now take a recess until 10:00 p. m.

Mr. BUCKMAN. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

The PRESIDENT PRO TEMPORE (Mr. Harvey Huffman) in the Chair.

COMMUNICATION FROM THE GOVERNOR

The CHAIR cleared his table and laid before the Senate communications in writing from His Excellency, the Governor of the Commonwealth, which were read as follows:

APPROVAL OF SENATE BILLS NOS. 652 AND 707.

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 25, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

Senate Bill No. 652, Printer's No. 518, entitled "An Act to provide for the permanent personal registration of electors in cities of the third class as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commission county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors imposing penalties and repealing existing legislation.

Senate Bill No. 707, Printer's No. 245, entitled "An Act authorizing the election of officers of certain corporations of this Commonwealth, created by special act of assembly prior to January 1, 1874, to be held in accordance with the provisions of by-laws duly adopted by their shareholders.

GEORGE H. EARLE.

HOUSE MESSAGES

RESOLUTION RECALLING FROM THE GOVERNOR HOUSE BILL NO. 150.

The Clerk of the House of Representatives being introduced, presented extract from the Journal of the House of Representatives which was twice read as follows, considered and agreed to:

In the House of Representatives, May 25, 1937.

Resolved (if the Senate concur) That House Bill No. 150, Printer's No. 89, entitled:

An Act to amend section three of the act, approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 831), entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth; prescribing the qualifications, defining the powers and duties, and fixing the compensation of such examiners; providing for the appointment and removal of inspectors of anthracite mines; prescribing their qualifications, and regulating their salaries and term of office; and abolishing the terms of office of the present mine inspectors of the anthracite mines," by defining the term "coal miners."

be recalled from the Governor for the purpose of further consideration.

Ordered, That the Clerk inform the House of Representatives accordingly.

HOUSE CONCURS IN RESOLUTION DIRECTING LEGISLATIVE REFERENCE BUREAU TO CODIFY THE LAWS RELATING TO LIQUORS

He also presented communication from the House of Representatives informing the Senate that the House has concurred in resolution from the Senate as follows:

Resolved (if the House of Representatives concur), That the Legislative Reference Bureau be directed to prepare a subject code of the existing laws, relating to liquors and malt or brewed beverages, scientifically arranged by articles, and submit such code in printed form with appropriate annotations to the 1939 session of the General Assembly for its consideration.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 1524.

He also informed the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1524, entitled:

An Act to further amend the act, approved the nineteenth day of June, one thousand nine hundred and thirty-one (P. L. 589), entitled "Barbers License Law" by modifying the provisions relating to barber schools, and licensing of persons as barbers, and the issuing of renewal student or apprentice permits; providing additional grounds for suspension and revocation of permits and registrations; discontinuing the use of the term "barber college"; and prescribing penalties.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 1780.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1780, entitled:

An Act to amend section five and sections sixteen, seventeen and twenty-one, as amended, of the act approved the fourteenth day of June, one thousand nine hundred and twenty-three (Pamphlet Laws seven hundred and ten) entitled "Boxing and Wrestling Law," by providing for; promoters, partnerships and co-promoters; a bond to protect contestants, managers and officials; changing license fees for promoters, boxers, seconds, managers and wrestlers; and requiring payments to the Commonwealth for complimentary tickets.

HOUSE CONCURS IN SENATE AMENDMENTS TO HOUSE BILL NO. 1981.

He also presented communication from the House of Representatives informing the Senate that the House has concurred in amendments made by the Senate to House Bill No. 1981, entitled:

An Act to amend the act, approved the thirty-first day of May, one thousand nine hundred and thirty-three (P. L. 1116), entitled "Ice Cream Law," further regulating the manufacture, importation and sale of such products; providing for injunctions; and changing the penalties prescribed.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL NO. 177.

He also presented communication from the House of Representatives informing the Senate that the House had adopted the report of the Committee of Conference Senate Bill No. 177, entitled:

An Act prohibiting persons and officers from hiring, requesting and inducing minors to purchase spirituous, vinous or brewed and malt liquors.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL NO. 746 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 746, entitled:

An Act to amend section two hundred and two of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 682), entitled "An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws," as amended, by extending the purposes for which companies may be incorporated to include insuring glass against all risk; insuring any goods or premises against any and all loss caused by water; and insuring moneys and securities against all risk.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL NO. 755 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 755, entitled:

An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws by requiring the Insurance Commissioner to determine the qualifications of the incorporators of any proposed insurance company.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE CONCURS IN AMENDMENTS TO SENATE BILL NO. 756 RECALLED FROM THE GOVERNOR

He also informed the Senate that the House has concurred in amendments made by the Senate to Senate Bill No. 756, entitled:

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entiled "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or ex-

changes; providing penalties, and repealing existing laws," by adding thereto Section 209A authorizing the Insurance Commissioner to impose penalties upon any insurance company, association or exchange which exceeds the powers granted under a certificate of authority.

Said bill having been recalled from the Governor for the purpose of amendment. The votes had on final passage and third reading were reconsidered in the Senate and the bill amended.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 1769.

He also presented communication from the House of Representatives informing the Senate that the House had adopted the report of the Committee of Conference, House Bill No. 1769, entitled:

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspector of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties.

HOUSE ADOPTS REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL NO. 916.

He also presented communication from the House of Representatives informing the Senate that the House had adopted the report of the Committee of Conference on Senate Bill No. 916, entitled:

An Act to amend section one of the act, approved the seventeenth day of June, one thousand nine hundred nineteen (P. L. 1025), entitled "A supplement to an act, approved the second day of May, one thousand eight hundred and ninety-nine (P. L. 184), entitled "Mercantile License Tax Law," by providing for the annual appointment by the Auditor General, of mercantile appraisers in cities of the first class.

HOUSE INSISTS UPON ITS NON-CONCURRENCE IN AMENDMENTS MADE BY SENATE TO HOUSE BILL NO. 158

He also informed the Senate that the House insists upon its non-concurrence in the amendments made by the Senate to House Bill No. 158, entitled:

An Act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health, animal and aquatic life, and for industrial consumption and recreation; empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political sub-divisions to provide works to abate pollution; providing protection of water supply; providing for the jurisdiction of courts, magistrates, aldermen and justices of the peace in the enforcement thereof, and providing additional remedies for abating pollution of waters; imposing certain penalties; and repealing certain acts.

and has appointed Messrs. La Rue, Simons, Imbrie a Committee of Conference to confer with a similiar committee of the Senate (if the Senate shall appoint such committee) to consider the differences existing between the two houses in relation to said bill.

SENATE INSISTS UPON ITS AMENDMENTS TO SENATE BILL NO. 158.

Mr. RICE. Mr. President, I move that the Senate insist upon its amendments to Senate Bill No. 158, non-curred in by the House and that a Committee of Conference be appointed to confer with a similar committee on the part of the House (already appointed) to consider the differences existing between the two Houses in relation to said bill.

Mr. RUPP. Mr. President, I second the motion.

COMMITTEE OF CONFERENCE

The motion was agreed to and Messrs. Rodgers, Thompson and Gelder were appointed as a Committee of Conference on the part of the Senate.

HOUSE NON-CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL NO. 965.

He also informed the Senate that the House had non-concurred in amendments made by the Senate to House Bill No. 965, entitled:

An Act to further amend the act, approved the sixteenth day of April, one thousand nine hundred and twenty-five (P. L. 244), entitled "An act applying to third class counties only, and regulating the selection, drawing, and summoning of all jurors and talesmen, and defining their qualifications in such counties; creating a jury board and defining its powers and procedure; providing for the appointment of a clerk to the jury board and fixing his maximum salary; providing for the custody of the jury wheel, and the filing and custody of jury lists; providing for the public drawing of jurors and the methods thereof; giving the trial judge the right to excuse jurors; prescribing the time of challenging jurors or the array, and regulating the procedure if array is quashed; repealing all acts or parts of acts inconsistent therewith," by abolishing the jury board and transferring its powers and duties to the jury commissioners.

Mr. RICE. Mr. President, I move that the Senate insist upon its non-currence in the amendments to the foregoing bill, and that a Committee of Conference be appointed to confer with a similar committee of the House (if the House shall appoint such committee) to consider the difference existing between the two Houses in relation to said bill.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1754.

He also informed the Senate that it has non-concurred in amendments made by the Senate to House Bill No. 1754, entitled:

An Act to amend the act, approved the fifth day of May, one thousand nine hundred thirty-three (Pamphlet Laws, two hundred eighty-nine), entitled "Non-profit Corporation Law," by providing for, and regulating the incorporation of, non-profit corporations organized to provide hospital care and service for subscribers; and conferring powers on the Insurance Department with respect thereto.

Mr. RICE. Mr. President, I move that the Senate insist on its amendments to the foregoing bill.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

HOUSE NON-CONCURS IN AMENDMENTS TO HOUSE BILL NO. 1755.

He also informed the Senate that it has non-concurred in amendments made by the Senate to House Bill No. 1755, entitled:

An Act providing for the regulation by the Insurance Department of non-profit corporations organized to provide hospital care and service for subscribers; prescribing legal investments for the funds of such corporations and the hospitals with which such corporations may enter into contracts for hospital care and service; conferring powers on the Insurance Department and the Department of Welfare; exempting such corporations from taxation; and providing penalties.

Mr. LAW. Mr. President, I move that the Senate insist upon its amendments to the foregoing bill.

Mr. HALUSKA. Mr. President, I second the motion.

The motion was agreed to.

BILLS SIGNED

The PRESIDENT PRO TEMPORE (Mr. Harvey Huffman) announced that the Chief Clerk having reported that the following bills had passed both houses of the General Assembly and the same being correct, the titles were publicly read as follows:

Senate Bill No. 177, entitled:

An Act prohibiting persons and officers from hiring, requesting and inducing minors to purchase spirituous, vinous or brewed and malt liquors.

Senate Bill No. 746, entitled:

An Act to amend section two hundred and two of the act approved the seventeenth day of May, one thousand nine hundred and twenty-one, (P. L. 682), entitled "An act relating to insurance, amending, revising, and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and fire insurance rating bureaus, and the regulation and supervision of insurance carried by such companies, associations, and exchanges, including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws," as amended, by extending the purposes for which companies may be incorporated to include insuring glass against all risk; insuring any goods or premises against any and all loss caused by water; and insuring moneys and securities against all risk.

Senate Bill No. 755, entitled:

An Act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws by requiring the Insurance Commissioner to determine the qualifications of the incorporators of any proposed insurance company.

Senate Bill No. 756, entitled:

An Act to amend the act approved the seventeenth day of May, one thousand nine hundred and twenty-one (P. L. 789), entitled "An act relating to insurance; establishing an insurance department; and amending, revising, and consolidating the law relating to the licensing, qualification, regulation, examination, suspension, and dissolution of insurance companies, Lloyds associations, reciprocal and inter-insurance exchanges, and certain societies and orders, the examination and regulation of fire insurance rating bureaus, and the licensing and regulation of insurance agents and brokers; the service of legal process upon foreign insurance companies, associations or exchanges; providing penalties, and repealing existing laws," by adding thereto Section 209A authorizing the Insurance Commissioner to impose penalties upon any insurance company, association or exchange with exceeds the powers granted under a certificate of authority.

House Bill No. 362, entitled:

An Act making an appropriation to the Woman's Medical College of Pennsylvania, located at East Falls, Philadelphia, Pennsylvania.

House Bill No. 611, entitled:

An Act making an appropriation to the National Farm School, at Doylestown, Pennsylvania.

House Bill No. 634, entitled:

An Act to amend the act, approved the thirteenth day of April, one thousand nine hundred and twenty-seven (P. L. 273), entitled "Securities Act" by extending the provisions thereof to employes of companies subject to the Public Service Company Law.

House Bill No. 723, entitled:

An Act to amend section five hundred and eighty of the act, approved the second day of May, one thousand nine hundred and twenty-nine (P. L. 1278), entitled "General County Law," as amended; extending the powers of the county commissioners in the construction and maintenance of comfort stations.

House Bill No. 731, entitled:

An Act providing for the creation, maintenance and operation of a county employes retirement system in counties of the third class; and imposing certain charges on counties.

House Bill No. 935, entitled:

An Act requiring counties of the third class to repay moneys heretofore recovered on forfeited recognizances in certain cases and providing for the recapture of such moneys from future fines and forfeited recognizances payable to law and library associations.

House Bill No. 1200, entitled:

An Act making an appropriation out of the Motor License Fund to the Department of Highways for expenditure in the various second-class townships of the Commonwealth for the maintenance of township roads and bridges during the calendar years one thousand nine hundred thirty-eight, and one thousand nine hundred thirty-nine; permitting the use of any surplus funds for construction and reconstruction of township roads and bridges; requiring townships to exclude provision for maintenance of roads and bridges from their annual budget and ta xlevy for road and street purposes for said years; authorizing the Department of Highways to rent road building machinery and equipment belonging to such townships in carrying out the purposes of this act, and lapsing the unexpended or unencumbered balance of the appropriation remaining on January first, one thousasd nine hundred forty.

House Bill No. 1434, entitled:

A Act making a deficiency appropriation to the Depart-

ment of Agriculture for reimbursing certain incorporated agricultural associations.

House Bill No. 1566, entitled:

An Act making an appropriation to the Department of Welfare for the purchase of materials to be used in making articles required at the State institutions in connection with sewing projects established in Pennsylvania by the Federal Works Progress Administration.

House Bill No. 1983, entitled:

An Act making an appropriation to the Department of Public Health to carry on the work of sealing abandoned coal mine openings.

House Bill No. 2038, entitled:

An Act to further amend the second paragraph of section one of Article one of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "Second Class City Law," by providing that the mayor shall receive no compensation other than his salary for acting as justice of the peace.

House Bill No. 2119, entitled:

An Act making an appropriation to the Department of Welfare for the payment of claims, charges, court costs and other expenses against the Commonwealth for the erection and construction of a reservoir at the State Industrial Home for Women at Muncy Pennsylvania.

Whereupon,

The PRESIDENT PRO-TEMPORE (Mr. Harvey Huffman) in the presence of the Senate signed the same.

APPOINTMENT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 213.

The CHAIR announces the appointment of the following Committee of Conference on Conference on Senate Bill No. 213. Messrs. Heyburn, Sipe and Ealy.

REPORT FROM COMMITTEE

Mr. FREY. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. FREY from the Committee on Executive Nominations reported with a favorable recommendation the following nomination made by his Excellency the Governor of the Commonwealth.

JUDGE OF ORPHANS' COURT OF DAUPHIN COUNTY

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 25, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate J. Dress Pannell, of Harrisburg, Dauphin County, for appointment as Judge of the Orphans' Court of Dauphin County, to serve until the first Monday of January, 1938.

GEORGE H. EARLE.

MEMBERS OF THE STATE COUNCIL FOR THE BLIND

Commonwealth of Pennsylvania,
Governor's Office, Harrisburg, May 24, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as members of the State Council for the Blind for the term of four years:

Mrs. Mabel O. Taylor, of Pittsburgh, Allegheny County, to fill a vacancy.

Herbert L. Smith, of Harrisburg, Dauphin County, vice Samuel Horton Brown, of Philadelphia, whose term expired.

Victor C. Mather, of Philadelphia, Philadelphia County, to fill a vacancy.

John M. Crandall, of Harrisburg, Dauphin County, to fill a vacancy.

GEORGE H. EARLE.

JUSTICE OF THE PEACE

Commonwealth of Pennsylvania.
Governors' Office, Harrisburg, May 21, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate William Robinson, of Frank, Alleghany County, for appointment as Justice of the Peace in the Township of Elizabeth, Allegheny County, vice Paul W. Norton, resigned, until the first Monday of January, 1938.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 24, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Mrs. Hannah K. Heim, 300 Penn Avenue, Pittsburgh.
Miss Jeannette E. Young, 1520 Beaver Avenue, Pittsburgh.

CAMBRIA COUNTY

Mrs. Zella Hershberger, South Fork.

DELAWARE COUNTY

S. Lee Moses, Drexel Hill, Upper Darby Township.

LUZERNE COUNTY

S. K. Knies, Hazleton.

PHILADELPHIA COUNTY

Raymond J. Chestnut, 1259 N. 12th Street, Philadelphia.
Michael Dannopray, 809 N. Franklin Street, Philadelphia.
William J. Drennen, 271 City Hall, Philadelphia.
Arthur Marshall, Jr., 4356 Frankford Avenue, Philadelphia.
Joseph Trachtman, 4015 Lancaster Avenue, Philadelphia.

VENANGO COUNTY

Thomas H. Bines, Oil City.
Thomas J. Callanan, Oil City.

WESTMORELAND COUNTY

Russell A. Artman, New Kensington.

GEORGE H. EARLE.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 21, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

BEAVER COUNTY

Mrs. Helen A. Marshall, Beaver.

DELAWARE COUNTY

Richard J. Clark, Upper Darby, Haverford Twp.

MONTGOMERY COUNTY

R. R. Knapp, Norristown.

PHILADELPHIA COUNTY

Miss Charlotte J. Herder, Bankers Securities Building, Philadelphia.

WESTMORELAND COUNTY

Joseph A. Ganoe, New Kensington.

GEORGE H. EARLE.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 25, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

Fred J. Hahn, Homestead.
Miss Julia M. McKillop, 1202 Commonwealth Building, Pittsburgh.

CAMBRIA COUNTY

John F. Barnyak, Johnstown.

LUZERNE COUNTY

Miss Gertrude Dougherty, Pittston.

MONTGOMERY COUNTY

William J. Schreiber, Jr., Royersford.

NORTHUMBERLAND COUNTY

Miss Elsie C. Housner, Milton.

PHILADELPHIA COUNTY

L. V. Hofman, 4649 Chestnut Street, Philadelphia.
Alfred O. Schumacher, 4706 N. 5th Street, Philadelphia.

VENANGO COUNTY

Mrs. Fay S. Hovis, Franklin.

GEORGE H. EARLE.

NOTARIES PUBLIC

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 25, 1937.

To the Honorable, the Senate of the Commonwealth of Pennsylvania:

In conformity with law, I have the honor hereby to nominate for the advice and consent of the Senate the following persons for appointment as Notaries Public for terms of four years to compute from the date of confirmation:

ALLEGHENY COUNTY

A. C. Greiner, 2929 Knowlson Avenue, Pittsburgh.

CENTRE COUNTY

Mrs. Mildred L. Grazier, State College.

DAUPHIN COUNTY

Miss Ellen T. Madden, Harrisburg.

PHILADELPHIA COUNTY

Adolph C. Eberz, 6256 Charles Street, Philadelphia.
James E. Kerns, 18th Street and Indiana Avenue.
John J. Owens, 100 S. Broad Street, Philadelphia.
J. C. Vuncanon, 4626 Newhall Street, Philadelphia.

WESTMORELAND COUNTY

Miss Sarah B. Fogg, Greensburg.

GEORGE H. EARLE.

EXECUTIVE SESSION

By unanimous consent,

A motion was made by Mr. RICE.

That Rule 38 which requires nominations made by the Governor to lie on the table one day be dispensed with, and the Senate do now resolve itself into executive session, for the purpose of acting on the foregoing nominations.

Which was agreed to.

The PRESIDENT. The first matter upon which the roll will be called will be the advising and consenting to the nomination of J. Dress Pannell, Harrisburg, Dauphin County as Judge of the Orphans' Court of Dauphin County.

Whereupon,

A motion was made by Mr. RICE.

That the Senate do advise and consent to said nomination.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—46

Barthold,	Haluska,	Law,	Rodgers,
Cavalcante,	Henney,	Mallery,	Rupp,
Chapman,	Heyburn,	McCreesh,	Salus,
Dando,	Homsher,	McGinnis,	Scarlett,
Deitrick,	Howell,	Mundy,	Shapiro,
Dent,	Huffman,	Owlett,	Sipe,
DiSilvestro,	Jacobs,	Pierson,	Sones,
Ealy,	Jaspan,	Pytko,	Stiefel,
Eroe,	Kahle,	Rankin,	Thompson,
Frey,	Kilgallen,	Reed,	Wolfenden,
Gelder,	Kunkel,	Rice,	Woodward,
Gilson,	Lanius,		

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

The PRESIDENT. The other nominations will now be acted upon and the Clerk will call the roll.

Whereupon,

A motion was made by Mr. RICE.

That the Senate do advise and consent to said nominations.

On the question,

Will the Senate agree to the motion?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—45

Barthold,	Haluska,	Lanius,	Rice,
Cavalcante,	Henney,	Law,	Rodgers,
Chapman,	Heyburn,	Mallery,	Salus,
Dando,	Homsher,	McCreesh,	Scarlett,
Deitrick,	Howell,	McGinnis,	Shapiro,
Dent,	Huffman,	Mundy,	Sipe,
DiSilvestro,	Jacobs,	Owlett,	Sones,
Ealy,	Jaspan,	Pierson,	Stiefel,
Eroe,	Kahle,	Pytko,	Thompson,
Frey,	Kilgallen,	Rankin,	Wolfenden,
Gelder,	Kunkel,	Reed,	Woodward,
Gilson.			

NAYS—0

Two-thirds of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Governor be informed accordingly.

Mr. RICE. Mr. President, I move that the Executive Session do now rise.

Mr. RUPP. Mr. President, I second the motion.

The motion was agreed to.

REPORTS FROM COMMITTEES

Mr. DEITRICK. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DEITRICK from the Committee on Legislative Apportionment reported as committed, Senate Bill No. 1422, (House Bill No. 1817), entitled:

An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution.

Mr. SIPE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. SIPE from the Committee on State Government reported as committed, Senate Bill No. 1399, (House Bill No. 1194), entitled:

An Act creating a joint legislative commission to be known as the Joint State Government Commission, providing for the appointment of its members and defining its powers and duties.

Also, from the Committee on State Government, reported as committed, Senate Bill No. 1369, (House Bill No. 2113), entitled:

An Act providing for the reciprocal enforcement of violations of the fishing laws in boundary waters between Pennsylvania and the States of New York and New Jersey.

Also, from the Committee on State Government, reported as committed, Senate Bill No. 1366, (House Bill No. 1615), entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase or gift or lease or condemnation on behalf of the Commonwealth of Pennsylvania the property of the Seventh Day Baptists of Ephrata in whole or in part to provide for the control management and supervision of the property when acquired by the Pennsylvania Historical Commission authorizing the commission to maintain the same and make and enforce rules and regulations for its preservation and visitation thereof and making an appropriation for such acquisition and maintenance.

Also, from the Committee on State Government, reported as amended, Senate Bill No. 1330, (House Bill No. 1173), entitled:

An Act to insure and protect fair trade practices in distribution defining such practices prohibiting the advertisement offer for sale or sale of merchandise at less than cost and fixing a penalty for such advertisement offer for sale or sale and investing the courts with jurisdiction to prevent and restrain violations of the act.

RECONSIDERATION OF SENATE BILL No. 1259.

Mr. FREY. Mr. President, On the Calendar for May 20, on Page 18, Senate Bill No. 1259, was defeated and I now move that the vote by which said bill was defeated be reconsidered.

The PRESIDENT. How did the Senator vote?

Mr. FREY. Mr. President, I voted "no."

Mr. LAW. Mr. President, I second the motion.

The PRESIDENT. How did the Senator vote?

Mr. LAW. Mr. President, I voted "no."

The motion was agreed to.

Shall the bill pass finally?

Mr. OWLETT. Mr. President, I just want to be sure that the Senate understands that this is the bill which gives another $25,000 to the Ruth Committee to employ an Illinois lawyer at $12.500 for two months. The Committee has spent $25,000, and this is to give $25,000 more, and the members of the Senate will remember that when this bill was up and defeated last week, it was explained that they had employed a lawyer from outside the State at $21,500 to conduct an investigation of the court procedure in Pennsylvania, for a period from April first to June first.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—31

Barthold,	Henney,	Lanius,	Rupp,
Cavalcante,	Heyburn,	Law,	Ruth,
Dent,	Huffman,	McCreesh,	Scarlett,
DiSilvestro,	Jacobs,	McGinnis,	Shapiro,
Eroe,	Jaspan,	Mundy,	Sipe,
Frey,	Kahle,	Pytko,	Stiefel,
Gilson,	Kilgallen,	Rankin,	Thompson,
Haluska,	Kunkel,	Rice,	

NAYS—13

Buckman,	Gelder,	Mallery,	Salus,
Chapman,	Homsher,	Owlett,	Sordoni,
Deitrick,	Howell,	Pierson,	Wolfenden,
Ealy.			

Reed present.

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON THIRD READING AND FINAL PASSAGE

Mr. SHAPIRO. Mr. President, I call up at this time Senate Bill 856, on page 11 of the Calendar, on third reading.

Agreeably to order,

The Senate proceeded to the third reading and consideration of Senate Bill No. 856, entitled:

An Act to amend the act approved the eighteenth day of April, one thousand nine hundred and twenty-nine (P. L. 549) entitled, "An act to permit the use of voting machines for recording and computing the vote at all elections, including primaries in any county, city, borough or township of the Commonwealth, at the option of the electors thereof; prescribing regulations with reference to the adoption, requirements, examinations, purchase, installation, preparation, custody and demonstration of use of voting machines; providing rules and regulations for the conduct of elections held with voting machines; prescribing the qualifications, number and duties of election officers in election districts in which voting machines may be used, placing duties upon county commissioners and the Secretary of the Commonwealth; providing for redivision of wards of cities and boroughs into election districts, and the consolidation of election districts; providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used; and providing penalties for violation of the provisions of this act," by adding a new section thereto 11-A, providing that in counties of the first class, all appointments shall be equally divided between majority and minority commissioners.

And said bill having been read at length the third time, and agreed to,

On the question,

Shall the bill pass finally?

Mr. SALUS. Mr. President, and gentlemen of this Senate. This is the County Commissioners' bill and before we vote on it I would like to interrogate the Senator from Philadelphia.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I will.

Mr. SALUSA. Mr. President, I would like to ask the Senator from Philadelphia, Mr. Shapiro, if it is not a fact that during the investigation of county officers in Philadelphia they did not investigate the County Commissioners' office?

Mr. SHAPIRO. Mr. President, that is correct.

Mr. SALUS. Mr. President, I also want to ask if he did not publicly announce that the office was conducted in a manner that the commissioners should receive the commendation of the public.

Mr. SHAPIRO. Mr. President, that is correct, but I did not announce that they should receive the commendation, I said that there were no criticisms to offer, except on the question of politics. It was a matter for him to decide, and the gentleman said as long as he was County Commissioner, notwithstanding the fact that there was a minority representation, they were Republicans, and he would appoint nobody else on the Commissioners' staff.

Mr. SALUS. Mr. President, but he found no fault with the conduct of his office.

Mr. SHAPIRO. Mr. President, that is true.

Mr. SALUS. Mr. President, I want the members of the Senate to realize the situation. This matter is a matter of great importance to the City of Philadelphia because none of your investigating committee, headed by the Senator from Philadelphia, Mr. Shapiro, has said openly to the newspapers, and to the public generally, that this office is not properly conducted, and if it is properly conducted by Republicans, by Republican office holders, and the citizens of Philadelphia are receiving full value for their money and good loyal service, then why should this institution be ripped apart? I am very much interested in this bill, very much indeed, because of the fact that our people are entitled to this service. I am, however, much more interested in what the Senate will do with this bill, and the Senate of Pennsylvania is composed of men of high standing, men of character, men of reputation, men who having once passed their word on this floor and said my word is my bond, I know no master insofar as my honor and integrity is concerned, I am monarch of all I survey, and I believe that is the past history of Pennsylvania's Senators, and I hope that this night there will not ring the death knell of the honor of this institution. The men on this floor, both Democrats and Republicans, know what is contained in this bill, and know what it means, and then the hand unseen, a hand of authority has called some of them together and in that call have they lost their manhood? Has the honor and dignity of Pennsylvania fallen to such a low degree that men become the puppets of a ring-master with whips and now for the sake of victory, for the sake of putting over something that we know is wrong, a depredation to the citizens of this Commonwealth, you must sink your manhood, you must sink your reputation in the Senate of Pennsylvania, and become part and parcel of a punch and judy show?

Now, gentlemen of this Senate, I still have faith in you, I think you are Senators of Pennsylvania, I think you are men, and made after the image of God Almighty to do justice to your fellow man, and above all things else do not sink your manhood, do not let me, after twenty-seven years in this Senate, leave this Senate with a different impression. I know you are men and I know you have courage and let the honor and the glory of this institution be such that its flag may fly, that all the world may say that you are real men and that there is honesty in your body, that you mean well, that this is political robbery and nothing else, and that you will not be part and parcel to it, or be whipped into it by the master mind. Follow Lincoln's Emancipation Proclamation of the colored man, do not let any man, white or whoever he may be, take from you your liberty and above all do not lose your manhood or your honor as men in this Senate. I believe in you, I have faith in you, and I hope when I quit this Session I will go home with the same feeling in my body that I have had for twenty-seven long years, that the men in the Senate of Pennsylvania are men, they are not puppets, they are not men who will lose their honor and reputation. I believe, and honestly believe, and will not be convinced until this vote is passed, that each of you men who voted "no" on this bill today are going to vote "no" tonight.

Mr. SHAPIRO. Mr. President, the purpose of this, in spite of what the Senator from Philadelphia says, is not as bad as he makes it sound. The provisions of the bill are that there shall be minority representation in fact, as well as by act of Assembly, in the County Commissioners. In the Registration Commission of Philadelphia there is

minority representation by law, and actually in fact. The minority commissioners have the right to say who shall and who shall not be chosen, and they have a certain proportion of the appointments in the County Commissioners' office. In the election before the last, the County Commissioners had charge of the ballot and the voting machines, and in connection with the voting machine the numbers on the machines have to be reset so that they will properly count an election vote. In the numbering on the machines it was found that there was a discrepancy of five, ten, fifteen and up to possibly twenty-five votes between the votes and the votes registered on the machine. In the appointment of the custodian of those machines, while the budget in the City of Philadelphia provides for $75,000 for employment during the election period, extra help for the custody of those machines, the actual expenditures ran in the neighborhood of $150,000 to $180,000 each year, and Council, after the budget is made up, transfers from funds, or otherwise, presents to the County Commissioners the additional $100,000. This bill will strip them of all of the excitement that was created by the Senator from Philadelphia about the bill, provides that the minority commissioners shall have the right to appoint some of these men so that custodians of the machine shall actively be represented by the other party, and by both parties. If that is unfair, and if that is unjust, I fail to see it, and this bill on which we are voting now will give us the right to have some check on the voting machines, and that, for one purpose, in my opinion, is a logical purpose.

Mr. BUCKMAN. Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I will.

Mr. BUCKMAN. Mr. President, I would like to ask the Senator from Philadelphia if the same condition of which he complains is not now existing in the County of Allegheny, or in the City of Pittsburgh, namely, that the patronage of the County Commissioners is controlled by the majority party, which happens to be the Democratic party at this time.

Mr. SHAPIRO. Mr. President, I am interested in the situation in Philadelphia only. When I am elected a Senator from Pittsburgh, or have anything to do with that function I will be able to discuss that question. I can only answer that by hearsay and I do not think that argument solves the problem, that it is merely throwing in what we call a "red herring," shall I say?

Mr. BUCKMAN. Mr. President, has the Senator from Philadelphia, Mr. Shapiro, declined to answer?

Mr. SHAPIRO. Mr. President, my answer is that I only know by hearsay, and I am not paying attention to that.

Mr. BUCKMAN. Mr. President, did I understand the Senator from Philadelphia, Mr. Shapiro, to say he does not know what the condition is in Pittsburgh?

Mr. SHAPIRO. Mr. President, I do not.

Mr. BUCKMAN. Mr. President, this bill seems to be like the height of nerve. There might be some justification that this bill provides that the patronage the County Commissioners of Philadelphia be divided according to the number of County Commissioners, namely, that one-third of the patronage should go to the minority members, the Democrats, if you please, and two-thirds of it should go to the majority party, the Republican, but to say that notwithstanding that the majority of the County Commissioners are Republicans they can only have fifty percent of the patronage, as I understand this bill to say, it seems to me to be un-American and unfair, and not according to the way we like to play the game in Pennsylvania. I do not represent Philadelphia as a Senator, but I am interested in the whole State of Pennsylvania, and I hate to see a bill passed by the majority party of this Legislature merely because they have the power to do so. That is unfair and is un-American, and that is what this bill is.

Mr. CAVALCANTE. Mr. President, I would like to hear from the Senator from Philadelphia, Mr. McCreesh, who introduced the bill. The Senator from Bucks claims that this bill is un-American and I think the Senator from Philadelphia, Mr. McCreesh, is an American, and, therefore, the bill having his name as sponsor, I thing is an American bill. When I voted on this bill at the time it was defeated I voted under a misapprehension. I voted against it because I thought it was just another bill, and after much thought, after the bill had been defeated and I gave it some serious thought, I discovered that it was a real good Democratic bill, a bill that I found was a real "ripper" bill and I took stock of myself, and only after the heated arguments here in these last three or four days on the ripper bills, I thought I had made a mistake, and the Philadelphia rippers especially, I do not know how many ripper bills we have passed, I like to do the job well, I don't want to leave anything undone there. If there is anything to be ripped out, we ought to rip it out and in ripping all these officers out, I think I am going to go on record as being for the salary raisers, because if we rip a lot of them out, there would only be a few left, and they would have so many days to decide, and I think we should pay them more money, and I want to call up the old proverb "if you give a calf a little rope," you know what would happen to the calf. So I want to give the Philadelphia boys all the rope they want, and I think it is a very good Democratic feeling, but not a good ripper bill. The one I voted against would only give the Democratic party one-third of the patronage, but this gives more patronage, and I am just a little sorry that it does not take all of the patronage away from the Republicans, because then it would be a real good ripper bill and be a good Democratic bill. I am going to vote for the bill, for I would sooner take half a loaf than none at all.

Mr. OWLETT. Mr. President, all the world loves a good sport. I merely want ot rise to congratulate the majority party on having some members of this Senate that are good sports. This bill, as has been pointed out, changes the law with respect to appointment by Commissioners with reference to first-class counties only and provides for first-class counties, namely, Philadelphia, but in all other counties the commissioners are left free to make their choice but in Philadelphia County half of them must be Democrats and half Republicans. Now, there ar true Democratic Senators in this Senate that have counties in which we Republicans likewise have a majority in the county from which they come. Why they were not included in this bill, those other counties, I assume is because of the fact that they recognize that there are certain lengths to which you cannot go, even

in politics. This is the rankest political measure that any organization ever had the nerve to introduce, and for Democratic Senators from Philadelphia to have the gall to ask the other Democratic Senators in this Senate to support a bill like this, that has no sportsmanship in it, simply a grabbing of jobs, and as I say again, I congratulate the State of Pennsylvania that we have some Senators that are good sports on the Democratic side.

Mr. WOLFENDEN. Mr. President, I would like to call the attention of the Senate to the fact that one member of the Governor's staff is on one side of the rail watching the vote on this bill, another member of the Governor's Cabinet in speaking about the Commissions of the City of Philadelphia he said it was some of the best offices he had ever expected. That is the Honorable Thomas Logue of the Department of Interior. Thank God we have Thomas Logue, I wish we had more of them in the Cabinet.

Mr. SALUS. Mr. President, I would like to interrogate the Senator from Philadelphia, Mr. Shapiro.

The PRESIDENT. Will the Senator from Philadelphia, Mr. Shapiro, permit himself to be interrogated?

Mr. SHAPIRO. Mr. President, I will.

Mr. SALUS. Mr. President, so that there may be no misunderstanding, I want to again ask the Senator from Philadelphia, Mr. Shapiro, whether he has found any misconduct of any kind in the conduct of the County Commissioners' office in Philadelphia.

Mr. SHAPIRO. Mr. President, that is a good question to answer. I told the Senator before, and I repeat, that so far as the running of the office was concerned I suggested to the chairman of the committee that I have no criticism to offer except that I thought some of the functions that were performed by the County Treasury were functions that properly belonged in other offices, except that I found whereas the budget was a certain sum and the taxpayers were told that they would be obliged to spend for the county, then thirty or forty days after the budget was made additional transfers were made to the County Commissioners office and additional expenditures incurred and that so-far-as last year's budget is concerned there was a deficiency bill of $266,000 that the taxpayers will have to raise by additional taxes this year.

Mr. SALUS. Mr. President, I would like to ask the Senator one more question then I will be through. If those $266,000 was spent does the Senator from Philadelphia mean to say that a single penny of it was dishonestly spent?

Mr. SHAPIRO. Mr. President, I do not know what the Senator from Philadelphia, Mr. Salus, means by dishonestly spent, I know that the County Commissioners had a large sized payroll right around the latter part of the year, at the end of the year, when there is some money about to be left over that has not been spent and the number of persons on the payroll increases at the end of the year, or before the fiscal year ends, and there are possibly more people on the payroll than they need, but I do not think I am in a position, nor is the committee in a position, to definitely say that there were so many more, or a definite number.

Mr. SALUS. Mr. President, I am going to say just one more word. Gentlemen, are you going to rip out this honorable institution because your Democratic leader over there told you this? Your Democratic leader, Senator Shapiro, Chairman of the Investigating Committee, tells you it is an honorable institution. Are you going to rip out this institution because probably somebody is employed there for too long a time? Are you going to virtually convict these people because when the Senator cannot give you any concrete facts of any misdoings in his office, he says, probably something may be wrong.

And said bill having been read at length the third time, and agreed to,

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution.

Mr. SALUS. Mr. President, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—26

Barthold,	Gilson,	Lanius,	Rupp,
Cavalcante,	Haluska,	McCreesh,	Ruth,
Dando,	Henney,	McGinnis,	Shapiro,
Dent,	Huffman,	Mundy,	Sipe,
DiSilvestro,	Jacobs,	Pytko,	Stiefel,
Eroe,	Jaspan,	Rice,	Thompson,
Frey,	Kahle,		

NAYS—17

Buckman,	Heyburn,	Owlett,	Salus,
Chapman,	Homsher,	Pierson,	Scarlett,
Deitrick,	Howell,	Reed,	Sordoni,
Ealy,	Mallery,	Rodgers,	Wolfenden,
Gelder,			

A majority of all the Senators having voted "aye" the question was determined in the affirmative.

Ordered, That the Clerk present said bill to the House of Representatives for concurrence.

BILL ON SECOND READING

Mr. EROE. Mr. President, I call up at this time Senate Bill 764, (House Bill No. 76) on second reading postponed.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The Senate resumed the second reading and consideration of Senate Bill No. 764, (House Bill No. 76), entitled:

An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotive trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualifications of certain employes and to provide a penalty for the violation thereof and the enforcement thereof by the Public Utility Commission

The first to the thirteenth sections of the bill were read as follows and agreed to:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That when used in this act and for the purposes of this act (a) the word "carrier" means a common carrier by railroads or partly by railroad and partly by water and any receiver or any other individual or body judicial or otherwise when in possession of the business of carriers covered by this act excluding street suburban and interurban electric railways unless operated as a part of a general railroad system of transportation

(b) The word "locomotive" means any self propelled unit operated by any form of energy or power whether produced thereon or furnished from any outside source and adopted for use in moving cars upon rails or for the transportation of passengers or freight or property except locomotive cranes pile drivers brown hoists and other self propelled engines or machines not used for the transportation of passengers or freight or property for hire

(c) The term "light engine" means any locomotive operated without cars and not transporting passengers freight or property

(d) The term "passenger train" means any self propelled unit while transporting passengers or any locomotive with one or more cars constructed for the purpose of transporting passengers baggage mail express or combination of either or any

(e) The term "freight train" means any train composed of one or more locomotives with one or more cars Or other vehicles constructed for the purpose of transporting freight or other property not specifically referred to in the above definition of a passenger train

(f) The word "engineer" means a person who operates a locomotive and performs related work

(g) The word "fireman" means a person who fires a locomotive and assists an engineer in the performance of his duties as such or performs either of said duties

(h) The word "conductor" means a person having charge of the operation of a train en route at stations and between stations and who performs related work

(i) The word "brakeman" means a person who assists a conductor in the operation and protection of a train and who performs related work

(j) The word "baggageman" means a person whose duties include receiving caring for and handling baggage mail and express on trains and who performs related work

(k) The term "yard conductor" or "foreman" means a person whose duties are to supervise and assist in the work of switching and yard work train service including supervision of the breaking up of trains and to perform related work

(l) The term "yard brakeman" or "helper" means a person whose duties are to couple uncouple and ride cars in connection with the breaking up and making up of trains to handle switches and to perform related work in connection with yard switching service

(m) The term "main track" means any continuous track over which through trains operate through and between stations

(n) The term "competent employe" means

(1) One who is able to read and understand the time tables of the carrier by whom he is employed and read ordinary hand writing in the English language and who is able to speak hear and understand the English language and to see distinguish and understand the signals required by the book of rules of the carrier governing the operation of the locomotive and trains of such carrier When defective sight can be remedied by the use of glasses or other means such defective sight shall not thereby render an employe incompetent under this act

(2) As applied to an engineer one who is in addition to being possessed of the qualifications prescribed in paragraph (1) hereof shall have passed the regular examination prescribed by the carrier concerning rules and regulations governing the position of an engineer

(3) As applied to a conductor one who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof shall have passed the regular examination prescribed by the carrier concerning rules and regulations governing conductors

(4) As applied to a fireman a brakeman or a yard brakeman or helper one who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof shall have passed the regular examination prescribed by the carrier concerning rules and regulations governing fireman or brakeman or yardman or helpers

(5) As applied to a yard conductor or foreman one who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof shall have passed a regular examination prescribed by the carrier concerning rules and regulations governing yard conductors or foreman

(6) As applied to a baggageman one who in addition to being possessed of the qualifications prescribed in paragraph (1) hereof has before being so employed as a baggageman passed the regular examination prescribed by the carrier concerning rules and regulations governing the position of a baggageman

Section 2 It shall be unlawful for any carrier to operate or permit to be operated any passenger train in this Commonwealth consisting of less than five cars unless said train shall be manned by a full crew of competent employes which crew shall consists of not less than one engineer one fireman one conductor and one brakeman When any passenger train consists of five cars or more any one or more of which carries passengers or consisting of ten or more cars none of which is carrying passengers such passenger train shall be manned by one additional brakeman When baggage is received cared for handled and transported on any such train at least one baggageman shall be added to the members of the crew above described in this section Except a single motor unit carrying passengers shall be manned by not less than three men

Section 3 It shall be unlawful for any carrier to operate or permit to be operated in the State of Pennsylvania any freight train consisting of less than fifty cars without a full crew of competent employes which crew shall consist of not less than one engineer one fireman one conductor and two brakemen

Section 4 It shall be unlawful for any carrier to operate or permit to be operated any freight train consisting of fifty cars or more without a full crew of competent employes which crew shall consist of not less than one engineer one fireman one conductor and three brakemen

Section 5 It shall be unlawful for any carrier to operate or permit to be operated any local freight train doing any switching or unloading of any freight of any nature whatever without a full crew of competent employes which crew shall consist of not less than one engineer one fireman one conductor and three brakemen

Section 6 All other trains not specifically referred to hereinbefore shall be manned by a crew of not less than one engineer one fireman one conductor and two brakemen

Section 7 It shall be unlawful for any carrier to use operate or permit any locomotive to be used or operated in any railroad yard or on any railroad track to handle or switch cars or to transfer cars from one railroad to another or from one railroad yard to another railroad yard unless each and every such locomotive while handling or switching cars shall be manned by a full crew of competent employes which crew shall consist of not less than one engineer one fireman one yard conductor or foreman and two yard brakemen or helpers When any such locomotive is so used or operated over or upon a highway or street within the corporate limits of a municipality such locomotive shall be manned by one additional yard brakeman or helper No such employe shall be detailed to more than one locomotive at the same time or be assigned to any other service unless his place be filled by another competent employe or the locomotive laid up while short-handed except that in case of the sudden disability of a member of such crew through sickness accident or death the carrier shallh ave three hours to replace such member during which time such locomotive may be operated short-handed

Section 8 It shall be unlawful for any carrier to operate or permit to be operated on its main track any single locomotive unless said locomotive is manned by a full crew of competent employes which crew shall consist of not less than one engineer one fireman one conductor or brakeman Provided however That where two or more locomotives are operated under their own power on any main track and coupled together there shall be provided a crew of one engineer and one fireman for each locomotive and in addition thereto one conductor or brakeman

Section 9 It shall be unlawful for any carrier to operate as a locomotive or permit to be operated as a locomotive

on its main track any self propelled crane pile driver brown hoist or other self propelled engine or machine not used for the transportation of passengers or freight or property for hire which has sufficient power to draw or propel itself and one or more standard railroad cars unless such engine or machine shall be manned by a full crew of competent employes consisting of not less than one engineer one conductor and one brakeman

Section 10 In the case of the disability of a member of a full crew between terminals the carrier shall have the right to operate the locomotive or train short-handed until such locomotive or train arrives at the next terminal or other intermediate place on the line where men of the same class as the person disabled are available when such carrier shall fill the vacancy on such crew This act shall not apply to relief or wrecking trains where sufficient men are not available

Section 11 Any railroad company its officers or agents officers of the court receiver or any person or persons operating a railroad violating any of the provisions of this act shall be guilty of a misdemeanor and liable to a penalty of one hundred dollars ($100) for each and every such violation to be recovered with costs as debts are now by law recoverable by a suit in the name of the Commonwealth for the use of the county in which such violation takes place Provided however That nothing in this act shall apply or relate to trains owned or operated by manufacturers made up of hot metal ladles ingots slag or table trucks

Section 12 It shall be the duty of the Public Utility Commission of the Commonwealth of Pennsylvania or any other agency empowered to enforce the law to execute and enforce the provisions of this act and for such purposes shall have all the powers granted to it under the laws of this Commonwealth

Section 13 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

The fourteenth section of the bill was read as follows:

Section 14 The provisions of this act shall not apply to any railroad of fifty miles or less in length or any railroad in the hands of a Receiver or in process of re-organization under any Federal Law or to any railroad operating without profit at prevailing scales of wages or unable to pay dividends upon its common stock

On the question,

Will the Senate agree to the section?

Mr. EROE. Mr. President, I move to amend sec. 14, page 9, by striking out all of lines 15 to 20 inclusive

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

Mr. BUCKMAN. Mr. President, may I ask the sponsor of these amendments or some other Senator on the floor to explain the effect of them?

Mr. EROE. Mr. President, these amendments simply strike out amendments in the bill presented by Senator Rupp the other night.

Mr. BUCKMAN. May I ask whether they strike out the entire amendment, or whether they still leave in the length of the railroads, or strike out the entire amendment as inserted on motion of Senator Rupp?

Mr. EROE. Mr. President, they strike out the entire amendment.

And the question recurring,

Will the Senate agree to the amendment?

The yeas and nays were required by Mr. BUCKMAN and were as folows, viz:

YEAS—32

Barthold,	Haluska,	Lanius,	Rice,
Cavalcante,	Henney,	Law,	Rodgers,
Dando,	Heyburn,	McCreesh,	Ruth,
Dent,	Jacobs,	McGinnis,	Shapiro,
DiSilvestro,	Jaspan,	Mundy,	Sipe,
Eroe,	Kahle,	Pytko,	Stiefel,
Frey,	Kilgallen,	Rankin,	Thompson,
Gilson,	Kunkel,	Reed,	Huffman,
			Pres. Pro Tem.

NAYS—15

Buckman,	Gelder,	Owlett,	Scarlett,
Chapman,	Homsher,	Pierson,	Sordoni,
Deitrick,	Howell,	Rupp,	Wolfenden,
Ealy,	Mallery,	Salus,	

So the question was determined in the affirmative.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The fifteenth section of the bill was read as follows:

Section 15 All acts or parts of acts inconsistent herewith are hereby repealed.

On the question,

Will the Senate agree to the section?

Mr. EROE. Mr. President, I move to amend sec. 15, page 9, line 21, by striking out the figure "15" and inserting in lieu thereof "14"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The sixteenth section of the bill was read as follows:

Section 16 This act shall become effective immediately upon its final enactment.

On the question.

Will the Senate agree to the section?

Mr. EROE. Mr. President, I move to amend sec. 16, page 9, line 23, by striking out the figure "16" and inserting in lieu thereof "15"

Mr. LAW. Mr. President, I second the motion.

On the question,

Will the Senate agree to the amendment?

It was agreed to.

On the question,

Will the Senate agree to the section as amended?

It was agreed to.

The title of the bill was read as follows and agreed to.

An Act to promote the safety of employes and travelers upon railroads by compelling common carriers by railroad to man locomotives trains and other self propelled engines or machines with competent employes to provide the least number of men that may be employed on locomotive trains and other self propelled engines or machines to provide the qualifications of certain employes and to provide a penalty for the violation thereof and the enforcement thereof by the Public Utility Commission.

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

BILLS DROPPED FROM CALENDAR

Mr. RUPP. Mr. President, I move that Senate Bill 585, on third reading, postponed, entitled:

An Act concerning reciprocal agreements for the interstate transportation and the support of poor and indigent persons; and to make uniform the law with reference thereto.

be dropped from the Calendar.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

POINT OF INQUIRY

Mr. HALUSKA. Mr. President, I want to call up a certain bill, but before calling it up I rise to a point of inquiry.

The PRESIDENT. The Senator from Cambria, Mr. Haluska, will state his point of inquiry.

Mr. HALUSKA. Mr. President, it seems to be the habit of the members of this Senate, when some important bill comes up, they have a happy faculty of backing up, and I would like to know, if possible, before I call up this bill whether the members will be in their seats.

The PRESIDENT. That is a very difficult question to answer.

Mr. HALUSKA. Mr. President, I call up from the postponed calendar, on page 20, Senate Bill No. 1357.

BILL ON THIRD READING AND FINAL PASSAGE

Mr. HALUSKA. Mr. President, I move that the Senate do now resume consideration of Senate Bill No. 1357, on third reading postponed, entitled:

An Act creating a commission to study the practice of chiropractic; defining the powers and duties of said commission; and making an appropriation.

Mr. SIPE. Mr. President, I second the motion.

The motion was agreed to.

And the question recurring,

Will the Senate agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. SIPE. Mr. President, earlier in the day I expressed a hope that I might have an opportunity to vote for this resolution, and probably some of my friends in the Senate misunderstood me. I mentioned that I was actuated with a general desire to have a real investigation of these practitioners to see whether or not, for the information of the legislature, they were an injury or a help to society. In my statement I did not mean that I was going to vote so and so. I simply wanted the information. I have since learned that the commission set up to do the investigating contains a majority of those in the system of chiropractry, and it would therefore seem to me would do self investigating. I do not have a great deal of confidence in commissions that investigate themselves, so if it is true that the majority of this commission are members of the chiropractic profession, I shall be obliged to vote against the resolution, because I do not have a great deal of confidence in self-investigation.

And the question recurring,

Shall the bill pass finally?

The yeas and nays were taken agreeably to the provisions of the Constitution, and were as follows, viz:

YEAS—16.

Barthold,	Haluska,	McCreesh,	Rupp,
Cavalcante,	Heyburn,	Rankin,	Shapiro,
Dando,	Jacobs,	Rice,	Sordoni,
Dent,	Kilgallen,	Rodgers,	Huffman,

NAYS—29.

Buckman,	Gelder,	Lanius,	Pytko,
Chapman,	Gilson,	Law,	Reed,
Deitrick,	Henney,	Mallery,	Ruth,
DiSilvestro,	Homsher,	McGinnis,	Salus,
Ealy,	Howell,	Mundy,	Scarlett,
Eroe,	Kahle,	Owlett,	Sipe,
Frey,	Kunkel,	Pierson,	Thompson,
			Wolfenden,

Less than a majority of all the Senators having voted "aye" the question was determined in the negative.

RECESS

Mr. RICE. Mr. President, I move that the Senate do now take a recess for ten minutes.

Mr. FREY. Mr. President, I second the motion.

The motion was agreed to.

AFTER RECESS

The PRESIDENT. The time of recess having elapsed, the Senate will be in order.

REPORTS FROM COMMITTEES

Mr. EROE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. EROE from the Committee on Finance reported as committed, Senate Bill No. 1401 (House Bill No. 2242), entitled:

An Act to amend section six of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (Pamphlet Laws one hundred forty-nine) entitled "an act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power, providing for the collection and lien of the tax and the distribution and use of the proceeds thereof, requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records, imposing duties on retail dealers common carriers, county commissioners and such distributors, providing for rewards, imposing certain costs on counties, conferring powers and imposing duties on certain State officers and departments, providing for refunds, imposing penalties and making an appropriation," by making further provision regarding the discount allowed to distributors if reports are filed and taxes paid on time.

Mr. DENT. Mr. President, I want to report from the Committee on Labor and Industry a bill that has been lost in transit from the committee to the floor of the Senate, Senate Bill No. 1127, House Bill No. 1246, and I want to offer as a report of that committee a duplicate copy of that bill, and also to report, as amended, Senate Bill No. 488, House Bill No. 99, known as the Workmen's Compensation Act.

Mr. DENT. Mr. President, I ask unanimous consent to make reports from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. DENT, from the Committee on Labor and Industry,

reported as committed, Senate Bill No. 1127 (House Bill No. 1246), entitled:

An Act to prohibit the recruiting or the securing or offering to secure employment for persons to take the places of employes where a labor strike is pending or a lockout exists.

Mr. DENT, from the Committee on Labor and Industry, re-reported as amended, Senate Bill No. 488 (House Bill No. 99), entitled:

An Act to re-enact and amend the title and the act approved the second day of June, one thousand nine hundred fifteen (Pamphlet Laws seven hundred and thirty-six), entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment, establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder," by changing, adding to and increasing the schedules of compensation prescribing and changing certain presumptions and rules of evidence, increasing the requirements to be met by employers desiring to be self-insurers, conferring certain powers and duties upon the Department of Labor and Industry, imposing additional duties and liabilities upon employers and insurance carriers, including the cost of administering the workmen's compensation system, including the rehabilitation of employes, providing for the payment of compensation for certain second injuries and for the rehabilitation of injured employes and for the payment of re-opened cases after a certain lapse of time by the Commonwealth out of moneys required to be paid into the State Treasury by certain emplyoers and insurance carriers in death cases where there are no dependents, imposing new and changing certain existing penalties and generally amending, clarifying and changing the provisions of said act.

QUESTION OF PERSONAL PRIVILEGE

Mr. DENT. Mr. President, I rise to a question of personal privilege.

The PRESIDENT. The Senator from Westmoreland, Mr. Dent, will state his question of personal privilege.

Mr. DENT. Mr. President, I know it is late and I am not going to take the time to read all of this, but I want to state that this Commission has made three reports. That commission, set up as a fact-finding commission, wishes to offer these reports as non-partisan and non-political, however, some of the newspapers have seen fit to make political capital out of it, and I want to say this, that this committee wants to function in that respect, and, therefore, wants to clarify and remove any misconstructions that have been placed upon this committee by certain politically-minded newspapers in this State.

I, therefore, wish to offer a report, as Chairman of that Commission, which will clarify our position insofar as our reports are concerned, and I do not want to take the time to read the report, but I want it spread upon the journal.

The PRESIDENT. The statement of the Senator from Westmoreland, together with his comments made in connections with the report filed here concerning the Tax Commission, will be spread upon the Journal.

Mr. OWLETT. Mr. President, I would like to interrogate the Senator from Westmoreland, Mr. Dent.

The PRESIDENT. Will the Senator from Westmoreland, Mr. Dent, permit himself to be interrogated?

Mr. DENT. Mr. President, I will.

Mr. OWLETT. Mr. President, I would like to ask the Senator from Westmoreland if this is a report of the whole committee, or is a report of the Chairman?

Mr. DENT. Mr. President, my report as Chairman and agreed to by the committee.

Mr. OWLETT. Mr. President, by the whole committee?

Mr. DENT. Mr. President, I could not say that it is a report of the entire committee. I spoke to four of the members about it and they agreed to the report. There is nothing in the report as individuals. For instance, the report creates an impression that a company had bought land in New Jersey, and we find that a member of our commission who made that report has been illy advised and the truth was not told; therefore, we want to clarify the fact that the company has not bought land in New Jersey and I do not want any misstatements made about it.

Mr. GELDER. Mr. President, the interrogation of the Senator from Tioga is concerning the alleged report of the commission investigating the tax situation in Pennsylvania. I want to say that the report is not a report from the members of that committee as a committee. The members of the committee have not made a study of the tax situation, and even less a report, and certainly some of the members of the committee would not sanction the report, as I saw it a few moments ago, as a report of the committee. It is very distinctly the report of the Chairman and not the report of the Committee.

Mr. DENT. Mr. President, I stated it was not my report.

THIRD PRELIMINARY REPORT OF THE TAX STUDY COMMISSION

May 17, 1937.

Senators: John H. Dent, Chairman; Israel Stiefel, Frederick T. Gelder.

Representatives: Harry E. Trout, Vice Chairman; Samuel A. Weiss, Secretary; James E. Lovett.

It may be recalled that in the preamble of the Resolution under which this Commission was appointed, it was stated that there was uncertainty in the mind of the Legislature as to the accuracy of arguments against certain of our State taxes, which arguments were to the effect that those taxes were driving many industries out of Pennsylvania.

The preamble then continued:

Whereas, The members of the Legislature desire to have presented to them facts and figures gathered by persons who have no interest in the conclusion to be reached, so that they may know if Pennsylvania has taxed any industry more than any of its adjacent industrial States that enjoy equal economic advantages incident to the costs of the operation of any industry, such as nearness to markets, raw materials, cost of power and available labor and

Whereas, The members of the Legislature desire to have presented to them a complete set-up of all the taxes imposed upon industry both by local governments and the State, and then to have similar figures compiled for the States enjoying similar economic advantages; Therefore be it Resolved, etc.

And from the several separate resolution paragraphs we quote:

Resolved, That the said Joint Legislative Committee shall conduct an investigation to ascertain the number of industrial or mining concerns which have left our State, and the reason given therefor, and to ascertain the total tax burdens imposed by the States to which the said industrial or mining concerns have moved.

The First Preliminary Report of this Committee was made to the Senate on April 19, 1937, by Senator Dent, Chairman. It dealt with the bituminous coal industry in Pennsylvania and is now a part of the Legislative Journal.

The Second Preliminary Report likewise was made to the Senate on May 17, 1937, by Senator Dent, Chairman, and dealt with the anthracite coal industry of this State. That report also is a part of the Legislative Journal.

This Third Preliminary Report of the Committee, presented to the House by Representative Trout, Vice Chairman, will deal with certain branches of manufacturing industry, in certain sections of our State.

In presenting to the Legislature the important and significant facts here submitted, the Committee wishes to emphasize that it has been functioning but a very short time. What we set forth in this report, therefore, is little more than a scattered scratching of the surface of this very serious situation.

We do desire, however, to give the Legislature some convincing evidence that its Committee is industriously pursuing its task. And even at this early date we are in a position to say that the migration of industries from Pennsylvania has reached a point where all thoughtful citizens, and especially those entrusted with the making of our laws, well may pause to give serious consideration to the causes of these removals, and the painful consequences of this continued exodus of production, employment and payrolls from our State.

As a part of this present statement, we give the names, former addresses, number of workers that were employed, and the approximate payrolls, of 24 concerns in a single branch of manufacture that have moved out of Pennsylvania from a single city in this Commonwealth within the last two years.

We concede that this list is not complete, even for this single branch of enterprise, in only one city, for the period of only two years. But we do contend that it is deeply significant of a tragic trend which we of Pennsylvania cannot longer ignore, or accept without some drastic efforts to remove the causes and stop these losses which are draining employment and purchasing power away from our State.

The 24 plants which we are listing in this report furnished regular employment to about 6,720 workers, at an annual payroll of $9,828,000. That is the yearly amount of actual wages that has been lost by labor in that one city, through the removal of those concerns to other States. It is the sum, therefore, that has been taken from the purchasing power of that community and this State, and which consequently has been lost to a great variety of other enterprises, because those businesses found it to their advantage to leave this Commonwealth and locate elsewhere.

All of these concerns were manufacturers of hosiery in the City of Philadelphia. Among those that still remain, the largest are now shut down by labor conflicts. Your Committee, therefore, has no reason to doubt the considered statement of one who is in a position to know, and who says that "there isn't a hosiery manufacturer in that city who isn't anxious, and in most instances preparing, to get out of Pennsylvania."

Here is the partial list of departed industries which your Committee reports at this time—all of these liquidations or removals having occurred during the last two years:

Windsor Hosiery Mills, formerly located at Second and Westmoreland Streets, Philadelphia; moved in December, 1936, locating one part of plant in Tennessee and the other part in New York State. Employed 700 workers, at a weekly payroll of $21,000, or $1,092,000 a year.

Northwood Hosiery Mills, formerly located at Second Street and Wyoming Avenue, Philadelphia; moved during 1935 and 1936 to Charlotte, North Carolina. Employed 80 workers, practically all highly skilled, at a weekly payroll of $4,000, or $208,000 a year.

Thomas W. Buck, formerly located at Jasper and York Streets, Philadelphia; liquidating during 1935 and 1936. Employed 500 workers, at an approximate weekly payroll of $10,000, or $520,000 a year.

Gatham Hosiery Mills, formerly located at Second and Norris Streets, Philadelphia. Employed 1,000 workers at a weekly payroll of $30,000, or $1,560,000 a year.

Cadet Hosiery Mills, Second Street and Allegheny Avenue, Philadelphia; moved to Decatur, Alabama. Employed 300 at an approximate weekly payroll of $7,500, or $390,000 a year.

Rodgers Hosiery Company, formerly located on Price Street, Philadelphia; moved, during 1936 and 1937, to Athens, Georgia. Employed 200 workers, at an approximate weekly payroll of $5,000, or $260,000 a year.

Ellis Hosiery Mills, formerly located in Kensington, Philadelphia; sold at auction in 1936. Employed 70 workers, at a weekly payroll of $2,100, or $109,200 a year.

Thomas W. Brown's Glenn Mills, formerly located at Twenty-first and Lippincott Streets, Philadelphia. Employed 1,000 workers, at an approximate weekly payroll of $25,000, or $1,300,000 a year.

Warburton Hosiery Mills, formerly located in Kensington, Philadelphia, liquidated and equipment sold to a concern in Pulaski, Virginia. Employed 100 workers, at a weekly payroll of $2,500, or $130,000 a year.

Granite Hosiery Mills, formerly located at Frankford Avenue and Ontario Streets, Philadelphia; liquidated in 1935 and 1936. Employed 1,200 workers, at an approximate weekly payroll of $30,000, or $1,560,000 a year.

The Bla-Shone Hosiery Mills, formerly located at Allegheny Avenue and Mascher Street, Philadelphia; sold out in 1936. Employed 200 workers, at a weekly payroll of $4,000, or $208,000 a year.

The Kaplan Mills, Hancock and Huntingdon Streets, Philadelphia; removed 25 machines to Salisbury, Maryland, in 1936, displacing 60 workers at a weekly payroll of $1,500, or $78,000 a year.

Owen Osborne, formerly located at Third and Somerset Streets, Philadelphia; removed to Gainesville, Georgia. Employed 100 workers, at an approximate weekly payroll of $3,000, or $156,000 a year.

The Marshall Field Mill, Torresdale, Philadelphia, removing to Fairfield, Virginia. Employed 150 workers, at an approximate weekly payroll of $6,000, or $312,000 a year.

Colonial Knitting Mills, Clearfield and B Streets, Philadelphia; continues to do its finishing there, but has removed the employment of 400 workers to Cape May Court House, New Jersey, and Mohnton, Pennsylvania. The lost payroll was $14,000 a week, or $728,000 a year.

Harron Hosiery Mill, formerly located at 3360 Frankford Avenue, Philadelphia; liquidated in 1935. Employed 75 workers, at a weekly payroll of $2,250, or $117,000 a year.

Real Art Hosiery Company, formerly located at 6020 Palmetto Street, Fox Chase, Philadelphia; moved, in January, 1937, to Georgia. Employed 60 workers, at a weekly payroll of $2,400, or $124,800 a year.

Purple Stripe Hosiery Company, formerly located on Hellerman Street, Frankford, Philadelphia, removed to Georgia in 1936. Employed 40 workers, at a weekly payroll of $1,200, or $72,400 a year.

A hosiery mill located in the Frankford section of Philadelphia (name withheld for obvious reasons) has its new location, outside of Pennsylvania, ready for occupancy, and is prepared to move at the first opportunity. It employs 60 workers, at an approximate weekly payroll of $1,800, or $93,600 a year.

Another, in the Fox Chase section of Philadelphia, has its plant ready at Middletown, Delaware, and is ready to move. It employs 40 workers, at an approximate weekly payroll of $1,600, or $83,200 a year.

Nickels and Lauber, Broad Street near Huntingdon, Philadelphia, has transferred to a new branch, at Berlin, New Jersey, the employment of about 70 workers, at an approximate weekly payroll of $2,100, or $109,200 a year.

The Proper and McCallum mill, at 191 Roosevelt Boulevard, Philadelphia, is to be sold on May 12th. It employs about 200 workers, at an approximate weekly payroll of $8,000, or 416,000 a year.

The Quaker Hosiery Company, 22nd Street and Lehigh Avenue, Philadelphia, is starting a new plant in South Carolina, and the Cambria Silk Hosiery Company, of 176 W. Louden Street, Philadelphia, is transferring a part of its work to Georgia. It is estimated that these two transfers will displace about 130 workers, at a total annual wage of $200,600.

As already has been stated, the removal of those 24

plants represents 6,720 lost jobs, and the complete evaporation, therefore, of a total annual payroll amounting to $9,828,000. If this situation were confined to our largest city, it would be cause for deep concern; but unfortunately it is not confined to any one section, but prevails practically throughout our State.

For example, we regret to report that one of the largest concerns of its kind in the world, unable to continue business successfully in Pennsylvania, already has opened two new plants in Georgia and is building a third, and is said to contemplate the eventual complete break-up of its present huge plant in this State.

We report, also, that a hosiery mill in Quakertown, Pa., is about to liquidate, which will throw out of employment about 40 workers whose total annual wage has amounted to approximately $70,000.

Likewise, we call attention to the fact that the permanent closing of the Ajax Hosiery Company, at Phoenixville, eliminated about 630 jobs, and a payroll of $20,000 a week, or $1,040,000 a year.

It is definitely known that current State taxes caused a large third class city in Pennsylvania to lose a bona fide industrial prospect, which would have given employment to 1,500 workers, at an annual payroll of approximately $1,500,000.

A plant in Lehigh County, employing 2,000 workers, already has invested more than $1,000,000 in the erection of a new plant in another State.

Another Pennsylvania concern, originally employing 1,000 workers, is progressively transferring its activities out of this State.

Still another, employing 500, was preparing to expand its Pennsylvania plant. Two hundred additional jobs would have been created. Pennsylvania taxes caused a change of plans, and New Jersey got the 200 jobs.

All that has been set forth here cannot be regarded as more than a cursory glance at the Pennsylvania situation; yet these specific migrations, liquidations, transfers and closings, account for a total annual payroll, lost or displaced, amounting to more than $16,000,000 a year.

But, to say that Pennsylvania labor has thus lost $16,000,000 in wages, is to present only a part of the picture. It is $16,000,000 of purchasing power no longer circulating in our communities and State. It is $16,000,000 of purchasing power that is no longer maintaining jobs in many other lines. Actually, therefore, the loss to Pennsylvania is not $16,000,000, but several times that figure—plus a wholly additional double cost that the general public must bear. For the general public not only must support the jobless and their dependents, but the removal from Pennsylvania of those concerns which previously paid taxes here, leaves a lesser number of taxables to bear the increased load.

Hence, the very condition which has arisen at least in large part from placing excessive taxes upon production, operates to make more taxes necessary, and thereby drive more industries out of the State. There can be no doubt, therefore, that the situation is so critical as to demand a thorough investigation, and the application of the earliest possible remedies.

As an illustration of the manner in which Pennsylvania taxes upon business are now operating, in comparison with nearby industrial States, we submit the following letter of the Armstrong Cork Company, Lancaster, Pa., in response to an inquiry by a member of this Committee. The essence of the whole problem is in that line of figures which is captioned "Tax, per $1,000 of investment."

The letter sets forth the facts of the financial set-ups of the company's plants in Pennsylvania, New Jersey, New York and Massachusetts. In New Jersey, the total of its States taxes amounts to 71 cents per $1,000 of investment. In Massachusetts it is $3.48; and in New York $5.95. But in Pennsylvania it amounts to $18.12. In other words, on the investment basis, that company's taxes in Pennsylvania are three times the rate prevailing in New York; five times the rate in Massachusetts; and 25½ times the rate in New Jersey. The figures are all for the year 1936.

Here is the letter in full:

(Copy)

ARMSTRONG CORK COMPANY
LANCASTER, PA.

April 24, 1937.

The Honorable Harry E. Trout,
Box 5, House of Representatives,
Harrisburg, Pennsylvania.

Dear Mr. Trout:

In accordance with your telephone request of this week, I have had prepared comparative figures showing the Company's capital investment and State tax bills for 1936 in the various States in which we have factories. In Pennsylvania, of course, we have by far the largest investment and the greatest number of employees. The Pennsylvania State tax bill in relation to the State tax bills in other States speaks for itself:

	Pennsylvania	New Jersey	New York	Massachuetts
Capital Invested	$21,303,871.00	$3,486,775.00	$1,009,083.00	$385,810.00
Net Income	3,430,239.00	280,754.00	88,292.00	18,200.00
Volume of Business	26,589,877.00	2,177,211.00	682,464.00	141,667.00
Accured State Taxes	386,000.00	2,500.00	6,000.00	1,300.00
Taxes, per $1,000 of Investment	18.12	.71	5.95	3.48

The above figures are all for the year 1936. Following is a list of the State taxes paid in the States mentioned:

Pennsylvania State Taxes

Corporate Income Tax	$265,000
Corporate Loan Tax	21,000
Capital Stock Tax	100,386

New Jersey State Taxes

Franchise Tax	$2,500

New York State Taxes

Franchise & Income Tax	$6,000

Massachusetts State Taxes

Excise Tax	$1,300

Taxes for unemployment relief were omitted because these are not for purposes of State revenue and the rates are practically the same in all of the States in question.

I hope that these figures will answer your inquiry adequately, but if there is anything further that you would like to know, please call on me.

Sincerely yours,

(Signed) H. W. P.
President.

We also present here a statement prepared by the comptroller of Raybestos-Manhattan, Inc., of Passaic, N. J., showing the Pennsylvania State taxes upon the U. S. Asbestos Division, located at Manheim, Pa., for the years 1932 to 1936, inclusive.

The comptroller points out that the total increased from $1,770.77 in 1933, to $39,798.72 in 1936, and that is between 1934 and 1936 the increase is 2,372%.

He also sets forth that whereas, in 1933, the total of Pennsylvania State taxes upon that plant amounted to $1.50 for each thousand dollars of net worth, the load in 1936 amounted to $22.60 for each thousand dollars of net worth. Also, that while the 1933 taxes amounted to $1 for each thousand dollars of net sales, the 1936 ratio was $9.40 of State taxes for each thousand dollars of net sales.

In an accompanying notation, he emphasizes the fact that New Jersey has not any taxes comparable with the Corporation Net Income Tax or the Franchise Tax of Pennsylvania, the sum of which will cost the United States Asbestos Division, at Manheim, approximately $28,000 for 1936—these two taxes alone representing $15.91 per thousand dollars of net worth, and $6.62 per thousand dollars of net sales."

Following is the tax chart:

Schedule of Tax Comparisons
U. S. Asbestos Division, Manheim, Pa.

	1936	1935	1934	1933	1932
Corporate Net Income Tax Penna. (Est.)	$18,000.00	$8,082.84	.....	.....	.....
Franchise Tax Penna. (Est.)	10,000.00	6,938.84	.....	.....	.....
Capital Stock Tax Penna.	.....	.....	$33.26	$70.77	$65.82
Real Estate Tax, Manheim ...	1,641.85	1,447.91	1,576.25	1,700.00	1,968.14
Unemployment Comp. Pennsylvania	10,156.87	.....	.....	.....	.....
	$39,798.72	$16,469.59	$1,609.51	$1,770.77	$2,033.96

Increase over 1935 ..... 142%
Increase over 1934 .....2,372%

	1936	1935	1934	1933	1932
Net Worth	$1,759,740.79	$1,499,799.49	$1,308,921.29	$1,193,516.50	$1,000,744.75
Percent	2.26	1.10	.12	.15	.20
Per $1,000.00	$22.60	$11.00	$1.20	$1.50	$2.00
Net Sales	$4,228,809.00	$3,343,727.59	$2,254,544.78	$1,770,327.35	$1,374,419.67
Percent	.94	.49	.07	.10	.15
Per $1.000.00	$9.40	$4.90	$.70	$1.00	$1.50

1936 Income and Franchise Taxes to Net Worth:
Percent 1.59
Per $1,000.00 $15.91
1936 Income and Franchise Taxes to Net Sales:
Percent .67
Per $1,000.00 $6.62

The two cases already cited give added significance to the startling disparity between the Pennsylvania State taxes upon the Curtis Publishing Company, Philadelphia, for 1936, as compared with the total State taxes which that company, with the same financial set-up, would have paid for the same year in either of three adjoining States —New Jersey, Delaware or Ohio.

Disregarding the Social Security taxes, which would be the same in any State, the Curtis Publishing Company prepared for this Committee the following estimate of its 1936 tax bill to the State:

Capital Stock Tax, based on 1935 valuation of $90,000,000	$360,000
Additional Tax due to Cohen Act, if enacted	46.000
Total Penna. Capital Stock Tax	$406,000
State Income Tax—estimated	$310,000
Total Pennsylvania State Taxes, as reported to stockholders	$716.000

But as between the time that estimate was prepared, and its being forwarded to the Committee, the Pennsylvania Department of Revenue made an audit which indicates that those figures will have increased by $35,000, so that the total for 1936 will be $751,000.

That figure is almost precisely 100 times the total State taxes that would have been imposed upon the Curtis Publishing Company by New Jersey, to which State the company now is making ready to move.

Here is the company's statement of the taxes it would have paid for 1936 in that State:

New Jersey—Estimated on basis of 1936 condition

Franchise Tax—Based on capital stock issued and outstanding up to 20,000 shares @ 3c	$600
20,000 shares to 30,000 shares or 10,000 shares @ 2c	200
30,000 " " 40,000 " " 10,000 " @ 1c	100
40,000 " " 50,000 " " 10,000 " @ ½c	50
2,650,000 shares @ ¼c	6,625
Total Franchise Tax	$7,575
Income Tax	None
Business License Tax	Not Applicable
Sales. Tax	None

In Delaware, the total would have been slightly less than New Jersey, or a trifle more, depending upon whether or not the concern would be subject to the Manufacturers License Tax of that State. Here is the estimate for Delaware:

Delaware—Estimated on basis of 1936 condition

Franchise Tax—Based on authorized capital stock on first 250 shares	$ 5
251 shares to 1,000 shares	10
1,001 shares to 3,000 shares	20
3,001 shares to 5,000 shares	25
5,001 shares to 10,000 shares	50
Each additional 10,000 shares @ $25. 2,690.000 share equals	6,725
Total Franchise Tax	$6,835
Income Tax	None
Business License Tax	Not Applicable

Manufacturers License Tax

This is a tax on the carrying on of the business of working raw materials into products of a different character, finished or unfinished; or of effecting any combination or composition of materials, the inherent nature of which is changed; or of finishing by hand or machinery, goods, wares or merchandise, or any article or material. If it is possible to subject Curtis to this tax then the yearly tax would be about $8,000.

In Ohio, where two of its principal competitors—the Crowell and the McCall publishing companies—are located, the total of State taxes upon the Curtis Publishing Company would be between 40 and 50 thousand dollars a year. In other words, as an official of the Curtis Company put it to a member of this Committee, "the company starts off with a competitive handicap of $700,000 a year as a consequence of being located in Pennsylvania."

Officers of that company have been perfectly candid, and, we believe, wholly truthful, with this Committee. They state frankly that at no time have they wished to move from Pennsylvania. The sentimental motive alone is a strong one in behalf of this State. Also, removal entails many legal bothers.

Nevertheless, the demand of the stockholders to get out of Pennsylvania cannot much longer be disregarded, unless substantial relief from the present tax burden is in sight; and the company has, as a consequence, not only bought the site for its new plant in Burlington County, N. J., but has the completed plans for its manufacturing and office buildings.

Here are the figures which tell the story of the Curtis Publishing Company's impending removal from Pennsylvania: Irrespective of Social Security taxes, it pays the State about $750,000 a year; and, to the City of Philadelphia, realty taxes upon its Independence Square and Washington Avenue plants, about $150,000 a year—a total of approximately $900,000.

The Independence Square building, while a magnificent monument, is 25 years old and no longer adapted to the needs of the concern. It can build adequately to its requirements for about a million and a half dollars in Burlington County, N. J. Its State taxes, as shown, would be about $7,500 a year, or approximately one one-hundredth of those imposed by Pennsylvania. The Dorrance Estate tax not only cleared Burlington County of public debt, but gave it a surplus. Its realty tax rate, therefore, is infinitesimal as compared with that of Philadelphia. In short, the company figures that the total cost of removal, constructing the new plant, etc., would be cancelled off in from two to three years out of the tax savings. And its transportation problems would be simplified by the change.

About 75% of that company's employees now live in Pennsylvania, and the other 25% in New Jersey. The

company estimates that within from two to three years after its removal to New Jersey, those figures would be reversed. The number of its employees now living in Pennsylvania is 3,580, and to these Pennsylvania residents, for the year 1936, the company paid total wages of $6,128,000.

Another concern that has been driven to serious preparations for leaving this State—and which is in a position to do so without any great difficulty—is the Dixie-Vortex Company, of Easton, manufacturers of sanitary drinking cups.

This company was prevailed upon to move into Pennsylvania from New York about 15 years ago, because of conditions more favorable to industry in this State. It put up a plant which, added to from time to time, has cost about $1,000,000. It started with 200 employees, and now averages 750 the year around, with an annual payroll of approximately 1,000,000. And the important thing about this concern, from a community viewpoint, is that it generates between 10% and 20% of the entire purchasing power created in the Easton industrial area. Also, it was the only concern in that section which was able to maintain virtually fulltime employment throughout the entire period of the depression.

In 1934 the total of Pennsylvania State taxes paid by that company was $1,700. For 1936 the total was $65,000. Not only does that tax increase within a period of two years amount to more than 3,823%, but inasmuch as the concern only does about $450,000 of its business in this State, its Pennsylvania States taxes for the year 1936 amounted to 14 cents out of every dollar's worth of business it did in this State. More significant than that is the company's statement that only 10% of its profits were derived from the business done in Pennsylvania, and the 1936 State taxes amounted to 50% of this profit.

The Dixie-Vortex Company also has plants in Chicago and Toronto, Canada—the main offices being in the former city. It is known that the president of the concern has ordered the managers of the Easton plant to prepare to leave Pennsylvania.

In Delaware the total State tax upon that concern, as is, would have amounted to the infinitesimal sum of $125. But it is probable that the company will elect to move less than two miles—across the river into Phillipsburg, N. J.—to escape its terrifically increased Pennsylvania tax burden.

As has been said, the Easton plant cost approximately $1,000,000. Allowing for depreciation and decreased values, it is carried on the books of the company at $750,000. The management informs this Committee that if it has to dispose of this plant for only $250,000—one-quarter of its cost, and one-third of the value at which it is now carried on the books—the company nevertheless can, out of the tax saving to be had from moving across the river into New Jersey, completely amortize the cost of the New Jersey plant in from five to seven years.

We add one more case at this time. About 51 years ago the Nodle and Horst Company, manufacturers of full-fashioned women's and seamless men's hosiery, began business in a modest way in the City of Philadelphia. Shortly thereafter it removed to Reading, and later established an additional plant in the nearby community of Womelsdorf.

In these two plants it employs 2,500 workers, at an average annual payroll of approximately $2,000,000. Last year it built an additional plant in Tennessee and removed a part of its Pennsylvania equipment to the southern mill.

To avoid unnecessary trouble with its present employees, the Company is reluctant to reveal definitely its plans. But in view of the action already taken, and in the light of the data that has been set forth in this report, it is not difficult to guess the nature of those plans.

We have felt that these specific cases—produced within the short period that your Committee has been at work—should be presented to the Legislature at once, although they cannot be considered to comprise anything like a complete report.

HOUSE MESSAGES

HOUSE BILL FOR CONCURRENCE

The Clerk of the House of Representatives being introduced, presented for concurrence bill of the House of Representatives as follows:

House Bill No. 2436, (Senate Bill No. 1434), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief, and expenses; defining the purposes for which such moneys may be expended; prescribing the powers and duties of the State Emergency Relief Board and certain State departments; prohibiting political activity by employes of the State Emergency Relief Board; and prescribing penalties.

Which was committed to the Committee on Appropriations.

SENATE BILL NO. 670 RETURNED WITH AMENDMENTS

He also returned to the Senate, Senate Bill No. 670, entitled:

An Act to amend sections 4 and 6 of the act approved the seventh day of August, 1936, (P. L. 106) entitled, "An act relating to flood control prescribing the powers and duties of the Water and Power Resources Board of the Department of Forests and Waters in relation to the creation of flood control districts adoption of plans for flood control works and improvements carrying into effect of such plans assistance aid and cooperation with public and private agencies and the Federal Government in Federal flood control works and improvements and entering into compacts and agreements with other states for flood control works and improvements conferring the power of eminent domain imposing certain charges upon the Commonwealth providing for appeals and conferring certain powers on municipalities counties and townships the Department of Highways and the Department of Property and Supplies" as re-enacted and amended by providing for recording of completed suitable plans and the effect thereof as constructive notice to owners of property taken damaged or destroyed.

with the information that the House has passed the same with amendments, in which the concurrence of the Senate is requested.

REPORT FROM COMMITTEE

Mr. RICE. Mr. President, I ask unanimous consent to make a report from committee at this time.

The PRESIDENT. Is there objection? The Chair hears none.

Mr. RICE from the Committee on Appropriations, reported as committed, Senate Bill No. 1434, (House Bill No. 2436), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief and expenses, defining the purposes for which such moneys may be expended, prescribing the powers and duties of the State Emergency Relief Board and certain State departments, prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties.

MOTION TO READ BILLS THE FIRST TIME

Mr. RICE. Mr. President, I move that all bills reported from committees at today's session be read the first time.

Mr. HOMSHER. Mr. President, I second the motion.
The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 488, entitled:

An Act to re-enact and amend the title and the act approved the second day of June one thousand nine hundred fifteen (Pamphlet Laws seven hundred and thirty-six) entitled "An act defining the liability of an employer to pay damages for injuries received by an employe in the course of employment establishing an elective schedule of compensation and providing procedure for the determination of liability and compensation thereunder" by changing adding to and increasing the schedules of compensation prescribing and changing certain presumptions and rules of evidence increasing the requirements to be met by employers desiring to be self-insurers conferring certain powers and duties upon the Department of Labor and Industry imposing additional duties and liabilities upon employers and insurance carriers including the cost of administering the workmen's compensation system including the rehabilitation of employes providing for the payment of compensation for certain second injuries and for the rehabilitation of injured employes and for the payment of re-opened cases after a certain lapse of time by the Commonwealth out of moneys required to be paid into the State treasury by certain employers and insurance carriers in death cases where there are no dependents imposing new and changing certain existing penalties and generally amending clarifying and changing the provisions of said act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1127 (House Bill No. 1246), entitled:

An Act to prohibit the recruiting or the securing or offering to secure employment for persons to take the places of employes where a labor strike is pending or a lockout exists.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1330 (House Bill No. 1173), entitled:

An Act to insure and protect fair trade practices in distribution; defining such practices; prohibiting the advertisement, offer for sale or sale of merchandise at less than cost, and fixing a penalty for such advertisement, offer for sale, or sale, and investing the courts with jurisdiction to prevent and restrain violations of the act.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1366 (House Bill No. 1615), entitled:

An Act authorizing the Department of Property and Supplies to acquire by purchase or gift or lease or condemnation on behalf of the Commonwealth of Pennsylvania the property of the Seventh Day Baptists of Ephrata in whole or in part to provide for the control management and supervision of the property when acquired by the Pennsylvania Historical Commission authorizing the commission to maintain the same and make and enforce rules and regulations for its preservation and visitation thereof and making an appropriation for such acquisition and maintenance.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1369 (House Bill No. 2113), entitled:

An Act providing for the reciprocal enforcement of violations of the fishing laws in boundary waters between Pennsylvania and the States of New York and New Jersey.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1399 (House Bill No. 1194), entitled:

An Act creating a joint legislative commission to be known as the Joint State Government Commission, providing for the appointment of its members and defining its powers and duties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1401 (House Bill No. 2242), entitled:

An Act to amend section six of the act approved the twenty-first day of May, one thousand nine hundred thirty-one (Pamphlet Laws one hundred forty-nine) entitled, "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power, providing for the collection and lien of the tax and the distribution and use of the proceeds thereof, requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records, imposing duties on retail dealers, common carriers, county commissioners and such distributors, providing for rewards, imposing certain costs on counties, conferring powers and imposing duties on certain State officers and departments, providing for refunds, imposing penalties and making an appropriation," by making further provision regarding the discount allowed to distributors if reports are filed and taxes paid on time.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1422 (House Bill No. 1817), entitled:

An Act to fix the number of Representatives in the General Assembly of the State and to apportion the State into representative districts as provided by the Constitution.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,
The Senate proceeded to the first reading and consideration of Senate Bill No. 1434 (House Bill No. 2436), entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief, work relief and expenses, defining the purposes for which such moneys may be expended, prescribing the powers and duties of the State Emergency Relief Board and certain State departments,

prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

ANNOUNCEMENTS BY THE SECRETARY

A Democratic Caucus will meet at 9:30 p. m. in the Senate Caucus Room.

The Committee on Labor and Industry will meet tonight upon the convening of the Senate.

The Committee on Legislative Apportionment will meet immediately upon adjournment today.

The Committee on State Government will meet immediately upon adjournment in Room 265.

The Committee on Executive Nominations will meet in the office of the President Pro-Tempore immediately upon adjournment today.

The Committee on Municipal Government will meet in Room 402 tomorrow, the twenty-sixth, at 10:00 a. m.

The Committee on Agriculture will meet tomorrow in Room 200 at 11:50 a. m.

The Committee on Judiciary General will meet tomorrow, May 26, at 11:00 a. m. in Room 302.

The Committee on Utilities will meet at 11:30 a. m. tomorrow in Room 401.

The Committee on Welfare will meet during the recess tomorrow.

The Committee on Mines and Mining will meet at 12:30 tomorrow in Room 302.

ADJOURNMENT

Mr. RICE. Mr. President, I move that the Senate do now adjourn.

Mr. LAW. Mr. President, I second the motion.

The motion was agreed to.

The Senate adjourned at 11:59 p. m. until 1:00 p. m. tomorrow, Wednesday, May 26, 1937.

HOUSE OF REPRESENTATIVES

TUESDAY, MAY 25, 1937.

The House met at 8:30 p. m.

The SPEAKER, (Roy E. Furman), in the Chair.

PRAYER

The Chaplain, Rev. EPHRAIM Z. GALLAHER, offered the following prayer:

We use the prayer of George Grove Keefer (by request) "Father we thank Thee for another day's sustenance, for another day's opportunities and for another day's achievements; and now at the approach of night, we pray Thee to give us that assurance, that peace, and that repose, which the world cannot give. In Jesus' name, we pray, Amen."

JOURNAL APPROVED

The SPEAKER. The Clerk will read the Journal of yesterday.

The Clerk proceeded to read the Journal of yesterday, when, on motion of Mr. MUIR, the further reading was dispensed with and the Journal approved.

COMMUNICATIONS

The SPEAKER laid before the House the following communications which were read by the Clerk.

FUNERAL DIRECTORS

A communication from the Funeral Directors Organization of Philadelphia opposing passage of House Bill No. 1952.

Referred to the Committee on State Boards.

FIRE PROTECTION

A resolution from the Keystone Fire Chief's Association of Pennsylvania urging passage of House Bill No. 947.

Referred to the Committee on Insurance.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellency, the Governor, which was read as follows:

APPROVAL OF HOUSE BILLS Nos. 234, 905, 915, 1130, 1411, 1639 and 1642.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 25, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day approved and signed the following:

House Bill No. 234, Printer's No. 321, entitled "An Act to re-enact the act approved the eighteenth day of May one thousand nine hundred and thirty-three (P. L. 826) entitled 'An act authorizing Courts of Common Pleas to stay writs of execution against and tax sales of certain real property in certain cases providing for the continuance of return days of writs of execution and authorizing sales thereon without issuance of further writs' as amended."

House Bill No. 905, Printer's No. 655, entitled "An Act prohibiting industrial police from carrying weapons when not on duty requiring them to leave the same at place of employment and prescribing penalties."

House Bill No. 915, Printer's No. 205, entitled "An Act authorizing the Department of Public Instruction to fix the annual expiration date for licenses and registration certificates for professions trades and occupations."

House Bill No. 1130, Printer's No. 917, entitled "An Act to amend section fifty and seventy-two as amended sub-section (b) of section one hundred ninety-one sections two hundred twenty and two hundred twenty-six as amended sections two hundred twenty-eight and two hundred fifty-six and section two hundred eighty-five as amended of and to add section two hundred eighty-two and two hundred eighty-three of the act approved the second day of May one thousand nine hundred and twenty-five (Pamphlet Laws four hundred forty-eight) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" further regulating the taking of fish changing certain penalties and providing new penalties requiring certain persons to possess fishing licenses providing for and regulating the revocation of fishing licenses providing for the payment over of fines collected and the return of fines erroneously collected vesting certain additional powers in the Board of Fish Commissioners eliminating certain restrictions on

the use of license fees and regulating closed seasons on boundary lakes

House Bill No. 1411, Printer's No. 758, entitled "An Act to further amend the act approved the thirtieth day of March one thousand nine hundred and seventeen (P. L. 21) entitled 'An act defining optometry and relating to the right to practice optometry in the Commonwealth of Pennsylvania and making certain exceptions and providing a Board of Optometrical Education Examination and Licensure and means and methods whereby the right to practice optometry may be obtained and providing for the means to carry out the provisions of this act and providing for revocation or suspension of licenses given by said board and providing penalties for violations thereof and repealing all acts or parts of acts inconsistent therewith' by conferring certain powers on the State Board of Optometrical Examiners further regulating and providing for the licensing of branch offices prescribing additional grounds for refusing cancelling revoking or suspending licenses and making certain changes as to persons who are and those who are not subject to the provisions of the act."

House Bill No. 1639, Printer's No. 951, entitled "An Act providing for the use of the Pennsylvania Industrial School at Huntingdon as an institution for the reception care maintenance detention employment and training of defective delinquents authorizing the preparation and equipment (including necessary construction) of the institution for such purpose either by the Department of Property and Supplies or The General State Authority and authorizing the necessary leases or conveyances for this purpose changing the name of the Board of Trustees of Pennsylvania Industrial School providing for the commitment and transfer of such persons to such institution and discharge therefrom conferring powers and imposing duties on the aforesaid board of trustees the Department of Welfare and courts and imposing certain charges on counties."

House Bill No. 1642, Printer's No. 1029, entitled "An Act to provide for the permanent personal registration of electors in cities of the second class as a condition of their right to vote at elections and primaries, and their enrollment as members of political parties as a further condition of their right to vote at primaries; prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors; and prescribing the powers and duties of citizens, parties, political bodies, registration commissions, commissioners, registrars, inspectors of registration and their appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations, real estate brokers, rental agents, and boards of school directors; and imposing penalties.

GEORGE H. EARLE.

SENATE MESSAGES

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 117. (HOUSE BILL No. 2458).

An Act to amend section one thousand three hundred and one of the act approved the fourth day of May one thousand nine hundred and twenty-seven (P. L. 519) entitled "An act concerning boroughs and revising amending and consolidating the law relating to boroughs." as amended establishing a compulsory tax levy for fire protection.

Referred to the Committee on Boroughs.

SENATE BILL No. 201. (HOUSE BILL No. 2459).

An Act to amend Clause C of section three hundred fifteen of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by changing the rule for the investment of certain funds by burial and cemetery companies.

Referred to the Committee on Corporations.

SENATE BILL No. 432. (HOUSE BILL No. 2460).

An Act authorizing and directing the Department of Highways to erect and construct a bridge over the Susquehanna River between a point on State Street in the City of Harrisburg to a point in Cumberland County and to provide the necessary approaches and connections with State highways providing for the acceptance of Federal aid empowering counties to pay certain damages providing for the collection of tolls on such bridges and making an appropriation.

Referred to the Committee on Highways.

SENATE BILL No. 668. (HOUSE BILL No. 2461).

An Act to amend route 15176 of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (P. L. 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing certain routes.

Referred to the Committee on Highways.

SENATE BILL No. 744. (HOUSE BILL No. 2462).

An Act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write workmen's compensation insurance in this Commonwealth and to provide for the administration thereof.

Referred to the Committee on Labor.

SENATE BILL No. 815. (HOUSE BILL No. 2463).

An Act relating to motor vehicles new and used creating a motor vehicle dealers' commission establishing its jurisdiction powers and duties and creating and providing for approved motor vehicle appraisers establishing their powers and duties regulating the sale trade-in allowance appraisals and information furnished the Commonwealth on motor vehicle new and used and establishing regulations concerning speedometers authorizing the Commis-

sion to establish periodical prices for used motor vehicles either sold or traded in establishing the appraisal value of motor vehicles new or used either for sale or used trade-in allowances providing for the licensing of motor vehicle dealers and salemen and approved motor vehicle appraisers and the payment of fees therefor authorizing examination of the business papers and therefor authorizing examination of the business papers and affairs of and requiring the filing of reports by licensees authorizing and empowering the Commission to hold hearings and to issue rules and orders and the issuance of subpoena by the Commission or its agents and conferring jurisdiction upon the courts to punish contempts or to prohibit violations of orders of the Commission providing for appeals to the courts from decisions of the Commission imposing penalties and making appropriation.

Referred to the Committee on State Boards.

SENATE BILL No. 955. (HOUSE BILL No. 2464).

An Act authorizing and empowering cities of the first class to erect and construct waterworks as herein defined within and without their corporate limits, to acquire property within and without their corporate limits by purchase, lease, gift and the power of eminent domain, for such purposes; to generate power and erect power plants stations, and lines in connection therewith; and to use, sell and purchase water, water power and electric energy within and without their corporate limits; prescribing the powers and duties of such cities; providing for the assessment of damages; and repealing inconsistent laws.

Referred to the Committee on Cities.

SENATE BILL No. 1087. (HOUSE BILL No. 2465).

An Act to amend the act approved the second day of May one thousand nine hundred twenty-five (P. L. 448) entitled "An act relating to fish and amending revising consolidating and changing the law relating to fish in the inland waters and the boundary lakes and boundary rivers of the Commonwealth" as amended by changing the method of issuance of licenses and making further provisions for records and returns thereof.

Referred to the Committee on Fisheries.

SENATE BILL No. 1089. (HOUSE BILL No. 2466).

An Act to supplement the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" supplying a new Article XIX providing for the better government of such cities by regulating and improving the civil service of such cities establishing and regulating the powers and duties of Civil Service Commissions providing for the apopintment and regulating the duties and powers of Civil Service Directors defining certain crimes and imposing penalties.

Referred to the Committee on Cities.

SENATE BILL No. 1144. (HOUSE BILL No. 2467).

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (P. L. 640) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved Aprl twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by providing that certain companies shall not be subject to the tax.

Referred to the Committee on Ways and Means.

SENATE BILL No. 1160. (HOUSE BILL No. 2468).

An Act to further amend Article VI of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by adding thereto sub-article VI (h) consisting of sections 685 (six hundred eighty-five) to 696 (six hundred ninety-six) inclusive defining the specific powers and financial requirements of title insurance companies and providing for the regulation and supervision thereof and prohibiting the guaranteeing of mortgages by such companies.

Referred to the Committee on Insurance.

SENATE BILL No. 1161. (HOUSE BILL No. 2469).

An Act to amend section 101 of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by including title insurance companies within the definition of the word "company" as use in the act.

Referred to the Committee on Insurance.

SENATE BILL No. 1210. (HOUSE BILL No. 2470).

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor to enter into contract with persons firms or corporations to erect an office building and to lease such office building for the use of the Commonwealth the same to become the property of the Commonwealth upon termination of said lease.

Referred to the Committee on State Government.

SENATE BILL No. 1214. (HOUSE BILL No. 2471).

An Act to repeal section two of the act approved the first day of April one thousand seven hundred and ninety-seven (3 Smith's Laws 294) entitled "An act to regulate the manner of selling loaf bread and to repeal certain existing laws respecting the same."

Referred to the Committee on Repeal Bills.

SENATE BILL No. 1217. (HOUSE BILL No. 2472).

An Act to enable the Courts of Quarter Sessions to restore to the possession and ownership of former owners thereof certain intoxicating liquors seized for violation of law notwithstanding the conviction of the owner of said liquor of an offense in respect thereof.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1229. (HOUSE BILL No. 2473).

An Act to repeal section thirty of the act approved the first day of May one thousand eight hundred sixty-one (P. L. 450) entitled "An act relating to Allegheny County."

Referred to the Committee on Repeal Bills.

SENATE BILL No. 1245. (HOUSE BILL No. 2474).

An Act to define and regulate as a profession and in the public interest the practice of public accountancy to prohibit the practice of public accountancy by unauthorized persons to establish the Pennsylvania State Board of Accountancy to grant to the board usual and necessary administrative powers to define the status of a certified public accountant to provide for granting and issuing certificates and registration cards to accountants who qualify under and comply with the provisions of this act to provide for revoking and cancelling or suspending certificates and registration cards to prescribe the conditions under which partnerships may engage in the practice of public acountancy to fix the fees to be paid to the State for certificates and registration card to provide for the annual publication of the names and addresses of the persons and partnerships engaging in the practice of public accountancy to determine the ownership of professional papers defining privileged communications and information to recognize certain specifically limited exemptions to provide penalties for violation of the provisions of this act conferring jurisdiction on Common Pleas Courts to restrain violations and to repeal all acts and parts of acts inconsistent with the provisions thereof.

Referred to the Committee on State Boards.

SENATE BILL No. 1263. (HOUSE BILL No. 2475).

An Act to amend route two hundred and ninety-eight of section one of an act approved the twenty-second day of July one thousand nine hundred and thirteen (P. L. 948) entitled "An act establishing certain public roads as State highways and providing for certain construction and maintenance at the expense of the Commonwealth."

Referred to the Committee on Highways.

SENATE BILL No. 1298. (HOUSE BILL No. 2476).

An Act to amend sections one and two of the act approved the seventh day of August one thousand nine hundred thirty-six (P. L. 126) entitled "An act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs alterations and additions to and replacement of existing buildings and equipment" authorizing the use of said appropriation to remove hazards to health.

Referred to the Committee on Appropriations.

SENATE BILL No. 1302. (HOUSE BILL No. 2477).

An Act providing that in all cases where writs of habeas corpus are granted the judge may inquire into the facts of the case including an examination into the record proceedings and evidence produced against the person committed or detained before the committing judge officer or magistrate and making such records proceedings and evidence available for inspection by the petitioner or his counsel.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1317. (HOUSE BILL No. 2478).

An Act to amend section two of the act approved the seventh day of July one thousand nine hundred and thirty-six (P. L. 37) entitled "An act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof" by limiting appropriations to amounts realized by the sale of such certificates.

Referred to the Committee on Cities.

HOUSE BILLS CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, returned bills from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1200.

An Act making an appropriation out of the Motor License Fund to the Department of Highways for expenditure in the various second-class townships of the Commonwealth for the maintenance of township roads and bridges during the calendar years one thousand nine hundred thirty-eight and one thousand nine hundred thirty-nine apportioning the funds to the several counties on the basis of the maintenance costs for the year one thousand nine hundred thirty-two permitting the use of any surplus funds for construction and reconstruction and resurfacing of township roads and bridges requiring townships to exclude provision for maintenance of roads and bridges from their annual budget and tax levy for road and street purposes for said years authorizing the Department of Highways to rent road building machinery and equipment belonging to such townships in carrying out the provisions of this act and lapsing the unexpired or unencumbered balance of the appropriation remaining on January first one thousand nine hundred forty

HOUSE BILL No. 362.

An Act making an appropriation to the Woman's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

HOUSE BILL No. 611.

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

HOUSE BILL No. 634.

An Act to amend the act approved the thirteenth day of of April one thousand nine hundred and twenty-seven (P. L. 273) entitled "An act for the registration and regulation of certain individuals and entities selling offering for sale or delivery soliciting subscriptions to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein including securities issued by them conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania prescribing penalties and making appropriations" by extending the provisions thereof to employes of companies subject to the Public Service Company Law

HOUSE BILL No. 723.

An Act to amend section five hundred and eighty of the act approved the second day of May one thousand

nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended extending the powers of the county commissioners in the construction and maintenance of comfort stations

HOUSE BILL No. 731.

An Act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties

HOUSE BILL No. 835.

An Act requiring counties of the third class to repay moneys heretofore recovered on forfeited recognizances in certain cases and providing for the recapture of such moneys from future fines and forfeited recognizances payable to law and library associations

HOUSE BILL No. 1434.

An Act making a deficiency appropriation to the Department of Agriculture for reimbursing certain incorporated agricultural associations

HOUSE BILL No. 1566.

An Act making an appropriation to the Department of Welfare for the purchase of materials to be used in making articles required at the State institutions in connection with sewing projects established in Pennsylvania by the Federal Works Progress Administration

HOUSE BILL No. 1983.

An Act making an appropriation to the Department of Health to carry on the work of sealing abandoned coal mine openings

HOUSE BILL No. 2038.

An Act to further amend the second paragraph of section one of article one of the act approved the seventh day of March one thousand nine hundred and one (P. L. 20) entitled "An act for the government of cities of the second class' by providing that the mayor shall receive no compensation other than his salary for acting as justice of the peace

HOUSE BILL No. 2119.

An Act making an appropriation to the Department of Welfare for the payment of claims charges court costs and other expenses against the Commonwealth for the erection and construction of a reservoir at the State Industrial Home for Women at Muncy Pennsylvania

With the information that the Senate has passed the same without amendment.

CODIFICATION OF LIQUOR LAWS

The Clerk of the Senate being introduced presented an extract from the Journal of the Senate, which was read as follows:

In the Senate, May 25, 1937.

Resolved (if the House of Representatives concur), That the Legislative Reference Bureau be directed to prepare a subject code of the existing laws, relating to liquors and malt or brewed beverages, scientifically arranged by articles and submit such code in printed form with appropriate annotations to the 1937 session of the General Assembly for its consideration.

Ordered, That the Clerk present the same to the House of Representatives for its concurrence.

On the question,

Will the House concur in the resolution of the Senate?

It was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 358.

An Act to amend section five hundred forty-seven as amended and and sections eight hundred two and nine hundred two of and to add section nine hundred and two A to the act approved the first day of May one thousand nine hundred thirty-three (P. L. 103) entitled "An act concerning townships of the second class and amending revising consolidating and changing the law relating thereto" providing for and regulating the method of making appropriations expenditures contracts employments and purchases by the townships relating to the preparation of the annual budget on forms to be prepared by representatives of the State Association of Township Supervisors the Department of Highways and the Department of Internal Affairs providing for public notice of the preparation of such budget relating to the filing of such budget with the Department of Internal Affairs requiring auditors to file an annual report with such Department conferring jurisdiction of certain cases upon aldermen magistrates and justices of the peace and providing penalties

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendment made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 371.

An Act to amend sections twenty-one and forty-seven of the act approved the twentieth day of June one thousand nine hundred nineteen (P. L. 521) entitled as amended "An act providing for the imposition and collection of certain taxes upon the transfer of property passing from a decedent who was a resident of this Commonwealth at the time of his death and of property within this Commonwealth of a decedent who was a non-resident of the Commonwealth at the time of his death and making it unlawful for any corporation of this Commonwealth or national banking association located therein to transfer the stock of such corporation or banking association standing in the name of any such decedent until the tax on the transfer thereof has been paid and providing penalties and citing certain acts for repeal" by providing for the filing of bond with the Department of Revenue and by limiting the amount to be retained by registers of wills for their own use for collection of inheritance taxes as agents of the Commonwealth

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 7049.

An Act to amend sections four hundred ten and four hundred eleven of the act approved the seventeenth day of May one thousand nine hundred and twenty-one

(Pamphlet Laws six hundred eighty-two) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" requiring companies of other states and foreign governments to make a provision for loans in policies of life insurance prohibiting any provision by which a policy of life insurance would take effect before the original application was made

AMENDED SENATE BILL CONCURRED IN BY SENATE

The Clerk of the Senate being introduced informed that the Senate has concurred in the amendments made by the House of Representatives to Senate Bill numbered and entitled as follows, viz:

SENATE BILL No. 894.

An Act to ratify and adopt a compact or agreement negotiated by commissioners designated by the Governor of the Commonwealth of Pennsylvania and commissioners designated by the Governor of the State of Ohio relative to the development use and control of the Pymatuning Lake and the State owned land surrounding said lake for fishing hunting recreational and park purposes

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 24, 1937.

Resolved (if the Senate concur), that House Bill No. 1400, Printer's No. 952, entitled "An Act to amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 905) entitled 'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds' as amended regulating the sale and further regulating the installation use and operation of traffic regulation devices signals signs and markings and the operation of motor vehicles on the highways affecting the powers of municipal authorities in certain cases and of the Secretary of Highways and changing and imposing penalties", be recalled from the Governor for the purpose of amendment.

AMENDMENTS INSISTED UPON BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 158 entitled:

An Act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and acquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts

Mr. LaRUE. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 158

The SPEAKER. The Chair appoints as a Committee of Conference on House Bill No. 158, Messrs. LaRue, Simon, and Imbrie.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE ADOPTS CONFERENCE COMMITTEE REPORT ON SENATE BILL No. 177

The Clerk of the Senate being introduced, informed tha the Senate has adopted the report of the Committee of Conference on the subject of the difference existing between the two Houses on Senate Bill numbered and entitled as follows:

SENATE BILL No. 177.

An Act prohibiting persons and officers from hiring requesting and inducing minors to purchase spirituous vinous or brewed and malt liquors

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL No. 177

Mr. MOOMAW. Mr. Speaker, I desire to call up the report of the Committee of Conference on Senate Bill No. 177, Printer's No. 703.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering Senate Bill No. 177, entitled "An act prohibiting persons and officers from hiring, requesting and inducing minors to purchase spirituous vinous or brewed and malt liquors," respectfully submit the following bill as our report:

JOHN J. HALUSKA,
ANTHONY CAVALCANTE,
CLARENCE J. BUCKMAN,
(Committee on the part of the Senate.)

PAUL C. MOOMAW,
CHAS. W. ALLEN,
RAYMOND C. WEBSTER,
(Committee on the part of the House of Representatives.)

An Act prohibiting persons and officers from hiring requesting and inducing minors to purchase spirituous vinous or brewed and malt liquors.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in

General Assembly met and it is hereby enacted by the authority of the same That it shall be unlawful for any person or officer to hire or request or induce any minor to purchase or offer to purchase spirituous vinous or brewed and malt liquors from a duly licensed dealer for any purpose whatsoever Any person violating this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of five hundred dollars ($500) or to suffer imprisonment not exceeding one year or both at the discretion of the court

Section 2 This act shall become effective immediately upon final enactment

On the question,

Will the House adopt the report?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—203

Achterman,	Flanagan,	McGee,	Simon,
Alexander,	Flannery,	McKinney,	Skale,
Allen,	Flinchbaugh,	McShane,	Sloan,
Allmond,	Ganser,	Melchiorre,	Smith, James A.,
Arnold,	Gerard,	Mellott,	Smith, John A.,
Atkins,	Gillette,	Mihm,	Snyder,
Aukerman,	Gorski,	Moomaw,	Sollenberger,
Baine,	Habbyshaw,	Mooney,	Spengler,
Baker, F. T.,	Hagerty,	Moran,	Sproul,
Baker, J. J.,	Haberlen,	Moul,	Stackpole,
Balthaser,	Hall,	Muir,	Stank,
Bierly,	Hamilton, F. P.,	Munley,	Stewart,
Blank,	Hamilton, R. S.	Murrin,	Stockham,
Bohn,	Harkins,	Nagel,	Strode,
Bois,	Harmuth,	O'Brien,	Terry,
Boltz,	Hays,	O'Connor,	Thomas,
Boose,	Hering,	O'Keefe,	Thompson,
Boyer,	Hess,	Ominsky,	Toole,
Bradley,	Hetrick,	O'Neill,	Tronso,
Brancato,	Hindman,	Ostroff,	Trout,
Brigerman,	Hirsch,	Patterson, C. S.,	Tumelty,
Broad,	Holland,	Patterson, J. W.,	Turner,
Brown,	Holmes,	Peale,	Vallbus,
Brownfield,	Holstrom,	Pearson,	Van Allsburg,
Burrows,	Hontz,	Perry,	VanSickle,
Cadwalader,	Horting,	Pershing,	Vogt,
Caesar,	Huntley,	Plole,	Wagner,
Caputo,	Imbrie,	Powers,	Wall,
Chervenak,	Jirolanio,	Preston,	Walsh,
Corkley,	Kaman,	Readinger,	Wampole,
Cohen, H. B.,	Kelso,	Reese,	Watkins,
Cohen, R. E.,	Kilroy,	Reising,	Webster,
Coleman,	Kline,	Richter,	Weidemann,
Coolahan,	Kroll,	Robinson,	Weiss, D. H.,
Corrigan,	LaRue,	Rothenberger,	Weiss, S. A.,
Costanzo,	Leisey,	Royer,	Welliver,
Davies,	Levy,	Ruffennach,	Welsh,
Decker,	Lewis,	Rush,	Westrick,
DeNoto,	Long,	Sarraf,	Whalen,
Dickinson,	Longaker,	Scanlon,	Whitenight,
Donohue,	Lopresti,	Schor,	Wilson,
Dougherty,	Lovett,	Schrock,	Winner,
Downey,	Lyons,	Schropp,	Wood,
Dubbs,	Marino,	Schumacher,	Woodside,
Dyson,	Matthews, J. F.,	Serrill,	Wright,
Eckels,	McArdle,	Shaw,	Yanchat,
Elpern,	McCullough,	Shea,	Yeakel,
Falkenstein,	McDermott,	Shepard,	Yourishin,
Finnerty,	McDevitt,	Shoemaker,	Zappala,
Fiss,	McElroy,	Shugarts,	Furman,
Fitch,	McFall,	Siegel,	

NAYS—1

Kane,

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. OMINSKY asked and obtained permission for the Committee on Public Utilities to meet during the session of the House.

SENATE MESSAGE

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 746.

An Act to amend section two hundred and two of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" as amended by extending the purposes for which companies may be incorporated to include insuring glass against all risk insuring any goods or premises against any and all loss caused by water and insuring moneys and securities against all risk.

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, by inserting in line 1, after the word "amend" and before the word "section" the following: "subsection (c) paragraphs (3) (6) and (8) of"; also line 14, by striking out the words "as amended"; also line 15 by inserting after the word "which" the word "certain"; also on page 2 of the title, by inserting after the word "include" at the beginning of line 1, the following: "indemnifying banks bankers brokers of financial or moneyed associations or corporations against the loss of property as specified herein and also against loss resulting from damage to the insured's premises and other property from certain causes and against loss of property as specified herein during transportation by an armored motor vehicle under certain conditions"; also by striking out in lines 1 to 4 inclusive the following: "glass against all risk insuring any goods or premises against any and all loss caused by water and insuring moneys and securities against all risk" and inserting in lieu thereof the following: "against loss or damage resulting from the breakage of glass insuring against loss or damage by robbery fraud vandalism or malicious mischief insuring against any and all kinds of loss or destruction of or damage to moneys securities currencies scrip coins bullion bonds notes drafts acceptance drafts bills of exchange and other valuable papers or documents insuring against loss or damage to automobiles and aircraft by burglarly larceny or theft vandalism or malicious mischief confiscation wrongful converation and disposal or concealment and insuring against loss or damage to any goods or premises by water or other fluid."

Amend section 1, page 1, line 4, by inserting after the word "paragraphs" the figure "(1)"; also by inserting after line 17 the following paragraph:

"Section 202 (c) (1) Guaranteeing the fidelity of persons holding places of public or private trust guaranteeing the performance of contracts other than insurance policies guaranteeing the performance of insurance contracts where surety bonds are accepted from insurance companies by State or municipalities in lieu of actual deposits executing or guaranteeing bonds and undertakings required or permitted in all actions or proceedings or by law allowed and indemnifying banks bankers brokers

financial or moneyed associations or financial or moneyed corporations against the loss of any bills of exchange notes drafts acceptances of drafts bonds securities evidences of debt deeds mortgages warehouse receipts bills of lading documents currency [and] money gold platinum silver and other precious metals refined or unrefined and articles made therefrom jewelry watches necklaces bracelets gems precious and semi-precious stones and also against loss resulting from damage except by fire to the insured's premises furnishings fixtures equipment safes and vaults therein caused by burglary robbery hold-up theft or larceny or attempt thereat except against loss caused by marine risks or risks of transportation or navigation provided however that indemnification against the loss of such property may include loss occuring during transportation by an armored motor vehicle accompanied by one or more armed guards Also guaranteeing any Federal Land Bank against loss by reason of defective title or incumbrances on real property on which any such Federal Land Bank may make a loan secured by a mortgage"; also by striking out at the beginning of line 18 the following: "Section 202 (c)."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

LEAVE OF ABSENCE

Mr. Gillette asked and obtained leave of absence for Mr. MERRELL for the remainder of the session on account of illness.

SENATE MESSAGES

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 756.

An Act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by providing penalties for any insurance company association or exchange which exceeds the powers granted under a certificate of authority

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, line 5, by striking out the words "providing penalties for" and inserting in lieu thereof the words "adding thereto Section 309A authorizing the Insurance Commissioner to impose penalties upon."

Amend section 1, page 2, by striking out in line 23 the words "be amended"; also by striking out in lines 24 to 27 inclusive the following: "by providing penalties for any insurance company association or exchange which exceeds the powers granted under a certificate of authority so that the amended section will read as follows" and inserting in lieu thereof the following: "is hereby amended by adding thereto Section 209A to read as follows"; also on page 3, by striking out all of lines 1 to 7 inclusive as follows: "Section 209 PENALTY FOR ACTING WITHOUT CERTIFICATE OF AUTHORITY Any insurance company association or exchange doing an insurance business within this Commonwealth without a certificate of authority as required by this act shall forfeit and pay to the Commonwealth the sum of five hundred dollars for each month or fraction thereof in which such illegal business was transacted"; also same page by striking out all of lines 23 to 29 inclusive as follows: "Any person negotiating or soliciting any policy of insurance or suretyship in this Commonwealth collecting or forwarding premiums or delivering policies for any company association or exchange to which a certificate of authority has not been granted shall be deemed to be agent of the company association or exchange in any legal proceeding rought against it."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Milim,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.,	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Wellliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED SENATE BILL RECALLED FROM THE GOVERNOR RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, presented for concurrence bill numbered and entitled as follows:

SENATE BILL No. 755.

An Act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitltd "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain sccieties and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" by requiring the Insurance Commissioner to determine the qualifications of the incorporators of any proposed insurance company

Said bill having been recalled from the Governor for amendment, the vote had on final passage and third reading reconsidered in the Senate and the bill amended, in which amendments the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 1, by inserting after the word "amend" the words "section two hundred fifteen of"; also line 3, by striking out the words "seven hundred eighty-nine" and inserting in lieu thereof the words "six hundred eighty-two'; also by striking out in lines 3 to 14 inclusive the following: "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" and inserting in lieu thereof the following: "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws."

Amend section 1, page 2, by inserting after the word "That" at the end of line 3 the words "section two hundred fifteen of"; also by striking out at the end of line 5 the word "seven"; also by striking out at the beginning of line 6 the words "hundred eighty-nine" and inserting in lieu thereof the words "six hundred eighty-two"; also by striking out in lines 6 to 20 inclusive the following: "An act relating to insurance establishing an insurance department and amending revising and consolidating the law relating to the licensing qualification regulation examination suspension and dissolution of insuance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" be amended by requiring the Insurance Commissioner to determine the qualifications of the incorporators of any proposed insurance cmpany so that the section as amended will read as follows"; and inserting in lieu theref the following: "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws is hereby amended to read as follows."

On the question

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1524.

An Act to further amend the act approved the nineteenth day of June, one thousand nine hundred and thirty-one (Pamphlet Laws five hundred eighty-nine) entitled, "An act to promote the public health and safety by providing for the examination and licensure of those who desire to engage in the occupation of barbering, regulating barber shops, barber schools and barber colleges and apprentices and students therein, conferring certain powers and duties on the Department of Public Instruction and providing penalties," by modifying the provisions relating to barber schools the licensing of persons as barbers and the issuing of renewal student or apprentice permits, providing additional grounds for suspension and revocation of permits and registrations, discontinuing the use of the term "barber college" and prescribing penalties.

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 2, line 19, by inserting after the word "therein" the words "regulating compensation for service rendered."

Amend section 2, page 3, by inserting at the end of line 18 after the word "years" the words "covering a period of at least 2500 hours"; also line 25 by inserting after the word "months" the words "covering a period of at least 1500 hours"; also line 26 by inserting after the word "barber" the words "under no circumstances shall a student or apprentice receive wages directly or indirectly for service rendered"; also on page 4, line 20, by inserting after the word "shop" the word "or" also line 21, by inserting after the word hours" the words "in not less than ten months"; also line 23, by striking out the word "thereof" and inserting in lieu thereof the words "of subsections (a) and (b) hereof"; also on page 5, by striking out in line 5 the words "the beard trimming"; also by inserting after the word "and" at the end of line 5 the words "trimming the beard"; also by striking out in lines 7 to 9 inclusive the words "The registration fee and the Barber Laws of this State and the rules and regulations adopted by the Department."

Amend section 3, page 6, line 6, by striking out the word "two" and inserting in lieu thereof the word "five"; also line 12 by striking out the word "another" and inserting in lieu thereo the words "one other"; also by striking out in lines 14 and 15 the words "such time as he has passed a satisfactory examination and" and inserting in lieu thereof the words "he or she"; also by striking out all of lines 17 to 29 inclusive as follows:

"(b) Any apprentice who is at least sixteen and one-half years of age and of good moral character and temperate habits and who has a diploma showing graduation from an eighth grade school or an equivalent education as determined by an examination conducted by the department and who (1) has a certificate of registration as an apprentice in a state or country which has substantially the same requirements or registering an apprentice as is provided in this act or (2) can prove by sworn affidavits that he has practiced in another state or country for at least six months prior to making application in this State shall upon payment of the required fee be granted permission to take an examination to determine" also on page 7, by striking out all of the lines 1 to 13 inclusive as follows:

"his fitness to receive a certificate of registration as an apprentice Should he pass the required examination a certificate of registration as a registered apprentice shall be issued to him and the time spent in such other state or country as an apprentice shall be credited upon the period of apprenticeship required by this act as a qualification to take the examination to determine his fitness to receive a certificate of registration as a registered barber In no event shall he or she be permitted to practice as an apprentice until such time as he has passed a satisfactory examination and has received a certificate of registration as an apprentice barber"

Amend section 4, page 7, by striking out in lines 27 and 28 the words "for the registering of apprentices or students"; also on page 8, line 8, by inserting after the word "shop" the words "as hereinbefore specified"; also line 21, by striking out the words "for a period of one year" and inserting in lieu thereof the words "until the next succeeding examination"; also at the beginning of line 24, by striking out the word "New"; also same line by striking out after the word "New" the word "appren-

tice" and inserting in lieu thereof the word "Apprentice."

Amend section 5, page 9, line 16, by striking out the word "insanitary" and inserting in lieu thereof the word "unsanitary"; also line 22 by inserting after the word "shop" the words "Section (G) unethical or dishonest practice or conduct (H) employing an unlicensed person"; also some line by inserting after the word "any" the words "such permit or"; also on page 10, by striking out at the end of the line 7 the words "permit or"; also line 12, by striking out the word "dully" and inserting in lieu thereof the word "fully."

Amend section 6, page 10, line 29, by striking out the words "registered barber" and inserting in lieu thereof the word "person"; also on page 11, line 1, by striking out the word "location" and inserting in lieu thereof the word "shop"; also line 2, by inserting after the word "over" the words "as owner"; also by striking out in lines 4 to 6 inclusive the following: "This application must be on file in the department in not less than forty-eight hours"; also by striking out in line 8 the words "It shall be unlawful"; also line 9, by inserting after the word "sleep" the word "in"; also on page 12, line 4, by inserting after the word "must" the word "be"; also line 20, by striking out after the word "teacher" the words "or instructor"; also line 21, by striking out the word "then" and inserting in lieu thereof the word "than"; also on page 13, by striking out in line 15 the word "rules" and inserting in lieu thereof the word "laws"; also on page 14, by striking out in lines 1 and 2 the words "or regular haircutting" and inserting in lieu thereof the words "to cut hair"; also by striking out at the end of line 6 the words "hire by" and inserting in lieu thereof the words "compensation direct or indirect"; also line 10, by striking out before the word "directly" the word "pay" and inserting in lieu thereof the word "compensation"; also at the end of line 12 by inserting after the word "barber" and before the word "may" the words "in a registered barbr shop"; also line 16, by striking out at the end of said line the word "act" and inserting in lieu thereof the word "section"; also by striking out in lines 17 and 18 the words "institutions of learning" and inserting in lieu thereof the words "colleges and private schools for children"; also line 19, by striking out the words "patronized by women."

Amend section 7, page 15, by inserting at the end of line 17 after the word "therein" the words "except in communities lacking such facilities"; also line 24, by inserting after the word "shops" the word "and"; also at the end of same line by striking out the words "and colleges"; also on page 17, by inserting at the end of line 6 after the word "court" the words "any such person shall have the right of appeal as in other cases of summary conviction."

Amend section 8, page 17, by striking out all of lines 7 to 28 inclusive as follows:

"Section 8 Said act is hereby amended by adding after section fifteen A thereof a new section to read as follows

Section 15 B Whenever a written agreement signed by an organized group comprising seventy-five per centum or more of the licensed barbers operating in any county whereby a scale of minimum prices for barber work is established in such county is submitted to the Department of Public Instruction the department shall investigate and make inquiry as to the propriety of such prices under all conditions and their adequacy to best protect the public health and safety by affording a sufficient minimum price for barber work to enable the barbers of the county to furnish modern services and appliances best designed to minimize the danger to the public health and if it finds that the conditions so warrant shall by departmental order fix the minimum price for all work usually performed in a barber shop

If at any time the department after investigation made either upon its own initiative or upon complaint of a representative group of barbers determines that the minimum prices so fixed are insufficient to properly pro-" also on page 18, by striking out all of lines 1 to 13 inclusive as follows:

"vide healthful service to the public and keep the shops sanitary the department shall have authority from time to time to change or refix any or all minimum prices for a barber's work in any county wherein prices have theretofore been fixed

After minimum prices for barber work have been established in any county as provided in this act it shall be unlawful to perform any such work for any price less than that prescribed in such schedule of minimum prices and any person so doing shall upon summary conviction be sentenced to pay a fine of ten dollars ($10) and costs of prosecution and upon default of payment thereof to be imprisoned for not more than five days"

Amend section 9, page 18, line 14, by striking out after the word "Section" the figure "9" and inserting in lieu thereof the figure "8."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1780.

An Act to amend section five and sections sixteen seventeen and twenty-one as amended of the act approved the fourteenth day of June one thousand nine hundred and twenty-three (P. L. 710) entitled "An act allowing and regulating boxing sparring and wrestling matches and exhibitions establishing a State Athletic Commission making an appropriation therefor and appropriating moneys received for monument and memorial purposes and prescribing penalties" by providing for promoters partnerships and co-promoters a bond to protect contestants managers and officials changing license fees for promoters boxers seconds managers and wrestlers and requiring payments to the Commonwealth for complimentary tickets

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 1, line 13, by inserting after the word "westlers" the words "fixing minimum purse."

Amend section 3, page 5, by inserting at the end of line 8 after the word "Matches" the words "minimum purse"; also on page 6, by inserting after line 14 the following paragraph:

"A minimum purse of twelve dollars and fifty cents ($12.50) shall be paid by the promoter to each professional boxer for each bout in which such boxer is engaged."

Amend section 4, page 6, by inserting at the end of line 16 after the word "final" the word "enactment."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1981.

An Act to amend the act approved the thirty-first day of May one thousand nine hundred and thirty-three (P. L. 1116) entitled "An act for the protection of the public health and to prevent fraud and deception in the manufacture sale offering for sale exposing for sale and having in possession with intent to sell of adulterated or deleterious ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice including coated ice cream and the coating thereof fixing standards for ice cream custard ice cream french ice cream french custard frozen custard sherbet ice and fruit ice and to prevent the sale of imitation ice cream and defining said imitation ice cream providing penalties for the violation thereof and providing for the enforcement thereof" further regulating the manufacture importation and sale of such products providing for injunctions and changing the penalties prescribed

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 5, by striking out in lines 15 to 18 inclusive the following: "or to use the words 'home made' or words of similar import in connection therewith unless the same has been manufactured in a bona fide home under bona fide home conditions"; also same page by striking out in lines 23 to 27 inclusive the following: "or to sell at retail said products unless the name and address of the manufacturer thereof is prominently and conspicuously displayed so that the same may be readily seen by purchasers of such products."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,

Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. STANK asked and obtained permission for the Committee on Corporations to meet during the session of the House.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 2136.

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" requiring medical inspectors to make eye and ear tests annually providing for the use of scientific apparatus furnished by school districts and providing for certain instruction in State teachers' colleges for the appointment of certain experts in the Department of Public Instruction and making an appropriation

With the information that the Senate has passed the same with amendment, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendment.

The Clerk read the amendment as follows:

Amend section 2, page 3, by striking out in line 22 the words and figures "fifty thousand dollars ($50,000)" and inserting in lieu thereof the words and figures "twenty-five thousand dollars ($25,000)."

On the question,

Will the House concur in the amendment made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendment was concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILL AND MESSAGE TAKEN FROM TABLE

Mr. HERBERT B. COHEN. Mr. Speaker, I move that

House Bill No. 1754, Printer's No. 776, together with the message from the Senate which was laid upon the table be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1754.

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (Pamphlet Laws two hundred eighty-nine) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" by providing for and regulating the incorporation of non-profit corporations organized to provide hospital care and service for subscribers and conferring powers on the Insurance Department with respect thereto

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend the title, page 2, by inserting in line 7 after the word "thereto" the words "and further defining the scope of the act."

Amend section 1, page 3, by striking out at the end of line 16 the words "The Public Service"; also at the beginning of line 17 by striking out the word "Commission" and inserting in lieu thereof the words "the Pennsylvania Public Utility Commission."

Amend section 2, page 4, by striking out in line 2 the words "In the case of the" and inserting in lieu thereof the words "Whenever articles of incorporation for the"; also in lines 7 to 15 inclusive by striking out as follows: "the articles of incorporation shall in addition to the information heretofore required in this article contain a provision that a majority of the directors of such corporation must at all times be directors trustees or administrators of any hospital with which such corporation has a contract for such care and service.

Whenever articles of incorporation of any such corporation are"; also in line 15 by inserting before the word "filed" the word "are".

On the question,

Will the House concur in the amendments made by the Senate?

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1754

Mr. HERBERT B. COHEN. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

BILL AND MESSAGE TAKEN FROM TAKLE

Mr. HERBERT B. COHEN. Mr. Speaker, I move that House Bill 1755, Printer's No. 964, together with the message from the Senate, which was laid upon the table be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGES

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1755.

An Act providing for the regulation by the Insurance Department of non-profit corporations organized to provide hospitalization for subscribers prescribing legal investments for the funds of such corporations and the hospitals with which such corporations may enter into contracts for hospitalization conferring powers on the Insurance Department and the Department of Welfare exempting such corporations from taxation and providing penalties

With the information that the Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, by striking out in lines 2 and 3 the words "hospital care and service" and inserting in lieu thereof the word "hospitalization"; also by striking out in line 6 the words "hospital care and service" and inserting in lieu thereof the word "hospitalization."

Amend section 1, page 1, by striking out in line 5 the word "Service".

Amend section 2, page 2, by striking out in line 6 the word "service"; Also by striking out in lines 6 and 7 the words "hospital care and service" and inserting in lieu thereof the word "hospitalization"; also in line 9 by striking out the words "Care and service" and inserting in lieu thereof the word "hospitalization"; also line 27 by striking out the word "service"; also in lines 27 and 28 by striking out the words "hospital care and service" and inserting in lieu thereof the word "hospitalization."

Amend section 3, page 3, line 3 by striking out the words "hospital care and service" and inserting in lieu thereof the word "hospitalization".

Amend section 4, page 3, line 14 by striking out the word "service".

On the question,

Will the House concur in the amendments made by the Senate?

HOUSE NON-CONCURS IN SENATE AMENDMENTS TO HOUSE BILL No. 1755

Mr. HERBERT B. COHEN. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

RECONSIDERATION OF VOTE

Mr. OMINSKY. Mr. Speaker, I move that the vote by which the House concurred in the amendments made by the Senate to House Bill No. 2136, Printer's No. 1099, be reconsidered.

Mr. HERBERT B. COHEN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Philadelphia, Mr. Ominsky, vote on concurrence in the amendments?

Mr. OMINSKY. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from York, Mr. Cohen, vote on concurrence in the amendments?

Mr. HERBERT B. COHEN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

On the question recurring,

Will the House concur in the amendments made by the Senate?

BILL AND MESSAGE LAID ON TABLE

Mr. OMINSKY. Mr. Speaker, I move that the bill together with the message from the Senate be laid upon the table.

The motion was agreed to.

BILL AND MESSAGE TAKEN FROM TABLE

Mr. TOOLE. Mr. Speaker, I move that House Bill No. 965, Printer's No. 1019, together with the message from the Senate which were laid upon the table be taken from the table.

The motion was agreed to.

The message was read by the Clerk as follows:

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 965.

An Act to further amend the act approved the sixteenth day of April one thousand nine hundred and twenty-five (Pamphlet Laws 244) entitled "An act applying to third class counties only and regulating the selection drawing and summoning of all jurors and talesmen and defining their qualifications in such counties creating a jury board and defining its powers and procedure providing for the appointment of a clerk to the jury board and fixing his maximum salary providing for the custody of the jury wheel and the filing and custody of jury lists providing for the public drawing of jurors and the methods thereof giving the trial judge the right to excuse jurors prescribing the time of challenging jurors for the array and regulating the procedure if array is quashed repealing all acts or parts of acts inconsistent therewith" by abolishing the jury board and transferring its powers and duties to the jury commissioners

With the information that the Senate has passed the same with amendments, in whih the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend title, page 1, line 1, by striking out after the word "To" the word "further"; also in same line by after the word "amend" insert the words "section one of"; also in next to the last line, by striking out after the word "with" the words: "by abolishing the jury board and transferring its powers and duties to the jury commissioners" and inserting in lieu thereof the words "by reconstituting the jury board".

Amend section 1, page 2, line 20, by striking out beginning with said line as follows:

"Selection of Jurors for Jury List

Section 3 On or before the tenth day of October of each year each [member of the jury board] jury commissioner shall deliver to the clerk a list containing the names of said [member's] commissioner's proportionate share of the number of qualified jurors required for jury service for the ensuing year as established by the Court of Common Pleas in its last order filed on the subject and in addition thereto fifty names of other persons qualified for jury service The clerk shall eliminate from said lists any duplicate names and the persons from whose lists said duplicates have been elimated shall furnish substitutes therefor All of these lists shall be published in two newspapers of general circulation in the county if the court so orders The clerk shall combine into one complete list arranged alphabetically and shall deliver a copy of this complete list to each member of the jury board] commissioner on or before October fifteenth Between the fifteenth and thirtieth days of November in each year at a date and hour to be [fixed by the president judge of which the other members of the board shall have due notice the jury board] agreed on by them the jury commissioners shall meet [in the office of the president judge] and shall select from the complete list the jurors for the official jury list hereinafter referred to [By a vote of a majority of the members of the jury board any names not exceeding three hundred in number may be stricken from the complete list or by vote of all members of the jury board less one any] Any number of names may be stricken from said list If so many names are stricken from the complete list that there will be a deficiency of jurors for the ensuing year the jury [board shall by a vote of at least all members of the board less one] commissioners shall select qualified substitutes Substitutes shall be proposed by the [members of the jury board in rotation] jury commissioners alternately The names of persons approved for jury service as herein provided with their address and occupations shall be typewritten by the clerk upon a list to be known as the official list alphabetically according to the jurors' surnames and shall be numbered consecutively beginning with number one This list shall be in duplicate and shall be signed by the jury commissioners [by at least two judges of the Court of Common Pleas] and by the clerk to the jury [board] commissioners One copy of this list shall be filed in the office of the prothonotary and shall be open to inspection by order of the court and the other copy shall be delivered to the president judge of the Court of Common Pleas and be open to inspection by any judge of said court At any time before the names on said list are placed in the jury wheel any name on said list may be stricken off by [a vote equaling that of all the members of the jury board less one and by the same vote] the jury commissioners and other names may be substituted therefor [if the board desires to do so]

Section 2 Section four of said act is hereby amended to read as follows

Placing Names in Jury Wheel

Section 4 The names occupations addreses and numbers on said official jury list shall be typewritten by the clerk upon separate and uniform slips of paper and shall be folded so as to conceal the names on these slips and be placed by the clerk in the jury wheel in the presence of the jury commissioners [and at least one judge of the Court of Common Pleas] This shall be done at a time fixed by order of the president judge soon after the last

drawing from the wheel during the current calendar year The court may by order filed prescribe the form of the jury wheel and its lock and the care and custody of said wheel and the keys thereto The wheel shall be emptied and its contents destroyed after the last drawing of jurors in the calendar year Within ten days after the approval of this act the jury commissioners and the sheriff of each county of third class shall deliver to the president judge of the Court of Common Pleas the jury wheel and the keys thereto

Section 3 Section five of said act as amended by section one of the act approved the eleventh day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 495) is hereby further amended to read as follows

Drawing of and Notices to Jurors

Section 5 The issuing of writs commanding the impaneling and summoning of jurors to serve as jurors in the trial of any issue triable by a jury in the several courts of the counties affected by this act and to serve as grand jurors shall be as now provided by law except the appropriate writs shall be directed [not as heretofore] to the sheriff and commissioners [but to the jury board] commanding [it] them to impanel and summon such jurors as required under the law or by order or praecipe of any of the several courts of the respective third class counties affected by this act [After the jury boards as herein provided for are organized all] All drawings of jurors and the proceedings incident to said drawings shall be as follows At least thirty days before each term of court there shall be drawn from the jury wheel name-slips equaling the number of jurors which the jury [board has] commissioners have been directed to impanel and summon for each week of said term of court and at least thirty days before the commencement of the grand jury there shall be drawn from said wheel twenty-four name-slips of jurors to be summoned for said jury The names occupations addresses and numbers of the persons so drawn for jury service shall be typewritten upon a list and the list shall be posted in the office of the prothonotary and clerk of the court at least twenty-five days befor the first day of the week of court or the session of grand jury for which said jurors are chosen These lists shall be signed by [at least two of the judges of the Court of Common Pleas and by at least two] both of the jury commissioners and also by the clerk of the jury [board] commissioners The jurors so chosen shall at least twenty days before the first day of the week of court or session of the grand jury for which they have been drawn for service be notified to appear for service at the proper time by card duly mailed to the proper address and signed by the sheriff with a postage-prepaid return-card attached to said notice setting forth that notice to appear at the hour and date therein stated is accepted This return card shall be addressed to the sheriff The citizens to whom cards have been mailed and from whom return-cards have not been received five days after the cards were mailed to them shall be served personally by the sheriff of the county person summoned and shall be paid all necessary ex- or his deputies with notice to appear for jury service at the proper time These summonses for jury services whether by card duly mailed or by personal service shall be deemed summonses of the court and disobedience to them shall be considered the same as disobedience to any other summons of the court The sheriff shall be entitled to charge the county on his fee account one dollar and mileage for each person summoned and shall be paid all the necessary expenses incurred by him or his deputies or clerks for serving such notices by mail or personally

Section 4 Section six of said act is hereby amended to read as follows

Method of Drawing Jurors

Section 6 All drawings of all jurors [after the organization of the jury board] shall take place in one of the court rooms [selected by the chairman of the board] at a time fixed by [him of which time and place the other members of the jury board shall have at least three days' notice] the jury commissioners The clerk shall announce or advertise the time and place of said drawing of jurors in two newspapers of general circulation all of which shall be located in the county seat of the county not more than ten days nor less than three days before the time of said drawing The drawing shall be [in the presence of at least one jury commissioner and at least one judge of the Court of Common Pleas and shall be] open to the public The name-slips shall be drawn singly from the wheel by any person whom the [judge or judges present at the drawing] jury commissioners may there appoint for that purpose The name number address and occupation as the same appear on the name-slips shall be read by any person there appointed for that purpose [by the judge or judges present] and shall be compared by the clerk of the jury board with the corresponding name number address and occupation on the official jury list If the name number address and occupation correspond the clerk shall immediately copy the same in a book called the "jury book" After the name-slips have been copied in the jury book and the jury book entry compared and found to be correct the name-slip shall be immediately sealed in an envelope by the clerk and on said envelope and in said jury book the specific week or weeks of jury service for which said jurors whose names are on said slips are drawn shall be entered Theses name-slips shall be held for safekeeping as the court shall direct untill the end of the year when they shall be destroyed unless the court shall order otherwise

Section 5 Section ten of said act is hereby amended to read as follows

Proceedings if Array is Quashed

Section 10 When the array of jurors returned at any court shall be quashed by reason of any fault or irregularity in the selection of said array of jurors the court shall forthwith order another public drawing of jurors in the manner provided in this act to take the place of the jurors on the quashed array and said jurors shall be legal jurors for the week for which the jurors in said quashed array were drawn The court shall prescribe what notice shall be given of the names occupations and addresses of the persons thus drawn so as to conform as nearly as may be practicable under the circumstances to the notice of and to jurors drawn as prescribed by section five and six of this act If there has been any fundamental irregularity in filling the jury wheel the Court of Common Pleas may upon satisfactory proof of said irregularity order the wheel emptied and then refilled with names of persons qualified for jury service Said names shall be selected by the jury [board] commisioners and as nearly as possible according to the procedure prescribed in this act except that the same shall be done within a time to be prescribed by the court

Section 6 Section one of said act is hereby repealed" and inserting in lieu thereof the following:

"Organization of Jury Board

Section 1 Be it enacted etc That this act shall apply only to counties of the third class and that within ten days after he passage and approval of this act and annually thereafter there shall be organized in each of said counties of the third class a jury board consisting of the [judges] president judge of the Court of Common Pleas and the two elected jury commissioners The president judge shall be the chairman of the board [One of the judges] The president judge of the Court of Common Pleas and [the two] one of the commissioners or [one of] the two said commissioners [and two of said judges] shall constitute a quorum of said board The Court of Common Pleas in each county of the third class shall appoint a clerk to the jury board to serve at the pleasure of the court His duties shall be such as are prescribed by this act and any other duties incidental thereto His salary shall be fixed by the Court of Common Pleas and shall not exceed nine hundred dollars per year and shall be paid by the county."

On the question,

Will the House concur in the amendments made by the Senate?

HOUSE NON-CONCURS IN AMENDMENTS MADE BY SENATE TO HOUSE BILL No. 965.

Mr. TOOLE. Mr. Speaker, I move that the House do non-concur in the amendments made by the Senate.

The motion was agreed to.

Ordered, That the Clerk inform the Senate accordingly.

RESOLUTION

RESOLUTION RECALLING HOUSE BILL No. 150 FROM THE GOVERNOR

Mr. YOURISHIN offered the following resolution which was twice read, considered and adopted:

In the House of Representatives, May 24, 1937.

Resolved (if the Senate concur), that House Bill No. 150, Printer's No. 89, entitled "An Act to amend section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws eight hundred thirty-one) entitled 'An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anthracite mines' by defining the term 'coal miners'," be recalled from the Governor for further consideration.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILLS SIGNED BY THE SPEAKER

Bills numbered and entitled as follows having been prepared for presentation to the Governor, and the same being correct, the titles were publicly read as follows:

HOUSE BILL No. 362.

An Act making an appropriation to the Woman's Medical College of Pennsylvania located at East Falls Philadelphia Pennsylvania

HOUSE BILL No. 611.

An Act making an appropriation to the National Farm School at Doylestown Pennsylvania

HOUSE BILL No. 634.

An Act to amend the act approved the thirteenth day of April one thousand nine hundred and twenty-seven (Pamphlet Laws 273) entitled "An act for the registration and regulation of certain individuals and entitles selling offering for sale or delivery soliciting subscriptions to or orders for or undertaking to dispose of inviting offers for or inquiries about or dealing in any manner in securities defined herein including securities issued by them conferring powers and imposing duties on the Pennsylvania Securities Commission and otherwise providing for the administration of this act providing for appeals to the Court of Common Pleas of Dauphin County and to the Supreme Court of Pennsylvania prescribing penalties and making appropriations" by extending the provisions thereof to employes of companies subject to the Public Service Company Law

HOUSE BILL No. 723.

An Act to amend section five hundred and eighty of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended extending the powers of the county commissioners in the construction and maintenance of comfort stations

HOUSE BILL No. 731.

An Act providing for the creation maintenance and operation of a county employes retirement system in counties of the third class and imposing certain charges on counties

HOUSE BILL No. 935.

An Act requiring counties of the third class to repay moneys heretofore recovered on forfeited recognizances in certain cases and providing for the recapture of such moneys from future fines and forfeited recognizances payable to law and library associations

HOUSE BILL No. 1200.

An Act making an appropriation out of the Motor License Fund to the Department of Highways for expenditure in the various second-class townships of the Commonwealth for the maintenance of township roads and bridges during the calendar years one thousand nine hundred thirty-eight and one thousand nine hundred thirty-nine apportioning the funds to the several counties on the basis of the maintenance costs for the year one thousand nine hundred thirty-two permitting the use of any surplus funds for construction and reconstruction and resurfacing of township roads and bridges requiring townships to exclude provision for maintenance of roads and bridges from their annual budget and tax levy for road and street purposes for said years authorizing the Department of Highways to rent road building machinery and equipment belonging to such townships in carrying out the provisions of this act and lapsing the unexpended or unencumbered balance of the appropriation remaining on January first one thousand nine hundred forty

HOUSE BILL No. 1434.

An Act making a deficiency appropriation to the Department of Agriculture for reimbursing certain incorporated agricultural associations

HOUSE BILL No. 1566.

An Act making an appropriation to the Department of Welfare for the purchase of materials to be used in making articles required at the State institutions in connection with sewing projects established in Pennsylvania by the Federal Works Progress Administration

HOUSE BILL No. 1983.

An Act making an appropriation to the Department of Health to carry on the work of sealing abandoned coal mine openings

HOUSE BILL No. 2038.

An Act to further amend the second paragraph of section one of article one of the act approved the seventh day of March one thousand nine hundred and one (Pamphlet Laws 20) entitled "An act for the government of cities of the second class" by providing that the mayor shall receive no compensation other than his salary for acting as justice of the peace

HOUSE BILL No. 2119.

An Act making an appropriation to the Department of Welfare for the payment of claims charges court costs and other expenses against the Commonwealth for the erection and construction of a reservoir at the State Industrial Home for Women at Muncy Pennsylvania

Whereupon,

The SPEAKER, in the presence of the House, signed the same.

QUESTION OF PERSONAL PRIVILEGE

Mr. TURNER. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman from Delaware will state his question of personal privilege.

Mr. TURNER. Mr. Speaker, I deeply regret at this time, when I know the calendar is so heavy and there are so many things to be done, to arise on this question of personal privilege but the matter is of such character that I feel in justice to myself and to others, that I should arise to this question. If the matter were purely personal with me, I might be inclined to ignore it, but as it involves a group of citizens in my county who have given unstintingly to the work of their time and service in a great public enterprise, I would be shirking my duty did I not arise at this time.

Last Saturday when I arrived at my office I was advised by several people that there was an article appearing in a local newspaper which said that a resolution had been introduced in this House to investigate my relations and activity with Sewer Boards in the County of Delaware. I was extremely busy and had no chance to pay any attention to it during the day. On Sunday morning one of the sewer boards met to inspect one of the projects because it is nearing completion, and a number of them referred to the article which they said they had seen in the newspaper. I advised the board for which I am solicitor, and I might say I am solicitor for three boards in Delaware County, I advised the board that if such a resolution were introduced I would demand an immediate investigation because I have nothing to fear from such an investigation.

On my return to Harrisburg on Sunday I could not get a history to ascertain whether such a resolution has been introduced, but the first thing Monday morning I inquired both at the Chief Clerk's office and the Speaker's office to ascertain whether such a resolution had been introduced. I was assured that no such resolution had been introduced. I checked the history when I received it on Monday, and found no such resolution had been introduced.

As the resolution was purported to have been introduced by the gentleman from Delaware, Mr. Rush, last night during the proceeding I asked him concerning it, and he told me he had not introduced any such resolution nor prepared one. Today I received from my office a copy of a local newspaper published in Delaware County, called "The Post Delaware County", successor to the Marcus Hook Press and Chonicle. Across it in large headlines appears this "Turner Faces State Investigation for Activities on Sewer Boards. Rush Introduces Resolution Citing Political Corruption", and then the following resolution is quoted:"

RESOLUTION

"Whereas, three Sewer Boards were established in Delaware County for the purpose of utilizing Federal funds in producing modern sewers and sewage disposal plants for numerous boroughs and townships in that county; and

"Whereas these Boards have spent considerable amounts of Federal and local funds and have taken many people off the relief rolls through the sponsoring of W. P. A. projects; and

"Whereas, this work is suffering and these Boards are being brought in disrepute through the actions of certain of their employes and

"Whereas, the chief criticism is directed against Ellwood J. Turner, Esquire, Attorney for the Boards; and

"Whereas, it is currently charged that said Ellwood J. Turner is charging these Sewer Boards excessive fees for his service; and

"Whereas it is charged that said Ellwood J. Turner has attempted to force through the legislature bills relative to these Sewer Boards which would insure the continuance of his employment and would injure the average tax payer to such an extent that indignant labor and civic groups throughout the county have protested to his Excellency the Governor and to members of this Legislature; and

"Whereas, it is charged that corrupt McClure politics is creeping into these Boards to such an extent that the average citizen is losing confidence in their integrity and intentions; and

"Whereas, the said Ellwood Turner has long been a member of the corrupt McClure organizations; and

"Whereas, the said Ellwood Turner is a member of this House and serves as a Republican leader of the body:

"Therefore, be it resolved that the Speaker of the House shall appoint a committee of five whose duty it shall be to make a careful and impartial investigation of the charges herein set forth and to make a report as early as possible, together with such recomemndations as the facts may warrant:

And then it goes on to give the power of subpoena. In the first place let me say to you this, that none of the legislation that I have introduced in this session could by any stretch of the imagination be construed as legislation that would continue me as a member of these Boards. I think that anyone who will study the legislation will realize that that is a childish statement for anyone to make.

In the second place let me say to you that as far as these Sewer Boards are concerned, the chairman of one of these Boards is a Democrat, a life-long Democrat, a voting Democrat in the County of Delaware; that it is made up of representatives of some eight different municipalities. I would have to corrupt eight different municipal bodies of eight different municipalities if there was wrong in my action.

On another sewer board there are eleven municipalities, and on that board there are three Democratic representativs of different municipalities. At no time in the history of any of these boards have I ever heard of any question of politics entering into these proceedings. These are high minded citizens who are giving unstintingly of their time, who have expended their own time and effort, and in some cases money in order to promote a great civic project, and to try to besmirch them and throw mud on them is the cheapest and most puerile kind of politics I have ever heard. I called this to the attention of one of my colleagues in Delaware County and asked him to run this down, as Mr. Rush had said that he had not prepared this resolution and as no resolution was introduced. He talked to the editor of this newspaper; the editor said he received this information direct from Harrisburg, from a party who said he was sent by Mr. Rush to him, and that he was given to believe that this resolution had been introduced on Wednesday of last week. He would not reveal the party that gave this to him, but said that if this were untrue he would reveal it.

Again I say I do not care to take the time of the House on a personal question. If I alone were involved I would laugh it off and let it roll away, because it is too insignificant to even give it consideration. But where it involves my clients and these gentlemen in Delaware County of the type of which I have spoken, I cannot let it pass that way. I want to say here and now, Mr. Speaker, that if such a resolution has been prepared I now ask that it be introduced immediately. I ask the Speaker of this House to appoint a committee or to refer it to the Judiciary General Committee to appoint a committee to investigate. I have nothing to fear from any investigation of any of the proceedings of these sewer boards or my connection with them. The whole transaction, insofar as the W. P. A. insofar as the operation of the boards and my connection with them, is concerned is an open book. Their accounts have constantly been audited by certified accountants. The W. P. A. have constantly audited the books as far as they were concerned.

My relationship with these municipalities and with the sewer boards is definite and well-known. In the election last November some of the politicians in Delaware County tried to make political capital out of this and found it a futile field, and if they are now trying to throw mud at me because I have asked for an investigation of Democratic activities in Delaware County in connection with liquor licenses, then it is a poor trick and poor politics, and will get them no place. I stand here now and challenge them to introduce such a resolution, and I demand an investigation if such a resolution be introduced.

The SPEAKER. The remarks of the gentleman on his question of personal privilege will bs spread upon the Journal.

STATEMENT BY MR. RUSH

Mr. RUSH asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, in reference to the statement by the gentleman from Delaware Mr. Turner with reference to the resolution that was supposed to have been introduced in this House last week, he contacted me last night and told me about these articles appearing in the newspaper bearing my name as having introduced such a resolution. However, the records show that such a resolution had not been introduced, but I will say that I had been contacted by people from Delaware County asking me to introduce such a resolution and making such statements that there were certain things going on in the sewer boards that they felt an investigation by a committee of this House would be warranted.

However, I hesitated to introduce such a resolution, not because I felt that the investigation was not warranted, but because I was not sure myself; I wanted to find out a little more about it before I introduced such a resolution. There have been rumors in Delaware County about things going on in the sewer boards that should not be going on. As the gentleman from Delaware said when he asked me last night about this resolution, it was a surprise to me. Not going home over the weekend, I had not seen the newspapers and no one sent them to me, so I did not know that this was in the newspapers. However, there have been some articles appearing in our local newspapers in Delaware County in reference to a resolution introduced last week by the gentleman from Delaware, Mr. Turner, asking for an investigation of the Democratic Party with reference to liquor licenses, the granting of liquor licenses. I believe that that resolution referred to the Democratic Party last year in Delaware County withholding certain liquor licenses until the applicants for those licenses had made contributions to the Democratic Party.

There has been no action taken by this House, and I rather suspect because of the actions of the gentleman from Delaware, Mr. Turner, in introducing the resolution there with the idea in mind of creating dissension in the Democratic ranks in Delaware County may have had something to do with the statements referring to those sewer boards. Those charges that were referred to in the resolution by the gentleman from Delaware Mr. Turner asking for an investigation of our county chairman and a member of the Governors Cabinet, Doctor Bogardus, I feel are totally unwarranted in Delaware County, and I too, like the gentleman from Delaware, will welcome an investigation of the activities of the Democratic Party there, and I do call upon this House to appoint such an investigating committee as this resolution calls for, to investigate the Democratic Party there.

This whole thing in my opinion was brought about because of his activities or the actions of the gentleman from Delaware in trying to cause dissension in the ranks of the Democratic Party by making the statements that he did in that resolution, and as I say, I hesitated to introduce the resolution asking for an investigation of sewer boards until I was sure.

I hope that the gentleman from Delaware did the same when he introduced his resolution that he was sure that the charges he made concerning Doctor Bogardus and the Democratic party were correct, and I do ask that the Speaker of the House appoint a committee to investigate charges made in his resolution.

QUESTION OF PERSONAL PRIVILEGE

Mr. TURNER. Mr. Speaker, I rise to a further question of personal privilege.

The SPEAKER. The gentleman from Delaware will state his question of personal privilege.

Mr. TURNER. Mr. Speaker, the charges which I made in the resolution which I introduced were not instituted by me. They were made in meetings by Democrats and reported in the public press of Delaware County. Now, if those charges are untrue as they deal with the question of our liquor board, I would be pleased if they were found to be that way, and I certainly do not feel that there should be any charge laid to me to try to split the Democratic Party in Delaware County, in view of the fact that these charges were made by Democrats themselves in open meetings and reported in a number of newspapers in Delaware County. The gentleman from Delaware Mr. Rush has asked that a committee be appointed. He knows that the resolution has been introduced, and as a member of the Democratic Party he can bring his influence to bear upon the Rules Committee to report out my resolution, and we can go ahead with an investigation.

However, I am not in that situation; I will have no ill-feeling with the gentleman from Delaware Mr. Rush, if he introduces such a resolution, but I do not intend to have such charges made in the newspapers and such statements made by the gentleman from Delaware, Mr. Rush,

on the floor of the House and then let it end there. If the gentleman from Delaware, Mr. Rush, is sincere then he should immediately introduce this resolution to give me an opportunity to ask that this committee be appointed in order that a report may be made before the end of the session. The facts are so clear, they are so easy to obtain, it would take but a very few hours of the time of any investigating committee.

The SPEAKER. The remarks of the gentleman under his question of personal privilege will be spread upon the Journal.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SHEPARD asked and obtained permission for the Committee on Legislative Apportionment to meet during the session of the House.

STATEMENT BY MR. PERRY

Mr. PERRY asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, last night, this House listened to a speech read by his Excellency, the Governor, which created considerable doubt as to its purpose and implied a direct insult to the honesty and intelligence of many members of this body. Its only redeeming feature was the statement of his Excellency that in all likelihood it would be his last appearance before this honorable body unless an emergency arose in the future. To that statement, and in the words of the Chaplain I say, "God save the Commonwealth from such an emergency." I listened courteously and carefully to his speech. To me it appears as a mere childish tirade of an executive scold, using the dignity of his office and the permission of the House to voice verbal vengeance against those opposing his legislative fancies, whether they be legislators or public at large.

In his tirade, his Excellency included both friends and foes. As he was reading his speech, the halls were filled with men and women, many of whom were State employes, here to solicit votes on behalf of the Governor's Poor Board Ripper legislation. At these supporters, as well as at the general visitors, his Excellency pointed a finger of scorn and ridicule; these are his words: "They have come out of their hotel parlors, even to the very floor of the Legislature, fighting in sheer desperation to save their jobs and their fees. * * * These lobbyists have swarmed into both Houses like of plague of locusts. Even as I speak tonight, if you will look about you you will see that they have overflowed the seats and the aisles, pushed and elbowed the general public out of the Chamber and up into the galleries."

Like many others in this House, I stand opposed to the presence of unscrupulous lobbyists, but I say to the Governor that if there are unscrupulous lobbyists in our midst then their presence is due entirely to the breach of faith upon the part of his Excellency himself. During his campaign the Governor promised and pledged a lobbyist registration act to control the presence of those whom he now attacks. Having broken faith and forgotten promises his tirade now comes with poor grace. Personally, I have not been bothered much by the Governor's so-called "political fixers." I have not been approached nor have I been called upon either to accept or reject any of these so-called "fees and favors of many kinds."

Among the most active lobbyists infesting this House has been Mr. "Davy" Lawrence, as he passed from side to side, even passing back of the Speaker's desk, jotting down, apparently, the names of the unfaithful; of deputy attorneys general, fluttering back and forth with their orders; of Mr. "Jack" Kelly out frowning his western opponent; of the Secretary of the Department of Labor, apparently seeking more proper labor proposals to appeal to the labor followers of the gentleman from Pittsburgh. These and many others of their same kind, as says the Holy Writ: "We have with us always," and surely, even the Governor does not intend to call these men "well-paid lobbyists, paid fixers on payrolls who swarm both Houses like a plague of locusts." Why, even I, disturbed as I have been by their legislative activities, would hesitate to call Mr. Kelly, Mr. Bashore, or even Mr. Lawrence a "plague of locusts." Locusts come once only every seventeen years.

And the idea of the Governor of this Commonwealth inferring to men and women, sworn to uphold the Constitution, that they need to be complimented and flattered for "resisting the temptation of bribes, fees for service and financial pressure"!

Can it be that the Governor has been absent so much from the Capitol that he does not realize that this is indeed, an honorable body, the members of which do not relish his insinuating flatteries. And does the Governor draw a dividing ilne between cash bribes and the offering or withholding of State jobs, personal favors and State contracts?

The intelligence of this House revolts at such cajolery, for we have been taught to "beware of Greeks bearing gifts."

The time is here when the people of Pennsylvania should invade the halls of this House as defenders of their rights. Not only should they voice their dictates to the legislature, but even more to the Chief Executive himself, providing they can find him at home.

We have pledged our people reduction of taxes, economies in government, a solution of the coal problem, a breathing spell for business and industry; instead this Administration has increased their taxes, enlarged their government and its costs and has failed utterly in its task of industrial rehabilitation.

While the Governor, in these crowded closing hours of the session, indulges in a puerile tirade against imaginary lobbyists, our own legislative investigating committee lays on our desk a non-partisan report of 24 industrial plants, representing more than 6,720 jobs, and a payroll of $9,828,00, which have removed from this State because they cannot bear the tax load laid upon them by the Earle Administration.

Of a hosiery mill in Quakertown, about to liquidate, which will throw out of employment about 40 workers whose total annual wage has amounted to approximately $70,000.

Of the permanent closing of the Ajax Hosiery Company, at Phoenixville, eliminating about 630 jobs, and a payroll of $20,000 a week, or $1,040,000 a year.

That current State taxes caused a large third class city in Pennsylvania to lose a bona fide industrial prospect,

which would have given employment to 1,500 workers, at an annual payrol lof approximately $1,500,000.

Of a plant in Lehigh County, employing 2,000 workers, that already has invested more than $1,000,000 in the erection of a new plant in another State.

Of another Pennsylvania concern, originally employing 1,000 workers, that is progressively transferring its activities out of this State.

Of still another, employing 500, preparing to expend its Pennsylvania plant. Two hundred additional jobs would have been created. Pennsylvania taxes caused a change of plans, and New Jersey got the 200 jobs.

Of specific migrations, liquidations, transfers and closings accounting for a total annual payroll, lost or displaced, of more than $116,000,000 a year.

Of a condition which has arisen at least in large part from placing excessive taxes upon production, operating to make more taxes necessary, and thereby driving more industries out of our State.

These and many others appear in this report to challenge openly the policies and actions of an Executive who wastes his time and our time tilting at wind-mills, while the people of Pennsylvania "pray that we uphold them in this crucial hour."

The Republican minority has opposed and will continue to oppose many of the idle whims and fancies of the Governor and his "must" legislation. We stand opposed to subjecting to petty politics relief and the needs of our people. We stand opposed to the insatiable desire for an autocratic bureaucracy; to policies that drive honest business and industry to other states; to class legislation designed to perpetuate political office holding; to legislation ripping the ins out to put the out in; and I desire to tell his Excellency that we do this not because of lobbyists, but because in our sincere and honest belief we believe such whims and fancies spell disaster for this Commonwealth.

And so, Governor, in your own words, I close with your own concluding paragraph: "You all know where I stand. In the next few days you will show where you stand." Can the hard-pressed people of Pennsylvania, now in many communities facing unemployment and bankruptcy, depend upon YOU?

STATEMENT BY MR. HERBERT B. COHEN

Mr. HERBERT B. COHEN asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, I am somewhat reluctant to infringe upon the time of the membership in the closing hours of the session. I feel rather hesitant in so doing, because as the gentleman from Delaware has indicated, we have quite a heavy calendar before us and we have work that will possibly carry into the wee hours of the morning.

Nevertheless, the remarks that came from the gentleman from Blair, Mr. Perry, are such that should not remain unchallenged by this House. I resent those remarks, I resent those remarks personally, and I resent those remarks as a member of the Administration. I resent those remarks because the gentleman from Blair has taken it upon himself to indicate that the innuendoes expressed by the Governor of this Commonwealth were directed at the entire membership of the House rather than speaking for himself alone. I resent those remarks on account of the implications that the gentleman from Blair makes relative to the sincerity of the Governor of this Commonwealth in the making of those remarks. And I further ressent those remarks because the gentleman from Blair has failed to draw a very apparent distinction. The distinction is simply this, that those individuals who come upon the floor of this House exercising their ability in order to promote legislation of benefit to the people are very distinct from the individuals who come upon the floor of this House in an attempt to thwart legislation of benefit to the great mass of the people of the Commonwealth of Pennsylvania.

I resent those remarks further because the gentleman from Blair has failed to draw further distinctions upon the presence of those so-called legislative lobbyists that the Governor so aptly indicated are infesting this House like a swarm of locusts. We in the closing hours of this session have before us a great number of controversial bills. In the closing minutes of this session it will be necessary upon the floor of this House and the Senate to enact legislation that is of momentous concern to all the people of the Commonwealth. Let us reiterate that: The utility regulation bill, the full-crew bill, the labor legislation, the Chain Store tax, all other types of legislation that the people of the Commonwealth have fought for and that the Republican Party have denied them.

Does the gentleman mean to tell the membership of this House that for the first time in over three or four generations, with the Democratic Party in control, with victory for the people in its grasp, that we should be denied that victory of the people by remarks coming in the nature of those made by the gentleman from Blair? Should we be denied the opportunity to enact the legislation that the people have elected us to enact and because of those insidious individuals who come here in the interests of the industries that they represent, who have been successful in their representations up until now, who would have that victory for the Commonwealth of Pennsylvania snatched from our very grasp.

I compliment the Governor of this Commonwealth, I compliment the people of this Commonwealth in having such a Governor who will come on the floor of this Assembly and insist that the mandate of the people shall not be denied.

Does the gentleman from Blair mean to intimate that with the enactment of this progressive and liberal legislation that the corporations will fly from Pennsylvania? No. If that is his implication, the answer is only too apparent. These very industries whom the gentleman from Blair indicates are fleeing, are not fleeing from the Commonwealth of Pennsylvania but are coming into the Commonwealth of Pennsylvania.

In 1934 over 6,308 corporations left the Commonwealth of Pennsylvania. In 1936 with the inception of the workability of both the Roosevelt and the Earle programs but 4,594 corporations left the Commonwealth of Pennsylvania, and today, in 1936, rather, under the Earle regime, in view of that unsurmountable tax program to which the gentleman from Blair refers, but 2,961 corporations have left this Commonwealth.

The gentleman from Blair does not indicate that in the report submitted by the so-called tax committee, that the statement referring to the Curtis Publishing Company has just been denied by the Curtis Publishing Company. Why

didn't the legislative committee mention the fact that during the same period 433 new firms, employing over 10,000 workers have come into the Commonwealth of Pennsylvania to be part and parcel of this great Commonwealth, under this great Administration?

I do not wish to take the time of this House at this particular moment.—I didn't come here prepared with an insidious attack to level at the Administration or to level at the Republican Party. I come here calling attention of the membership, calling the attention of the people of the Commonwealth of Pennsylvania, calling the attention of the people of the Nation that under a free, liberal, honest form of government legislation of that type will not be denied, recovery will not be thwarted, enjoyment of the possibilities of life will not be stopped, and the Commonwealth, even though individuals such as the gentleman from Blair and those whom he seeks to speak for, want to thwart the program of this Administration, of the Democratic Party, it will be enacted into law, to the entire credit of the Democratic Party.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1769

Mr. COLEMAN. Mr. Speaker, I desire to call up at this time the report of the Committee of Conference on House Bill No. 1769, Printer's No. 1127.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committe of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1769, entitled: "An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions, commissioners, registrars, inspectors of registration and other appointees of registration commissions, county election boards, election officers, municipal officers, departments and bureaus, police officers, courts, judges, prothonotaries, sheriffs, county commissioners, peace officers, county treasurers, county controllers, registrars of vital statistics, certain public utility corporations real estate brokers, rental agents, and boards of school directors and imposing penalties" respectfully submit the following bill as our report:

JOHN J. O'KEEFE
E. J. COLEMAN
WM. E. HABBYSHAW
(Committee on the Part of the House of Representatives)

GLEN R. LAW
JOHN H. HOWELL
(Committee on the Part of the Senate)

An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties political bodies registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions county election boards election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics certain public utility corporations real estate brokers rental agents and boards of school directors and imposing penalties

Short Title Citation

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That this act shall be known and may be cited as "The Permanent Registration Act in Cities of the Second Class A"

Section 2 The provisions of this act insofar as they are the same as those of existing laws are intended as a continuation of such laws and not as new enactments and shall not affect the validity of any registrations made prior to the enactment hereof except as herein provided

Section 3 Definitions (a) The word "Commission" shall mean any registration commission having jurisdiction in any city of the second class A

(b) "Commissioner" shall mean a member of a registration commission

(c) "Oath" shall include affirmation and "Swear" shall include affirm

(d) "Election" shall mean any general special municipal or primary election unless otherwise specified

(e) "General election" shall mean the election which the Constitution of this Commonwealth requires to be held in even-numbered years

(f) "Municipal election" shall mean the election which the Constitution of this Commonwealth requires to be held in odd-numbered years

(g) "Primary election" shall mean any election for the nomination of candidates

(h) "November election" shall mean either the general or the municipal election or both according to the context

(i) "Party" shall mean any party or political body one of whose candidates at the general election next preceding the primary polled in each of at least ten counties of the State not less than two per centum of the largest entire vote cast in each of said counties for any elected candidate and polled a total vote in the State equal to at least two per centum of the largest entire vote cast in the State for any elected candidate or any party or political body one of whose candidates at either the general or municipal election preceding the primary polled at least five per centum of the largest entire vote cast for any elected candidate in any county containing therein any city of the second class A

(j) "Political body" shall mean any political body not recognized as a political party which has filed proper nomination papers as required by law

(k) "Qualified elector" shall mean any person who shall possess all of the qualifications for voting now or hereafter prescribed by the Constitution of this Commonwealth or who being otherwise qualified by continued residence in his election district shall obtain such qualifications before the next ensuing election

(l) "Register" shall mean the cards containing or to contain all or any part of the registry list of qualified electors prepared or to be prepared by the registration commission as hereinafter provided

(m) "County" shall mean any county of this Commonwealth within which is located a city of the second class A

(n) "City" shall mean only a city of the second class A

(o) All references to mayors police officers clerks secretaries courts judges prothonotaries county treasurers county controllers county commissioners sheriffs peace officers registrars of vital statistics boards of school directors and other officials of counties cities and school districts where not otherwise specified shall refer only to those of any city of the second class A or to those of any county within which such city is located or to any school district with which it is co-extensive

(p) "Public office" shall mean and include any National State judicial county city school district poor district ward or election office or employment requiring any person elected or appointed thereto to render any public service

for a fixed fee or compensation except the office of notary public or commissioner of deeds

(q) Wherever a term in the masculine form is used in this act it shall refer alike to men and women

(r) "District" shall mean any election district of the city

(s) "County Election Board" or "County Board" shall mean the county board of the elections of any county containing a city of the second class A as now or hereafter provided for by the election laws of this Commonwealth

(t) In determining or reckoning any period of time mentioned in this act the day upon which the act is done paper filed or notice given shall be excluded from and the date of the primary election hearing or other subsequent event as the case may be shall be included in the calculation or reckoning Provided however That if the last day upon which any act may be done paper filed or notice given shall fall on a Sunday or a legal holiday the next following ordinary business day shall be considered as the last day for said purpose

Section 4 Registration Commission Membership Bipartisan Term of Office Vacancies Removal Compensation Oath of Office Organization Chairman Secretary Actions by Vote of Majority of Members Record of Proceedings Annual Report

(a) There shall be a registration commission in and for each city of the second class A which commission shall have jurisdiction over the registration of electors of such city under the provisions of this act

(b) The registration commission shall consist of four commissioners who shall be qualified electors of the city not more than two of whom shall be enrolled members of the same political party who shall be appointed by the Governor with the advice and consent of the Senate and shall hold office for terms of four years or until their successors qualify unless sooner removed or otherwise disqualified Provided however that the terms of office of the commissioners now in office under and administering the provisions of the act entitled 'An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration and other appointees registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties" approved January second one thousand nine hundred and thirty-four (Pamphlet Laws one hundred forty special session one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four) shall not be terminated by the enactment of this act but said commissioners shall continue in office and shall administer the provisions of this act until the termination of their terms of office as set forth in their present commissions

(c) The Governor shall fill any vacancy in any such commission within ten days after the vacancy shall occur by appointing a qualified elector of the city to hold office during the remainder of the term of the commissioner whose place shall have become vacant

(d) The Governor may at any time remove any commissioner for cause and may appoint a duly qualified elector of the city as his successor for the remainder of his term

(e) Each commissioner shall receive compensation at the rate of three thousand dollars per annum

(f) As soon after their appointment as may be the members of each commission shall take the oath of office required by the Constitution of this Commonwealth and shall organzie by selecting fro mtheir number a chairman and a secretary who shall not be members of the same party

(g) All actions of a commission shall be decided by a majority vote of all members except as may be otherwise provided herein

(h) Each commission shall keep a record in permanent form of all its proceedings and shall make an annual written report to the Governor

Section 5 Powers of Commission Regulations Enforcement Correction of Errors or Irregularities Cancellation of Registration Powers of Commissioners

(a) The commission may make regulations not inconsistent with this act or the laws of this Commonwealth (1) to govern the public sessions of such commission and (2) for the performance of the duties imposed by this act and may enforce such regulations and all its orders and subpoenas to witnesses as herein provided and if necessary shall have the assistance of the Court of Common Pleas of the county and of all public officers subservient thereto in enforcing the same which assistance said officers as well as the judges of said court shall render when requested to do so subject however to the right of certain persons to appeal from the orders of the commission as herein provided

(b) The commission shall have power to correct any error or any irregularity in registration and to cancel the registration of any person whom it may find to be improperly registered subject only to the provisions of this act and provided that notice in writing shall be given to or left at the address of each person whose registration is cancelled

(c) The Commission and any commissioner shall have power on its or his own motion (1) to summon and interrogate any person concerning the registration of electors or any matter related thereto (2) to investigate any irregularities in registration (3) to summon and examine witnesses (4) to require the production of any relevant books and papers

(d) Each commissioner shall have power to administer oaths and affirmations Each person testifying before a commission shall be first duly sworn or affirmed

Section 6 Employes Registrars Inspectors of Registration Duties Appointment Incompatible Offices

(a) The commission shall have power to appoint such assistants and employes as from time to time it may deem necessary to carry out the provisions of this act and may at any time remove the same The number and compensation of all such assistants and employes shall be fixed by the salary board of the county The commission may with the consent of the county commissioners appoint employes of the county commissioners to act as such for the registration commission without any additional compensation as such

(b) The employes to be appointed by the commission shall include (1) registrars or clerks who shall be empowered to register the qualified electors of such cities and in so doing to administer oaths and affirmations and (2) inspectors of registration who shall have and may exercise the powers conferred upon them by this act

(c) Registrars and inspectors of registration shall be qualified electors of the city No person who holds or is a candidate for public or party office shall be appointed to or hold any office or employment under any commission except as otherwise provided by this act Registrars and inspectors of registration shall receive such compensation either on a per diem basis for time actually employed or on the basis of work actually done by them as shall be fixed by the salary board of the county

(d) No registrar or inspector of registration shall exercise any power of his office until he shall have taken an oath of office which the commission shall prescribe and shall have received from the commission a certificate of appointment setting forth his name and address the date of his appointment and the length of time for which he shall have been appointed

(e) Each commission may appoint a chief clerk at a compensation not exceeding three thousand dollars ($3,000) per annum who shall have authority to administer oaths and to sign vouchers

(f) Any inspector of registration when directed by the commission shall (1) Investigate all questions relating to

the registration of electors in such city and for that purpose shall have power to enter and inspect any house dwelling building inn lodging-house or hotel within such city and to interrogate any inmate householder lodger lessee keeper caretaker owner proprietor or agent thereof or therein regarding any person or persons residing or claiming to reside thereat or therein without being required to show any warrant for so doing except his certificate of appointment

(2) Inspect in like manner and copy any register of lodgers in any lodging-house inn or hotel relating to or affecting the right of any person to vote or to be registered in such city

(3) Arrest any person without warrant except any herein privileged from such arrest who in the presence of the inspector of registration violates or attempts to violate any of the provisions of this act when such violation is punishable as a crime

(4) Call on any police or peace officer of such city to assist the inspector of registration in the maintenance of peace at any place of registration or in making any arrest

Section 7 Counsel Compensation Duties The commission may employ special counsel at a compensation not exceeding two thousand dollars per annum Such counsel shall advise the commission from time to time regarding its powers and duties and the rights of electors and concerning the best methods of legal procedure for carrying out the various provisions of this act and shall appear for and represent the commission on all appeals taken from its decisions or orders to a Court of Common Pleas as herein provided

Section 8 Appropriations by County Commissioners Unexpended Balances of Appropriations Heretofore Made Additional Appropriations

(a) The County Commissioners shall appropriate annually and from time to time the funds that shall be necessary for the maintenance and operation of the commission and the carrying out of the provisions of this act therein including the payment of the compensation of the commissioners counsel a sufficient number of registrars inspectors of registration and other assistants and employes and the fees of witnesses as herein provided and likewise for preparing in accordance with the direction of the commission securing and distributing or receiving and preserving all street lists registration cards affidavits vouchers notices account books stationery and other supplies which the commission shall consider necessary for the purposes of this act and for all other necessary expenses

(b) The County Commissioners shall provide the commission with suitable and adequate offices properly furnished for keeping its records holding its public sessions and otherwise performing its duties

(c) Any unexpended balances of any appropriations heretofore made by the County Commissioners for the purpose of carrying out any provision of any existing registration act or the amendments thereto shall be transferred to and made available for the commission hereby created or constituted for the expenses of carrying out the provisions of this act immediately after the effective date of this act All moneys required in addition to any original appropriation in the current year or any other year shall be appropriated from time to time as soon as it shall appear what extra sums are needed

Section 9 Acts of Employes Any insertion or removal of names or other information in registers or the amending of any records done by any employe of the commission by order of the commission shall be construed to have been done by the commission itself which shall likewise be responsible for the correction of any errors in the doing thereof

Section 10 Commissioners and Chief Clerk May Act as Registrars and Inspectors A commissioner or the chief clerk may act at any time as registrar or inspector of registration and when so acting shall have and may exercise the powers and shall perform the duties and obligations conferred by or in accordance with law upon registrars and inspectors of registration respectively

Section 11 Immunity from Arrest Commissioners registrars and inspectors of registration shall be privileged from arrest while performing their duties as such except upon warrant of a court of record or judge thereof for felony for wanton breach of the peace or for a criminal violation of this act

Section 12 Acts to Be Done on Legal Holidays and Sundays No part of any day fixed for the performance of any duties by any person or official under this act shall be deemed a Sunday or a legal holiday so as to affect the legality of any work done for the purpose of carrying out the provisions hereof or the right of any person to any compensation herein provided for rendering any service required hereby or so as to relieve any person from doing on such day whatever is necessary for such purposes and such services are hereby declared to be necessary public services

Section 13 Records and Documents to Be Open to Public Inspection The records of such commission and all district registers street lists voting check lists voter's certificates affidavits petitions appeals witness lists accounts contracts reports and other documents in its custody except the general registers shall be open to public inspection except as herein provided and may be inspected and copied by any qualified elector of the city during ordinary business hours at any time when they are not necessarily being used by the commission or its employes having duties to perform in reference thereto Such public inspection thereof shall only be in the presence of a commissioner or authorized employe of a commission and shall be subject to proper regulation for safekeeping of the records and documents and subject to the further provisions of this act

Section 14 Watchers at Places of Registration Privileges

(a) Any party or political body which now is or hereafter may be entitled to have watchers at any election as well as any organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds may recommend not more than three qualified electors of the city to act as watchers without expense to the county at any place of registration during the time when it shall remain open for the registration of electors The commission shall appoint all such persons as watchers and shall provide them with proper certificates stating their names and the party or policy or citizens' organization which they represent respectively unless any be shown to have previously been convicted of any crime

(b) Any watcher shall be entitled to remain at any place of registration during the time when it shall remain open for the registration of electors and to keep a list or other memorandum of or concerning the persons applying for registration and to interrogate or challenge any person regarding his right to be registered and to inspect any papers produced by such person The registrars commission and commissioners shall give every watcher ample opportunity and afford him every convenience for the discharge of his duties Provided That a registrar commission or commissioner may at any time require any watcher to show his certificate of appointment And provided That not more than one watcher for any party or political body or citizens organization represented shall be allowed in a place of registration at any one time

Section 15 Watchers or Attorneys at Sessions of Commission Any party or political body or body of citizens which now is or hereafter may be entitled to have watchers at any place of registration or at any election shall also be entitled to appoint any watchers who are qualified electors of the city or attorneys to represent such party or political body or body of citizens at any public session or sessions of the commission Such watchers or attorneys may exercise the same rights as watchers at place of registration but the number who may be present at any one time may be limited by the commission to not more than three for any party or political body

Section 16 Candidates May Be Present At Proceedings Every candidate for nomination or election to any office shall be entitled to be present in person or by attorney in fact duly authorized and to participate in any pro-

ceeding before any commission whenever any matters which may affect his candidacy are being heard

Section 17 Days and Hours of Registration Places of Registration Use of Polling Places Payment of Rentals Use of School Buildings Public Notice

(a) From and after the effective date of this act each commission or any commissioner or a registrar or clerk appointed by the commission shall during ordinary business hours and during such additional hours as the commission shall from time to time prescribe on each day except Sundays holidays the day of each election and each primary the thirty days next preceding each election and each primary and the thirty days next following each election and the five days next following each primary at the office of the commission and at such additional places in the city as the commission may from time to time designate in accordance with the provisions of subsection (b) herein receive personal applications from persons who claim that they are entitled to be registered as electors of the city and who appear for registration

(b) The Commission may cause at least two registrars to sit not later than thirty days prior to the primary or election for the purpose of receiving personal applications for registration applications for change of party enrollment and removing notices from electors of any ward at a conveniently located point in said ward for at least one day prior to the election or primary continuously between the hours of 10 a m and 3 p m and between the hours of 7 p m and 10 p m

(c) The county board of elections shall cause any polling place to be open in proper order for use as a place of registration on each day when such polling place may be desired by the registration commission or required by the provisions of this act for use as a place of registration and the said county commissioners shall provide for the payment of all rentals for such polling places upon proper vouchers by the treasurer of the county

(d) The board of public education or school directors of each school district shall furnish suitable space in any public school building under its jurisdiction or control and shall cause the room or space to be open and in proper order for use as a place of registration on each day when such room or space may be desired by the registration commission for use as a place of registration in accordance with the provisions of this act Provided That such use shall not interfere with instruction for the conduct of which such board of public education or school directors shall be responsible

(e) The proper city authorities shall furnish suitable space in the city hall or other municipal building under their jurisdiction or control and shall cause the room or space to be open and in proper order for use as a place of registration on each day when such room or space may be desired by the commission for use as a place of registration Provided That such use shall not interfere with the use for which such room or space is primarily designed

(f) The commission shall publicly announce the address of each place of registration other than the office of the commission and the days and hours when the place shall be open for the registration of electors by posting a notice thereof at its office and at least ten placards or notices thereof in conspicuous places throughout said ward at least three days prior to the date when the place shall be so open and shall also give notice of such time and place of registration by publication at least once in one newspaper of general circulation published in the city at least three days prior to the date when the place shall be so open and by such other newspaper publication as it deems desirable

Section 18 Registration Cards Preparation and Distribution

(a) For the purpose of registering the qualified electors of each city the commission shall prepare registration cards serially numbered in duplicate and containing spaces for entering the information required by section nineteen of this act and the following affidavit

REGISTRATION AFFIDAVIT

State of Pennsylvania }
County of } ss:

I hereby swear or affirm that I am a citizen of the United States that on the day of the next election I shall be at least twenty-one years of age and shall have resided in the State of Pennsylvania for one year (or having previously been a qualified elector or a native born citizen of the State and having removed and returned then six months) next preceding said election and in the election district two months that I am legally qualified to vote that I have read (or have had read to me) the foregoing statements made in connection with my registration and that they are true and correct

Subscribed and sworn to before
me this .....day of .....19...

.....
Signature of Voter

.....
Signature of Registrar

(b) Subject to the foregoing provisions of this section the Secretary of the Commonwealth shall prescribe the form of such registration cards

(c) Each card shall be printed on stock of good quality shall be of suitable uniform size and shall be filled out in duplicate for each applicant for registration The commission shall provide suitable binders for filing and indexing the registration cards which binders can be locked The keys of all such binders shall at all time be retained by the commission

(d) The commission shall keep a record of the serial numbers of the registration cards issued from time to time to each registrar

(e) Before ten o'clock ante meridian on the day following the last day for registration before an election or primary and at such other times as the commission may prescribe each registrar shall return to the commission at its office all registration cards used or unused in his possession and shall account fully in writing for each missing card

(f) Unused registration cards may be re-issued by the commission but the commission shall preserve all other papers records and memoranda as a part of its record

Section 19 Manner of Registration (a) Every person claiming the right to be registered as an elector must appear in person before the commission a commissioner a registrar or a clerk at the office of the commission or at such other place as the commission shall have designated and answer the questions required to be asked in accordance with this act

(b) He shall first be sworn or affirmed to the truth of the statements which he is about to make and informed that any wilful false statement will constitute perjury and will be punishable as such He then shall be asked to state the facts required herein and his answers together with other information herein required shall be recorded in his presence by the registrar commissioner or clerk in permanent writing or typewriting in duplicate in the proper spaces on the registration cards as follows

(c) (1) The surname of the applicant (2) his Christian name or names (3) his occupation (4) the street and number of his residence (5) if his residence is a portion only of the house the location or number of the room or rooms apartment flat or floor which he occupies (6) the date his residence in the district began (7) his residence address when he last registered and the year of such registration (8) the sex of the applicant (9) the color of the applicant (10) the state or territory of the United States or the foreign country where he was born (11) the date when place where and the court by which naturalized and number of the naturalization certificate (12) if not naturalized personally the name of father mother or husband through whom naturalized (13) whether he is unable by reason of illiteracy to read the names on the ballot or on the voting machine labels (14) whether he has a physical disability which will render him unable to see or mark the ballot or operate the voting machine

or to enter the voting compartment or voting machine booth without assistance and if so his declaration of that fact and his statement of the exact nature of such disability (15) the designation of the political party of the elector for the purpose of voting at primaries (16) the affidavit of registration which shall be signed by the elector attested by the signature of the registrar or clerk and dated by him (17) his height in feet and inches (18) the color of his hair (19) the color of his eyes and (20) the date of his birth Each registration card shall also have a sufficient number of spaces thereon for the insertion of (21) the ward and election district in which the elector resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal (22) the date of each election and primary at which the elector votes the number and letter if any of the stub of the ballot issued to him or his number in the order of admission to the voting machines and (23) the signature or initials of the election officer who enters the records of voting on the card

(d) The applicant shall subscribe by oath or affirmation to the registration affidavit on both copies of the registration card This card will hereafter be referred to in this act as the registration card or registration affidavit When filed for the whole city the registration cards will be known as the General Registers when filed by election districts as the District Registers

(e) If the applicant shall allege inabilty to sign his name the registrar of clerk shall require him to present the affidavits subscribed in person before a registrar commissioner or clerk of two electors who are personally acquainted with the applicant and who know his qualifications as an elector Each of said two electors shall state in his affidavit the applicant's residence his own residence his knowledge of the statements made by the applicant under oath or affirmation in applying for registration and his belief that they are true Upon the filing thereof the applicant shall be permitted to subscribe to his oath or affirmation by making his mark except that if the applicant's inability to sign his name is not due to some apparent physical infirmity he shall first also be required to make and file with the registrar or clerk an affidavit of his inability to sign his name Every affidavit required because of an applicant's inability to sign his name shall be filed with the duplicate registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

(f) When the registration of an elector has been completed the registrar commissioner or clerk shall deliver to the registered elector a written or printed statement signed by such registrar commissioner or clerk setting forth the name and address of the elector his ward and district the fact of registration designation of party enrollment and the date thereof The commission upon request made at its office shall deliver such a written or printed statement to any person who is registered under the provisions of the existing registration law

(g) Any person employed in the service of this Commonwealth or in the service of the Federal Government and required thereby to be absent from any city of the second class A wherein he resided when entering such employment his wife or her husband shall be registered as of the district wherein he or she shall have resided immediately prior to entering such service and be enrolled as a member of the political party he or she designates without declaring a residence by street and number All persons employed by this Commonwealth who register in this manner shall produce a certificate from the Auditor General under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of this Commonwealth and also setting forth the nature of such employment and the time when such person first entered such employment

All persons employed by the Federal Government who register in this manner shall produce a certificate from the head of the proper department or chief of the proper division or bureau under the seal of his office setting forth that said person or the husband or wife of said person is actually employed in the service of the United States and also setting forth the nature of such employment and the time when such person first entered such employment

The commission shall retain such certificates and shall cause to be noted on the registration card of each person so registered the fact that such person is an employe of this Commonwealth or of the Federal Government as the case may be

At least once every two years the commission shall verify the employment of all persons thus registered at either the office of the Auditor General of this Commonwealth or at the office of the department division or bureau of the Federal Government in whose employ such person is alleged to be If any such person is found to be no longer an employe of this Commonwealth or of the Federal Government his registration card shall be removed from the district register until such time as said person appears at the office of the commission and declares the street and number of his residence in the city

(h) For the purpose of carrying into effect the provisions of subsection (c) (13) of this section insofar as they relate to persons heretofore registered under the provisions of the act entitled "An Act to provide for the permanent personal registration of electors in cities of the second class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenging and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration commissions commissioners registrars inspectors of registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brakers rental agents and boards of school directors and imposing penalties" approved the second day of January one thousand nine hundred and thirty-four (Pamphlet Laws one hundred forty one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four) the commission shall deliver to the election board of the proper county in order that the same may be delivered to the election officers for use at the fall primary and the municipal election to be held in the year one thousand nine hundred and thirty-seven a sufficient number of affidavits for use at each polling place setting forth that the elector is unable by reason of illiteracy to read the names on the ballot or on the voting machine labels

Any elector heretofore registered under the provisions of said act and affected by the provisions of subsection (c) (13) of this section shall subscribe to this affidavit by his signature or mark and of all said affidavits thus executed shall be returned by the election officers to the commission after the fall primary and municipal election of 1937 and the commission shall attach each of said affidavits in a permanent manner to the registration card of said voter in the district register and shall make a notation of said information on the registration card contained in the general register Any voter thus affected may also execute said affidavit by appearing personally at the office of the commission and the commission shall have on hand a sufficient number of said affidavits for this purpose Any affidavit thus executed shall also be attached to the registration card of said elector contained in the district register and a notation of said information made on the registration card contained in the general register

Section 20 Who may Register Who May Vote Electors Need Register Only Once Exception Every person who shall possess all the qualifications of an elector as provided in the Constitution and laws of this Commonwealth or who by continued residence in his election district will have obtained such qualifications before the next ensuing election shall be entitled to be registered as herein provided No person shall be permitted to vote at any elec-

tion or primary held in such city unless he shall have been so registered except by order of a Court of Common Pleas as hereinafter provided and no elector so registered shall be required to register again for any election or primary while he continues to reside at the same address unless his registration is cancelled by reason of his failure to vote during a period of two years as hereinafter provided

Section 21 Applicants to Register May Be Challenged Procedure Challenge Affidavit (a) Any person claiming the right to register may be challenged by a registrar or by any commissioner or by any clerk or by a qualified elector of the city Any person so challenged shall answer the questions of the challenge affidavit as herein specified and after his answers have been recorded he shall subscribe to them by his signature or mark and swear to their truth

(b) The affidavits of all persons so registered shall be filed with duplicate registration affidavits and shall be returned with them to the office of the registration commission

(c) The challenge affidavit shall be in form prescribed by the Secretary of the Commonwealth and shall contain spaces for the following information (1) Serial number (2) place and date of execution (3) full name of challenged applicant (4) whether he is married or single (5) if married where his family reside (6) if single where his parents reside (7) where applicant actually resided immediately before he took up his present residence (8) his residences for the four months immediately preceding date of execution (9) the name of his present employer (10) the city street and number of his place of business (11) the name of his last employer and the year in which he left his employ (12) the city street and number of said last employer's place of business (13) sex of the applicant (14) his color (15) the date of his birth and (16) such distinguishing marks peculiarities and further information for identification as the commission shall prescribe

(d) The challenged applicant shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his residence in the election district If such challenged applicant shall establish his right to be registered as required by this act he shall be permitted to be registered

(e) Any person making application to be enrolled as a member of a political party for the purpose of voting at primaries may be challenged by any qualified elector of the city Any person so challenged shall be enrolled as a member of such party if he shall make and subscribe to an affidavit that at the last election at which he voted he voted for a majority of the candidates of such party all of the candidates of a party for presidential elector being counted as two candidates but if he is unable or unwilling to make such affidavit he shall be denied enrollment as a member of such party but he shall not be deemed to be guilty of any violation or attempted violation of any law by reason thereof

Section 22 Naturalized Applicants Applicants Whose Fathers Mothers or Husbands Were Naturalized All persons claiming the right to vote by reason of naturalization shall produce the proper naturalization papers or a certificate under the seal of the court in which his naturalization was effected before they shall be registered Provided That any person claiming citizenship by reason of the naturalization of his father or mother during his minority may be registered either by the production of his father's or mothers original papers or a certified copy thereof or by making affidavit as to the court in which and time when his father or mother was naturalized and that he the applicant was then less than twenty-one years of age and that he is unable to produce his father's or mother's papers or a certified copy thereof And provided further That any woman claiming citizenship by reason of her marriage prior to September twenty-second one thousand nine hundred and twenty-two may be registered either (a) by the production of her husband's original naturalization papers or a certified copy thereof or by making affidavit that her husband was naturalized prior to their marriage stating therein the time when and the court in which such naturalization took place and that she is unable to produce his original naturalization papers or a certified copy thereof or (b) by the production of evidence that her husband was a native born citizen of the United States Each such affidavit shall be filed with the registration affidavit of the person whose registration it affects and shall be returned therewith to the office of the registration commission

Section 23 Incomplete or Rejected Applications to Be Recorded The registrar commissioner or clerk shall record on registration cards the surname Christian name or names and street and number of residence of each person who applies for registration whether or not the application is accepted Whenever the applicant is rejected after a portion of the record has been filled in the registration card or cards shall be marked "Applicant Rejected' and the registrar commisioner or clerk shall note thereon the reason for the rejection and shall sign his name thereto The registrar commissioner or clerk shall forthwith personally notify the applicant if his application for registration is rejected All such cards shall be returned to the commission and shall be preserved for a period of two years

Section 24 Appeal of Rejected Applicant Any person whose application to be registered has been denied by a registrar commissioner or clerk may file a petition with the commission not later than the fifteenth day prior to an election or primary setting forth the ground of his complaint under oath and praying to be registered The commission shall fix a time for a public hearing thereof at its office not later than the tenth day prior to the election or primary At the time so fixed the commission shall hear and dispose of the petition having first given at least forty-eight hours' notice of the hearing to the registrar commissioner or clerk who rejected the petitioners' application for registration The commission if satisfied that the petitioner is entitled to be registered shall direct a registrar commissioner or clerk to register him in the usual manner and shall amend accordingly the records affected but any registrar clerk inspector of registration or qualified elector of the city may appear and show cause why the petitioner should not be registered

Section 25 General Register The duplicate registration cards for the entire city shall be placed in exact alphabetical order and shall be indexed and shall be kept at the office of the commission in a place and in such manner as to be properly safeguarded These cards shall constitute the General Register of such city and shall not be removed from the office of the commission except upon order of a court of record of the county

Section 26 District Registers The original registration cards shall be filed by election districts and within each election district in exact alphabetical order and indexed The cards so filed for each election district shall constitute the District Register for such district The district register shall be kept at the office of the commission except as herein provided and shall be open to public inspection at all times subject to reasonable safeguards rules and regulations

Section 27 Removal Notices (a) The commission shall provide removal notices which it shall cause to be made available for the convenient use of registered electors These notices shall be printed upon cards suitable for mailing addressed to the office of the registration commission and shall contain spaces wherein the elector shall write (1) the street and number of his present residence and the specific location thereof including the number of the room or rooms apartment flat or floor if his residence is a portion only of a house (2) the street and number of the address from which he was last registered (3) the date of his removal to his present residence and (4) space wherein the elector shall sign his name The removal notice shall contain a statement that the elector may by filling out properly and signing a removal notice and returning it to the office of the commission secure the transfer of his registration to the election district in which he resides effective as to elections and primaries occurring at least two months after the date of his removal into the new district Each removal notice shall contain a warning to the elector that the notice will not be accepted as an application for transfer of the elector's

registration unless the signature thereon can be identified by the commission as the elector's signature in the general and district register Each removal notice to be effective must be received at the office of the commission at least thirty days prior to any primary or election which warning shall also be contained on the removal notice

(b) Any elector who removes his residence from one place to another within the same election district must notify the commission by filing a removal notice with the commission not later than ten days next preceding the primary or election

Section 28 Transfer of Registration (a) Upon receipt not later than the thirtieth day next preceding any primary or election of a signed removal notice properly filled out or a signed request containing the required information and setting forth a removal of residence to another location in the same city the commission shall cause the signature thereon to be compared with the signature on the registration card of the elector from whom the removal notice purports to come and if the signature shall appear authentic shall enter the change of residence in the general and district registers and if the removal shall have been from one election district to another in the same city shall transfer the registration card of the elector from the district register of the election district of his previous residence to the district register of the election district of his new residence

(b) When a request for transfer believed authentic by the commission is received at the office of the commission and shows thereon a removal within the period of two months next preceding an election or primary and the removal shall have been from one election district to another the commission shall transfer the registration card of the elector from the dsitrict register of the election district of his previous residence but shall not include it in the register of the district of his new residence until after the election or primary In any such case the commission shall advise the elector promptly in writing of its action

(c) If the commission shall doubt that the request for transfer is authentic it shall without transferring the registration of the elector promptly notify the elector that it will be necessary for him to apply in person at the office of the commission for the transfer of his registration

(d) No elector who is unable to write his name shall be permitted to apply for transfer of registration by use of a written removal notice but each such elector must apply in person at the office of the commission or before a registrar at any registration place designated by the commission and establish his identity and state under oath or affirmation to which he shall affix his mark in the presence of a registrar a commissioner or clerk who shall affix his own signature thereto as a witness the information required of registered electors in a removal notice

Section 29 Change of Enrollment of Political Party Cancellation of Party Enrollment Persons Suffering Disability After Registration to Have Fact Recorded Cancellation (a) At any time prior to the fifteenth day next preceding a primary or an election excepting the thirty days next following each election and the five days next following each primary any person who desires to change the enrollment of his political designation or who although registered has not hitherto enrolled as a member of a party may appear before a registrar commissioner or clerk and state in writing over his signature the political party in which he desires to be enrolled and the registrar commissioner or clerk shall cause the enrollment of the elector's political designation to be made or altered accordingly in the general and district registers In such cases the signature of the elector shall be verified by comparison with his signature on the general and district registers before the change of enrollment is made If any elector desiring to change his party enrollment is unable to sign his application he shall make his mark thereto in the presence of the registrar commissioner or clerk and shall produce such other evidence as may be necessary to establish his identity When an elector has applied for a change in the enrollment of his political designation as provided herein the registrar commissioner or clerk shall upon request stamp or mark the change so made on the electors card attesting his registration

(b) At any time not later than the tenth day preceding any primary any qualified elector of the city including any watcher may petition the commission to cancel the party enrollment of any registered elector of such city who has previously enrolled as a member of a party for the purpose of voting at primary elections setting forth under oath that he believes that such elector is no longer a member of the party with which he has been enrolled and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered at last twenty-four hours prior to presentation of the same by delivering a copy of the petition to him personally or by leaving it with an adult member of the family with which he resides If at the hearing of any such petition the elector against whom the petition is filed appears and swears or affirm that at the last general or municipal election of said hearing all of the candidates of a party for presidates of the party with which he is enrolled at the time of said hearing all of the candidates of a party for presidential elector being counted as two candidates the petition shall be refused otherwise the party enrollment of such elector shall be forthwith cancelled

(c) Any elector who has since the time of registration suffered a physical disability which renders him unable to see or mark the ballot or operate the voting machine or to enter the voting compartment or voting machine booth without assistance shall at least ten days prior to the next succeeding primary or election personally make application under oath to the commission or a registrar or a clerk thereof to have such fact entered on his registration card together with the exact nature of his physical disability which entry shall be made accordingly

(d) When the commission shall ascertain that any elector who has declared his need for assistance is no longer illiterate or no longer suffers from the physical disability stated by him or has voted without assistance it shall forthwith cancel on his registration card the entry relating to illiteracy or physical disability which authorized him to have assistance and shall forthwith notify such elector by mail of its action

Section 30 Reports of Deaths from Registrars of Vital Statistics Cancelling Registration Correction if Person is Falsely Reported Deceased Reports of Removals from Municipal Officers Departments and Bureaus Certain Public Utility Corporations and Real Estate Brokers and Rental Agents Notice

(a) The registrar of vital statistics of every registration district containing constituted by or contained within any city shall report in writing at least weekly to the registration commission the deaths of residents of the city except residents less than twenty years of age Said written report shall contain the full name of the decedent his last residence address the date of his birth if available and the date of his death The commission shall forthwith cancel the registration of each registered elector so reported

(b) Any person falsely reported deceased by any registrar of vital statistics may appear in person before a registrar commissioner or clerk at the office of the commission in such city and prove his identity and the commission thereupon shall correct its records accordingly

(c) All municipal officers departments bureaus and all public utility corporations furnishing electricity gas water or steam to householders in any city shall report in writing at least once a month to the commission upon forms supplied by the commission all cases of discontinuance of their service to residences together with the names of the persons who contracted for such service and the addresses to which such persons have removed if known to them All real estate brokers and rental agents shall report in writing from time to time to the commission upon the request of the commission all cases of residence property managed by them which have been vacated by the tenants thereof together with the names of such tenants and the addresses to which they have removed if known to them The commission shall forthwith send to

each such person who is found to be registered as an elector from the address given in any of the foregoing reports and to all the members of his family and household who are electors registered from the same address the notice provided for by section thirty-one of this act and shall proceed thereupon in accordance with the provisions of that section

Section 31 Check-up of Registers

(a) At any time prior to the thirtieth day next preceding an election or primary the commission may send by mail to any elector whose name appears in any district register a notice setting forth the elector's name and address as it shall appear in the register and requesting him in case of any error to present the notice on or before the tenth day next ensuing at the office of the commission and secure the correction of the error and warning the elector that any discrepancy between his actual name and address and his name and address as recorded in the original register will constitute ground for challenging his vote Such notice shall contain on the outside a request to the postmaster to return it within five days if it cannot be delivered to the addressee at the address given thereon

(b) At any time prior to the thirtieth day next preceding an election or primary the commission may cause a check-up to be made by postmen of the United States Post Office of any elector whose name appears in any district register

(c) At least once in each four years the commission shall conduct a check-up of each registered elector in the city by either of the methods provided for in sub-sections (a) and (b) above

(d) Upon the return by the post office of any such notice which it has been unable to deliver at the given address because the addressee cannot be found there or upon report by the Post Office that any registered elector does not reside at the address given on his registration card the commission shall direct an authorized employe to visit in person the address of the elector and if he shall find that the elector does not reside at the address he shall leave at such address the notice prescribed by section thirty-two of this act and the commission shall at the expiration of the time specified in such notice cancel the registration of such person unless he personally appears and proves his qualifications as an elector

Section 32 Canvass of Registered Voters

(a) The commission may at any time by individual commissioners or by inspectors of registration verify the registration in any election district of such city by visiting each building from which an elector is registered and such other buildings as the commission may deem necessary and shall make a record of the name and address of each person registered who shall not be found to reside at the address from which he is registered or who for any other reason shall appear to be not qualified to vote in the election district from which he is registered and shall leave at the address of each such person a notice requiring him to appear personally at the office of the commission on or before a date and hour which the notice shall appoint and which shall be not later than the tenth day preceding the election or primary next ensuing and satisfy the commission of his qualifications as an elector and the commission shall cause a confirmation of each such notice to be sent by mail promptly to such person at the address from which he is registered the envelope containing such confirmation to be plainly marked that it is not to be forwarded

(b) At the expiration of the time specified in the notice the commission shall cancel the registration of each such person who has not personally appeared and proved his qualifications as an elector

(c) For the purpose of facilitating any such canvass the commission may when necessary appoint special inspectors of registration in number not exceeding double the number of election districts which the commission shall determine to canvass

(d) Such special inspectors shall have and may exercise the powers conferred by this act upon inspectors of registration They shall be qualified electors of the city and shall be appointed without reference to residence in election districts or to their political affiliations or beliefs

(e) The commission shall instruct each special inspector in his duties

Section 33 Comparison and Correction of Registers Preliminary Street Lists

(a) Commencing thirty days prior to each election or primary the commission shall compare and correct the general and district registers

(b) Three months after each municipal election and seven months after each general election the commission shall prepare for each election district a preliminary street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers

(c) The commission shall cause to be made a sufficient number of exact copies of each such list and as soon as possible and not later than the first day of March in each even-numbered year and the first day of July in each odd-numbered year shall distribute the same among the inspectors and special inspectors of registration and the officials concerned with the conduct of primaries and elections and among the parties political bodies candidates and organized bodies of citizens interested therein giving at least ten copies of each street list to the city committee of each political party or political body upon the written application of the chairman thereof and at least ten copies of each street list to the executive or governing board or committee of each organized body of citizens having as its purpose or among its purposes the investigation and prosecution of election frauds upon the written application of the presiding officer of such body of citizens and at least one copy of each street list with which his candidacy is concerned to each candidate upon his written request and keeping two complete sets of such street lists on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 34 Corrected Street Lists Posting Commencing not later than the thirtieth day prior to each primary and election the commission shall prepare for each election district a corrected street list of the names and addresses of all registered electors as of that date resident in the district arranged by streets and house numbers The commission shall cause to be made a sufficient number of exact copies of each such list which may be made by correcting and supplementing exact copies of the preliminary street lists Said lists shall be distributed in the same manner as required for the distribution of preliminary street lists in Section 33 (c) herein Two complete sets of such lists shall be kept on file at the office of the commission convenient for public inspection during all the hours when the other records of the commission are open to public inspection as herein provided

Section 35 Petitions to Strike Off Names At any time not later than the tenth day preceding any election or primary any qualified elector of the city including any watcher and any registrar or inspector of registration may petition the commission to cancel the registration of any registered elector of such city setting forth under oath supported by the affidavits of at least two adult persons sufficient grounds for such cancellation and also setting forth that due notice of the time and place when said petition would be presented had been given to the person so registered personally at least twenty-four hours prior to the presentation of the same or that he could not be found at the place given in the district register as his residence and that the person in charge thereof to be mentioned by name in said petition had declared that he or she was well acquainted with the names of all persons residing at the address given as such residence and that the person so registered had never been or was no longer one of them or that no such person is residing at the address given whereupon the commission shall forthwith cancel the registration of such elector and amend accordingly the general and district registers and the other records affected unless the person so registered shall appear and show cause why the same should not be done

Section 36 Delivery of District Registers to County Election Boards

(a) Not later than noon of the third day preceding an election or primary the commission shall deliver to the county election board of the proper county the district register accurately corrected to date for each election district in order that the same may be delivered to the election officers with other election materials for use on election day in the manner in which the county election boards now are or hereafter may be required to deliver the same Provided That the registration commission shall not deliver to the county election board the registration card for use at the polls on election day of any person who has removed from one election district to another within two months of any general municipal primary or special election The registration commission shall withdraw from the district registers the cards of all such persons before the registers are delivered to the county election board

(b) District registers when so delivered to the county election board shall be contained in suitable binders so constructed and locked that the name address voting record and other data on each card may be visible and that entries may be made on each card but that the cards can not be removed by the election officers Said binders shall have printed or written thereon the words "District Register of Voters" and the number of the district and ward Said binders shall be enclosed within a case or container and shall be locked and sealed by the commission before delivery to the county election board

Section 37 Persons Registered Are Entitled to Vote at General or Municipal Elections if Identified by Signature Proviso Evidence of Registration Discrepancies Persons Registered and Enrolled May vote at Primaries if Identified by Signatures Proviso Persons Not Registered are Not Entitled to Vote Challenging of Persons Registered Voter's Certificates Voting Check List Elections and Primaries Counting Et Cetera of Names Checked as Having Voted Sealing of Registers and Voting Check Lists Return of Voting Check List and Registers

(a) Any person whose name is in the district register of any election district in such city and who upon applying to vote shall have signed his name and address to a voter's certificate in the form hereinafter provided for as a means of identification and whose signature thereon shall have been compared by the election officers in the presence and view of the watchers with the signature of the applicant as recorded in the district register and shall have been deemed authentic by said election officers shall be entitled to vote in such district at any general municipal or special election unless it be shown to the satisfaction of the election officers that he has become disqualified by removal from the district since registration or that he has violated any law of this Commonwealth prohibiting bribery at elections provided that if the signature on the voter's certificate as compared with the signature as recorded in the district register shall not be deemed authentic by any of the election officers such elector shall not be denied the right to vote for that reason but shall be considered challenged as to identity and required to make the affidavit and produce the evidence as provided in subsection (e) of this section

(b) No elector shall be required to sign a voter's certificate as a means of identification if he shall have been unable to sign his name when registered or if having been able to sign his name when registered he subsequently shall have lost his sight or lost the hand with which he was accustomed to sign his name or shall have been otherwise rendered by disease or accident unable to sign his name when he applies to vote but each elector shall establish his identity to the satisfaction of the election officers and in such case a voter's certificate shall be prepared for him by one of the election officers upon which the facts as to such disability shall be noted and attested by the signature of such election officer

(c) No person who applies to vote shall be permitted by any election officer or clerk or other person to see the signature recorded as his in the district register until after he shall have signed his name to the voter's certificate

(d) Any person who is registered and also enrolled as a member of a political party and who upon applying to vote shall have established his identity by signing his name and address or otherwise as herein required at elections and is otherwise qualified may vote as a member of said party at any primary succeeding such registration without being subject to any challenge regarding his party membership No elector registered and enrolled as a member of any one particular party shall be allowed to receive or vote the ballot of any other political party at any primary election and any qualified elector registered although not enrolled as aforesaid shall be permitted to vote a nonpartisan ballot according to any law providing for same at any primary election

(e) No one except a qualified elector who is in actual military or naval service under a requisition of the President of the United States or by the authority of this Commonwealth shall be entitled to vote at any election or primary without being personally registered as an elector in the election district in which he offers to vote except by order of the Court of Common Pleas as herein provided regarding appealed cases Any person although personally registered may be challenged by any qualified elector watcher overseer or election officer at any election or primary as to his identity as to his continued residence in the election district or as to any alleged violation of the laws of this Commonwealth prohibiting bribery at elections and if challenged as to identity or residence he shall produce at least one qualified elector of the election district as a witness who shall make affidavit of his identity or continued residence in the election district and if challenged as to bribery he shall be required to swear or affirm that the matter of the challenge is untrue before his vote shall be received

(f) The county electoin board shall cause to be printed for each election district in the city a suitable number of Voter's Certificates which shall be in form approved by the Secretary of the Commonwealth substantially as follows

VOTER'S CERTIFICATE

(Primary) (Election) .....19....

I hereby certify that I am qualified to vote at this (primary) (election)

Signature .....

Address .....

..... Pennsylvania

Approved .....

Number of stub of ballot issued (or number of admission to voting machines) .....

(and party at primary .....

The voter's certificate shall be so prepared as to be capable of being inserted by the election officers in a suitable file or binder to be furnished by the county election board After a voter's certificate has been presented by an elector and has been compared with his signature in the district register and approved or in the case of an elector who is unable to write the notations hereinabove required have been made thereon one of the election officers who made the comparison shall sign his name or initials theron and if the elector's signature is not readily legible shall print such elector's name over his signature After the elector has been admitted to vote the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at primaries a letter or abbreviation designating the party in whose primary he votes shall be entered on his voter's certificate and the same shall thereupon be inserted in the file or binder One such file or binder shall be furnished for each election district for each primary and election and shall have printed or written thereon the words "Voting Check List" and the number of the district and ward and date of the primary or election The voter's certificates so bound shall constitute the voting check list of the district All voter's certificates prepared by persons applying to vote whose applications to vote are refused by the election officers shall be carefully preserved and returned to the commission with the voting check list

(g) The district registers herein provided for shall constitute the ballot check list of the district As each voter is found to be qualified and votes the election officer in charge of the district register shall write or stamp the date of the election or primary the number of the stub of the ballot issued to him or his number in the order of admission to the voting machines and at the primaries a letter or abbreviation designating the party in whose primary he votes and shall sign his name or initials in the proper space on the registration card of such voter contained in the district register After the polls are closed the names of all electors on the district register marked or stamped as having voted shall be immediately counted and the result compared with the number of persons voting shown by the voting check list and numbered lists of voters and announced and the cause of any difference ascertained if possible before the ballot-box or voting machine is opened The district register and the voting check list shall be immediately locked and sealed and shall be returned to the custody of the registration commission by the judge of election immediately upon completion of the count and tabulation of the votes cast in the district

Section 38 Examination of District Registers Report of Indications of Fraud to District Attorney (a) Immediately following each election or primary the commission shall cause each district register to be examined

(b) In the case of any elector whom the election officers shall have recorded as removed deceased or challenged and prevented from voting the commission shall ascertain the facts and shall correct the general and district registers in accordance with the procedure outlined in Sections 31 and 32 herein

(c) The commission specifically shall compare the signature of each elector on each voter's certificate with his signature in the district register and shall report forthwith in writing to the district attorney any evidence or indication of probable fraud personation or forgery which may appear to the commission by reason of any comparison of voter's certificates and registers hereby prescribed.

(d) Whenever the registration card of any registered elector shall have been entirely filled up so that the entries required to be made thereon by this act can no longer be made the commission shall have prepared and attached to such registration cards in each register a supplemental card Each supplemental card shall be printed in a color different from the registration cards It shall have the same serial number as the registration card followed by the letter "A" "B" etc according to the number of supplemental cards attached to each registration card Each supplemental card shall have space thereon for the entry of the surname of the registered elector his Christian name or names the street and number of his residence the ward and election district in which he resides and to which he may from time to time remove together with his street address in each such district and the other data required to be given upon such removal the date of each election and primary at which the elector votes and the signature or initials of the election officer who enters the record of voting on the card Each supplemental card shall be attached to the registration card to which it relates by permanent fasteners in such a manner that the contents of the registration card may be examined and the entries required by this act may be made on the supplemental card Whenever supplemental cards are attached to the registration card of any elector the registration card shall be stamped with the words "Supplemental cards attached" together with the date thereof

Section 39 Cancellation of Registration Upon Failure to Vote Within Two Years Request for Reinstatement Within three months after the municipal election held in the year one thousand nine hundred and thirty-seven and within three months after each general and municipal election thereafter the registration commission shall cause all of the district registers to be examined and in the case of each elector who has been registered for a period of at least two years and who is not recorded as having voted at any election or primary within the period of two years immediately preceding the date of said municipal or general election the commission shall send to such elector by mail at his address appearing upon his registration card a notice setting forth that the records of the commission indicate that he has not voted within a period of two years and that his registration will be cancelled at the expiration of ten days from the date of mailing such notice unless he shall within that period file with the commission either personally or by mail a written request for reinstatement of his registration setting forth his place of residence and signed by him At the expiration of the time specified in the notice the commission shall cancel the registration of such elector unless he has filed with the commission a signed request for reinstatement of his registration as above provided The cancellation of the registration of any such elector for failure to vote within a period of two years shall not affect the right of any such elector to subsequently re-register by personal application to the commission or a commissioner or a registrar or a clerk in the manner provided by this act

Section 40 Cancellation Removal and Preservation of Registration Cards Whenever the registration of an elector is cancelled for any cause the commission shall mark on the registration cards of the elector the word "Cancelled" and the date and cause of cancellation and shall remove them from the general and district registers but each such card shall be kept for five years after which the commission may destroy it

Section 41 Correction by Commission of Errors in Cancellation of Registrations Whenever the registration of an elector has been cancelled through error such elector may petition the commission for the reinstatement of his registration not later than the tenth day preceeding any primary or election and after a hearing on said application if error on the part of the commission is proved the commission shall reinstate the registration of such elector

Section 42 Appeals to Court Time of Hearing Notice Postponement Hearing Decision of Court Costs and Fees (a) Any person whose claim for registration has been denied by the commission or whose name although previously registered has been removed and not restored by the commission upon a petition filed for that purpose as herein provided or any qualified elector of such city whose rights are impaired by any general order made by the commission not including refusals to remove names upon any petition of any kind aforesaid may file an appeal with the proper Court of Common Pleas not later than the seventh day preceding any election or primary setting forth why he feels that an injustice has been done and praying for such order as will give him relief Thereupon any judge of the court shall fix a time and place for hearing the matter in dispute of which notice shall be served with a copy of said appeal by the appellant upon the counsel for the commission and upon any elector or his attorney who opposed the contention of the appellant before the commission at least forty-eight hours before such matter may be reviewed by the court Proof of notice or the waiver thereof must be filed therein

(b) Any judge of the court may enlarge the time of notice or postpone such hearing as may be reasonable with due regard for the time remaining before the succeeding election or primary At the time so fixed the court or any judge thereof assigned for the purpose shall hear all the witnesses and other evidence that may be offered unless the issue can be decided in some other manner by agreement of the parties concerned

(c) If after any such public hearing the court shall find that an injustice has been done it may reverse or alter the decision of the commission and modify any order made by it accordingly and if necessary issue its mandate to the election officers of any election district to permit the appellant to vote at any designated election or primary although his name may not have been entered in or restored to in the district register of such district If the appellant shall not satisfy the court that an injustice has been done the decision of the commission shall be affirmed

(d) The court may compel the appellant or any opposing party other than the commission or in proper cases the county to pay all the witness fees and other legal costs of such appeal which may be taxed by the prothonotary in the usual manner Provided however

that in all cases where an appeal is sustained by the court the costs advanced by the appellant shall be ordered refunded

Section 43 Production of Documents Et Cetera at Appeals At the written request of any person taking an appeal from any action or order of a commission as aforesaid the commission shall produce at the hearing thereof any petition register or other record in its custody relevant to the issue involved but the commission shall not be obliged to answer any appeal and shall not be obliged by subpoena or otherwise to appear at any such hearing unless it shall deem it expedient to do so

Section 44 Subpoenas and Witness Fees (a) Any person filing any petition of any kind with the commission or opposing same shall have the privilege of having subpoenas issued by the commission to compel the attendance of witnesses upon condition that all witnesses so subpoened shall be paid two dollars and fifty cents each per day as witness fees in the manner herein provided

(b) The commission on its own motion may subpoena witnesses including registrars each of whom shall also be entitled to daily witness fees at the rate aforesaid to be paid out of any money to be provided for the purpose to the commission by the county commissioners in the same manner as other necessary expenses of such commission are to be provided for

(c) All subpoenas shall be in substantially the same form and shall have the same force and effect as subpoenas now issued by a Court of Common Pleas The commission shall have the benefit of the process of said courts if necessary to enforce any subpoena issued by such commission

(d) No subpoena shall be issued for the benefit of any person other than the commission until he shall have paid the commission a fee of twenty-five cents for issuing the same and deposited with said commission one day's witness fees for each witness to be summoned thereby whose names shall be given to the commission and entered by it in such subpoena and among the records of the commission No such subpoena shall be of any virtue to require the further attendance of any witness after the day mentioned therein unless the hearing be postponed or continued by the commission and unless before four o'clock post meridian of said day the person for whose benefit it is issued shall have deposited with the commission an additional day's witness fees for each witness whose further attendance is desired As soon as convenient after any hearing is concluded (or postponed or continued) on any day the commission shall disburse the fees deposited with it by any person among those witnesses who have appeared in response to subpoena issued and shall return to the person who deposited the same any fees deposited for others who did not attend and shall also pay like fees to any summoned by the commission taking their receipts therefore so long as there are sufficient funds available for such payments Provided however that in all cases where the petition of the elector is sustained all costs advanced by him for witness fees and subpoenas shall be refunded to the elector so petitioning

(e) The commission shall pay over to the county treasurer all fees received for subpoenas The accounts of such commission respecting disbursements of witness fees out of appropriations made to such commission by the county commissioners shall be subject to audit from time to time by the county controller

Section 45 Crimes and Penalties (a) Any person who wilfully disobeys a lawful order of the commission or of a commissioner or refuses to obey its or his subpoenas duly issued and served under the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500)

(b) Any wilful false statement made under oath by any person regarding any material matter or thing relating to any subject investigated heard or acted upon by any registrar commissioner clerk judge watcher inspector of registration court or commission by virtue of this act shall be perjury and any person upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(c) Any registrar commissioner or clerk who knowingly registers or permits to be registered a person not lawfully entitled to be registered or who without reasonable cause refuses to register a person entitled to be registered or knowingly assists in preventing such person from being registered shall be guilty of a misdemeanor and upon convcition thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(d) Any person who applies for registration or who notifies the commission of a change of his residence address knowing or having reason to know that he is not entitled to be registered or have his residence address changed or any person who declares as his residence a place or address which he knows is not his legal residence or who falsely personates another in an application for registration or who knowingly offers false naturalization papers to establish his claim to be registered shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(e) Any registrar commissioner clerk or assistant or employe of a commission who inserts or intentionally permits to be inserted a name or other entries in any registration card without a proper application in person on the part of the person registered either at the office of the commission or before a registrar appointed by the commission at a place properly designated as provided herein or without requiring the proper evidence of the right of the applicant to be registered or who materially alters any registration card after the entries have been made except upon an order of the Court of Common Pleas or of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(f) Any election officer who knowingly refuses the vote of a duly registered and qualified elector or who knowingly accepts the vote of a person not registered in accordance with the previsions of this act (except that of a person in actual military or naval service or a person having an order of court as aforesaid) or who knowingly receives a vote from a person falsely claiming to be a registered voter shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(g) Any commissioner registrar clerk inspector of registration or other officer assistant or employe or any person partnership or corporation upon whom a duty is laid by this act who shall wilfully neglect or refuse to perform such duty shall be guiulty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than (3) months nor more than two (2) years

(h) Any person who inserts or intentionally permits to be inserted any name or material entry in any registration card street list affidavit petition subpoena certificate report or other record authorized or required by this act to be made or prepared for any purpose herein mentioned except in accordance herewith or who materially alters or destroys an entry which has been duly made therein except as herein provided or who takes and removes any such book paper card or other record from the custody of any person having lawful charge thereof in order to prevent the same from being used or inspected or copied as herein provided shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000)

and to undergo an imprisonment of not less than three (3) months nor more than three (3) years

(i) Any person who neglects or refuses to furnish to any commissioner or to any inspector of registration any information which he is herein authorized to obtain or to exhibit any records papers or documents herein authorized to be inspected by him shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(j) Any constable policeman sheriff or other peace or police officer or deputy or subordinate thereof who shall fail upon demand of any commissioner or inspector of registration to render such aid and assistance to him as he shall demand in the maintenance of peace and in the making of arrests without warrant as herein provided or who shall wilfully hinder or delay or attempt to hinder of delay any commissioner or inspector of registration in the performance of any duty shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than (3) months nor more than two (2) years

(k) Any person who intentionally interferes with hinders or delays any other person in the performance of any act or duty authorized or imposed herein shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding five hundred dollars ($500) and to undergo an imprisonment of not less than three (3) months nor more than two (2) years

(l) Any registrar commissioner clerk assistant or employe of a commission or any other person who knowingly and wilfully prevents a person from being registered or who by coercion threats or bodily injury or intimidation prevents or attempts to prevent any person from being registered or from changing his political enrollment in accordance with the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine a not exceeding one thousand dollars ($1,000) and to undergo an imprisonment of not less than three (3) months nor more than five (5) years

(m) Any registrar commissioner clerk assistant or employe of a commission or any other person who unlawfully destroys or attempts to destroy any card book paper affidavit or other record of the commission or who unlawfully removes or attempts to remove same from the office of the commission shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000) and to undergo an imprisoment of not less than three (3) months nor more than five (5) years

Section 46 Effective Date Partial Invalidity Legislative Intent

(a) Except as otherwise provided therein this act shall become effective immediately upon its final enactment

(b) It is the intention of the General Assembly that if this act cannot take effect in its entirety because of the judgment of any court of competent jurisdiction holding unconstitutional any part or parts thereof the remaining provisions of the act shall be given full force and effect as completely as if the part or parts held unconstitutional had not been included herein

Section 47 Repeal of Prior Laws Proviso

(a) The following act of Assembly and amendments and supplements thereto are hereby repealed absolutely insofar as they affect the personal registration and enrollment of voters in cities of the second Class A

(1) An Act entitled "An Act to provide for the permanent personal registration of electors in cities of the second Class A as a condition of their right to vote at elections and primaries and their enrollment as members of political parties as a further condition of their right to vote at primaries prescribing certain procedure for the conduct of elections and primaries and the challenge and proof of qualifications of electors and prescribing the powers and duties of citizens parties bodies of electors registration and other appointees of registration commissions election officers municipal officers departments and bureaus police officers courts judges prothonotaries sheriffs county commissioners peace officers county treasurers county controllers registrars of vital statistics real estate brokers rental agents and boards of school directors and imposing penalties" approved January second one thousand nine hundred and thirty-four (P. L. 140 special session one thousand nine hundred and thirty-three one thousand nine hundred and thirty-four)

(b) All other acts or parts of acts of Assembly in conflict or inconsistent with this act or any part hereof are hereby repealed so far as they are inconsistent herewith

(c) The repeal by this act of any act of Assembly or part thereof shall not revive any act or part thereof heretofore repealed or superseded

(d) The provisions of this act shall not affect any act done or any suit or prosecutions pending or to be instituted to enforce any right or penalty or punish any offense under the authority of such acts so repealed respecting any act done or omitted prior to such repeal

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout.
Broad.	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the

affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Mr. SHUGARTS asked and obtained permission for the Committee on Counties to meet during the session of the House.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE

The Clerk of the Senate being introduced presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 309. (HOUSE BILL No. 2479).

An Act to amend the first paragraph of section four of the act approved the twenty-eighth day of June, one thousand nine hundred and thirty-five (P. L. 452) entitled "An act to promote the welfare of the people of the Commonwealth; creating a General State Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees, rentals, and charges for the use thereof; authorizing and regulating the issuance of bonds by said Authority, and providing for the payment of such bonds, and the rights of the holders thereof; and to enter into agreements with the Government of the United States or any Federal agency; and authorizing the Department of Property and Supplies to grant, assign, convey, or lease to the Authority lands of the Commonwealth and interests therein, and to acquire lands therefor granting the right of eminent domain; and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" changing the personnel.

Referred to the Cmmittee on State Government .

SENATE BILL No. 446. (HOUSE BILL No. 2480).

An Act requiring inspectors of weights and measures to test and read all water gas and electric meters imposing the cost of the apparatus therefor on counties and cities and imposing duties on the Public Service Commission.

Referred to the Committee on Public Utilities.

SENATE BILL No. 474. (HOUSE BILL No. 2481).

An Act to amend section six of the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (P. L. 280) entitled "An act relating to delinquent taxes on seated lands and prescribing interest charges on non-payment thereof requiring the receivers and collectors of county borough town township school district and poor district taxes to make a return to the county commissioners of such unpaid taxes and providing for the lien thereof authorizing the county treasurers to collect such taxes and to sell seated lands at public sale for taxes heretofore or hereafter returned as unpaid and authorizing the county commissioners to purchase such lands and resell the same under certain circumstances" by abolishing the commission allowed to tax collectors or receivers of taxes.

Referred to the Committee on Municipal Corporations.

SENATE BILL No. 556. (HOUSE BILL No. 2482).

An Act making an appropriation to the Moore Institute of Art Science and Industry Philadelphia School of Design for Women at Philadelphia Pennsylvania.

Referred to the Committee on Appropriations.

SENATE BILL No. 683. (HOUSE BILL No. 2483).

An Act to further amend sections six ten and twenty-nine of an act approved the thirty-first day of May one thousand nine hundred and eleven (P. L. 468) entitled "An act providing for the establishment of a State Highway Department by the appointment of a State Highway Commissioner two Deputy State Highway Commissioners chief engineer chief draughtsman superintendents of highways and a staff of assistants and employes defining their duties and the jurisdiction of the State Highway Department and fixing salaries of commissioner and deputy and other appointees providing for taking over from the counties or townships of the Commonwealth certain existing public roads connecting county seats principal cities and town and extending to the State line describing and defining same by route numbers as the State highways of the Commonwealth providing for the improvement maintenance and repair of said State highway solely at the expense of the Commonwealth and relieving the several townships or counties from any further obligation and expense to improve or maintain the same and relieving said townships or counties of authority over same requiring boroughs and incorporated towns to maintain certain State highways wholly and in part requiring the State Highway Commissioner to make maps to be complete records thereof conferring authority on the State Highway Commissioner providing for the payment of damages in taking of property or otherwise in the improvement thereof providing for purchase or acquiring of turnpikes or toll roads forming all or part of any State highway and procedure therein providing for work of improvement of State highways to be done by contract except where the State Highway Commissioner decides the work be done by the State providing aid by the State to counties and townships desiring the same in the improvement of township or county roads defining highways and State-aid highways providing method of application for State aid in the improvement maintenance and repair of township or county roads and prescribing the contents of township county borough or incorporated town petitions providing for percentage of cost of improvement or repairs to be paid by State county township borough or incorporated town and requiring contracts by counties townships boroughs and incorporated towns with Commonwealth governing same providing for the minimum width of State highways and State-aid highways and kind of materials to be used in the improvement providing for the payment of cost of improvement and repairs providing penalty for injuring or destroying State highways making appropriations to carry out the provisions of the act and providing for the repeal of certain acts relating to Highway Department and improvement of roads and of all acts or parts of acts inconsistent herewith and providing that existing contracts are not affected by provisions of this act" by amending Route fifty-two by adding thereto borough bridges over mill races as the responsibility of the Department of Highways by providing that no assessment shall be made against the Commonwealth to assist in the reconstruction of any structure eliminating grade crossings and by further authorizing the Attorney General under certain conditions to enter into agreements with townships of the payment in installments of certain claims of the Department of Highways against such townships for construction reconstruction or maintenance of State highways.

Referred to the Committee on Highways.

SENATE BILL No. 1300. (HOUSE BILL No. 2484).

An Act to amend section eleven of the act approved the tenth day of June one thousand nine hundred and thirty-one (P. L. 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination

licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" authorizing the examination of certain persons who presumed they were registered as apprentices.

Referred to the Committee on State Boards.

SENATE BILL No. 752. (HOUSE BILL No. 2485).

An Act to further amend section 624 of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 789) entitled "An act relating to insurance establishing an Insurance Department and amending revising and consolidating the law relating to the licensing qualification regulation examination and dissolution of insurance companies Lloyds associations reciprocal and inter-insurance exchanges and certain societies and orders the examination and regulation of fire insurance rating bureaus and the licensing and regulation of insurance agents and brokers the service of legal process upon foreign insurance companies associations or exchanges providing penalties and repealing existing laws" so as to permit brokers to procure policies of casualty insurance from companies associations or exchanges not authorized to do business in this Commonwealth where such insurance is not procurable from companies duly authorized to do business in this Commonwealth.

Referred to the Committee on Insurance.

SENATE BILL No. 778 (HOUSE BILL No. 2486).

An Act to amend the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulating supervision and protection of home and foreign insurance compaies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by such companies associations and exchanges including insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by amending subsection (e) of section 206 by reducing the maximum single risk permitted and increasing the cash premium to be held in cash or securities.

Referred to the Committee on Insurance.

SENATE BILL No. 1075. (HOUSE BILL No. 2487).

An Act to protect the public health and welfare by regulating employment in this Commonwealth with respect to hours and conditions of employment providing for certain exceptions imposing duties liabilities and conditions on employers defining the powers and duties of the Department of Labor and Industry and its officers and representatives and providing penalties.

Referred to the Committee on Labor.

SENATE BILL No. 1159. (HOUSE BILL No. 2488).

An Act to amend subsection (e) of section 206 of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 682) entitled "An act relating to insurance amending revising and consolidating the law providing for the incorporation of insurance companies and the regulation supervision and protection of home and foreign insurance companies Lloyds associations reciprocal and inter-insurance exchanges and fire insurance rating bureaus and the regulation and supervision of insurance carried by the State Workmen's Insurance Fund providing penalties and repealing existing laws" by providing minimum capital and financial requirements to do business for title insurance companies.

Referred to the Committee on Insurance.

SENATE BILL No. 1235. (HOUSE BILL No. 2489).

An Act providing for the creation division and consolidation of wards in cities of the first class and defining procedure therefor.

Referred to the Committee on Cities.

SENATE BILL No. 1265. (HOUSE BILL No. 2490).

An Act to amend clause (c) of section fifty-eight of the act approved the seventh day of June one thousand nine hundred and seventeen (P. L. 447) entitled "An act relating to the administration and distribution of the estates of decedents and of minors and of trust estates including the appointment bonds rights powers duties liabilities accounts discharge and removal of executors administrators guardians and trustees herein designated as fiduciaries the administration and distribution of the estates of presumed decedents widow's and children's exemptions debts of decedents rents of real estate as assets for payment thereof the lien thereof sales and mortgages of real estate for the payment thereof judgments and executions therefor and the discharge of real estate for the lien thereof contracts of decedents for the sale or purchase of real estate legacies including legacies charged on land the discharge of residuary estates and of real estate from the lien of legacies and other charges the appraisement of real estate devised at a valuation the ascertainment of the curtilage of dwelling houses or other building devised the abatement and survival of actions and the substitution of executors and administrators therein and suits against fiduciaries investments by fiduciaries the organization of corporations to carry on the business of decedents the audit and review of accounts of fiduciaries refunding bonds transcripts to the Court of Common Pleas of balances due by fiduciaries the rights powers and liabilities of non-resident and foreign fiduciaries the appointment bonds rights powers duties and liabilities of trustees durante absentia the recording and registration of decrees reports and other proceedings and the fees therefor appeals in certain cases and also generally dealing with the jurisdiction powers and procedure of the Orphans' Court in all matters relating to fiduciaries concerned with the estates of decedents", as amended permitting the assignment transfer payment and delivery to a foreign appointed executor administrator trustee guardian committee or other fiduciary of any moneys and property within this Commonwealth by any debtor bailee custodian agent attorney pledgee trustee fiduciary or other individual association partnership or corporation a resident thereof owning the same to or holding the same in the name or for the account of a decedent minor legal incompetent or cestui que trust a non-resident of Pennsylvania.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1266. (HOUSE BILL No. 2491).

An Act concerning the ascertainment of principal and income and the apportionment of receipts and expenses among tenants and remaindermen and to make uniform the law with reference thereto.

Referred to the Committee on Judiciary General.

SENATE BILL No. 1299. (HOUSE BILL No. 2492).

An Act making an appropriation to the Department of Property and Supplies for sewer purposes in connection with the East Stroudsburg State Teachers' College.

Referred to the Committee on Appropriations.

SENATE BILL No. 1310. (HOUSE BILL No. 2493).

An Act to amend sections two and four of the joint resolution approved the twenty-ninth day of April one thousand nine hundred thirty-seven (Act Number 127) entitled "A joint resolution authorizing the appointment of a commission to make a thorough and impartial in-

vestigation into the operation of the oil industry in this Commonwealth with special reference to the adequate and economical supplying of lubricating oils and gasoline to the people of this Commonwealth conferring upon the commission full power to issue subpoenas requiring the commission to make a report of its findings to the Governor together with its recommendations as to such regulatory legislation as may be needful to correct any abuses and evils connected with such industry which are prejudicial to the interest of the citizens of this Commonwealth authorizing the commission to employ counsel and employes making an appropriation" by authorizing the several Courts of Common Pleas upon application to adjudge persons refusing to comply with subpoenas of the commission in contempt of court and by increasing the appropriation to the commission.

Referred to the Committee on State Government.

SENATE BILL No. 1322. (HOUSE BILL No. 2494).

An Act to further amend section one of the act approved the eleventh day of May one thousand nine hundred eleven (P. L. 275) entitled "An act to provide for the appointment of county and city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provisions hereof" by eliminating certain conditions of removal of inspectors and providing for their appointment in counties of the first class.

Referred to the Committee on Cities.

SENATE BILL No. 1324. (HOUSE BILL No. 2495).

An Act to amend section five of the act approved the third day of May one thousand nine hundred and thirty-three (P. L. 242) entitled "An act to promote the public health and safety by providing for examination and registration of those who desire to engage in the occupation of beauty culture defining beauty culture and regulating beauty culture shops school students apprentices teachers managers and operators conferring powers and duties upon the Department of Public Instruction providing for appeals to certain courts by applicants and licensees and providing penalties" by providing for limited certificates of registration for operators and managers engaged in particular types of beauty culture subject to rules of the Department of Public Instruction.

Referred to the Committee on State Boards.

SENATE BILL No. 1326. (HOUSE BILL No. 2496).

An Act to amend section one thousand five hundred eleven of the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as added requiring school districts of the first second and third classes to employ dental hygienists.

Referred to the Committee on Education.

SENATE BILL No. 1328. (HOUSE BILL No. 2497).

An Act prohibiting the wearing or imitation of the uniform of the Pennsylvania Motor Police prescribing penalties.

Referred to the Committee on State Government.

SENATE BILL No. 1355. (HOUSE BILL No. 2498).

An Act to amend section twenty-seven of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public non-sectarian libraries and branch libraries within the Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devices grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" by exempting from collateral inheritance tax all gifts devices grants or endowments made to National libraries.

Referred to the Committee on Ways and Means.

SENATE BILL No. 1358. (HOUSE BILL No. 2499).

An Act to amend section six of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (P. L. 13) entitled "An act to carry into effect section five of Article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" by providing that in counties of the first class salaries of respective county officers shall not exceed the amount fixed by the tax levying body of such county for such offices.

Referred to the Committee on Cities.

SENATE BILL No. 1404. (HOUSE BILL No. 2500).

An Act to further amend sub-paragraph three of subsection (a) of section five hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by making further provision relative to interest upon State deposits.

Referred to the Committee on Ways and Means.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 916

Mr. BLANK. Mr. Speaker, I desire to call up the report of the Committee of Conference on House Bill No. 916, Printer's No. 1126.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned, Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 916, entitled: "An Act to amend section one of the act, approved the seventeenth day of July, one thousand nine hundred nineteen, (P. L. 1025), entitled 'A supplement to an act, approved the second day of May, one thousand eight hundred and ninety-nine (P. L. 184), entitled "An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods, wares and merchandise and providing for the collection of said tax,"' by providing for the annual appointment by the Auditor General of mercantile appraisers in cities of the first class, and terminating the terms of certain mercantile appraisers." Respectfully submit the following bill as our report:

HARRY SHAPIRO,
WALTER S. PYTKO,
GEORGE A. DEITRICK,
(Committee on the part of the Senate.)

SAMUEL A. BLANK,
JAMES F. WALSH,
(Committee on the part of the House of Representatives.)

An Act to amend section one of the act approved the seventeenth day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand twenty-five) entitled "A supplement to an act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and eighty-four) entitled 'An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of said tax" by providing for the annual appointment by the Auditor General of mercantile appraisers in cities of the first class and terminating the terms of certain mercantile appraisers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the seventeenth day of July one thousand nine hundred nineteen (Pamphlet Laws one thousand twenty-five) entitled "A supplement to an act approved the second day of May one thousand eight hundred and ninety-nine (Pamphlet Laws one hundred and eighty-four) entitled 'An act to provide revenue by imposing a mercantile license tax on vendors of or dealers in goods wares and merchandise and providing for the collection of said tax'" is hereby amended to read as follows

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all cities of the first class on or before the [thirteenth] first day of June one thousand nine hundred and thirty-seven and [quadrennially] on or before the first day of June of each year thereafter the Auditor General [and the city treasurer] shall appoint five suitable qualified citizens as mercantile appraisers for [terms of four years each] a period of one year Not all of said appraisers shall be members of the same political party The powers duties and compensation of said appraisers shall be as now provided by law

Section 2 The terms of mercantile appraisers in cities of the first class in office immediately prior to the first day of June one thousand nine hundred and thirty-seven are hereby terminated as of that date

Section 3 This act will become effective immediately upon its final enactment

On the question,

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204.

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0.

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative, and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

RESOLUTION CONCURRED IN BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has concurred in the resolution from the House of Representatives, as follows:

In the House of Representatives, May 24, 1937.

Resolved (if the Senate concur), that House Bill No. 150, Printer's No. 89, entitled "An Act to amend section three of the act approved the seventeenth day of May one thousand nine hundred and twenty-one (P. L. 831) entitled 'An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and term of office and abolishing the terms of office of the present mine inspectors of the anth

racite mines' by defining the term 'coal miners'", be recalled from the Governor for further consideration.

MOTION TO TAKE BILL FROM TABLE

Mr. MORAN. Mr. Speaker, I move that House Bill No. 500, Printer's No. 635, which was laid on the table on April 26, 1937, be taken from the table.

On the question,

Will the House agree to the motion?

The SPEAKER. The Chair recognizes the gentleman from Delaware, Mr. Turner.

Mr. TURNER. Mr. Speaker, I yield to the gentleman from Monroe, Mr. Achterman.

POINT OF INQUIRY

Mr. ACHTERMAN. Mr. Speaker, I rise to a point of inquiry.

The SPEAKER. The gentleman will state his point of inquiry.

Mr. ACHTERMAN. Mr. Speaker, is House Bill No. 500, the bill that is commonly known as the Moomaw-Moran bill, that would abolish tax collectors throughout the State of Pennsylvania.

The SPEAKER. That is correct. It is the Moomaw-Moran bill to abolish most of the tax collectors.

Mr. ACHTERMAN. Mr. Speaker, I ask the members to oppose the motion.

POINT OF ORDER

Mr. MORAN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Allegheny will state his point of order.

Mr. MORAN. Mr. Speaker, this motion is not debatable.

The SPEAKER. The point of order is well taken.

Mr. BAINE. I yield, Mr. Speaker, to the gentleman from York, Mr. Cohen.

Mr. HERBERT B. COHEN. Mr. Speaker, I move that House Rule No. 53, be suspended for the specific purpose of permitting debate upon the motion of the gentleman from Allegheny, Mr. Moran, which is a motion to take House Bill No. 500 from the table.

On the question,

Will the House agree to the motion?

Mr. ACHTERMAN. I rise, Mr. Speaker—

The SPEAKER. For what purpose does the gentleman rise?

Mr. ACHTERMAN. Mr. Speaker, to debate the motion now before the House, which I believe under the rules—

The SPEAKER. The motion now before the House is not debatable. There is nothing in order but the calling of the roll.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. ACHTERMAN. Mr. Speaker, I rise to a question of parliamentary injuiry.

The SPEAKER. The gentleman from Monroe will state his question of parliamentary inquiry.

Mr. ACHTERMAN. Mr. Speaker, will you quote to me the rule of the House which states that a motion to suspend a rule is not debatable?

The SPEAKER. The motion made by the gentleman from York, Mr. Cohen, to suspend the rule is not debatable for the reason that it affects a motion that is not debatable. The rule to be suspended is Rule 53.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. MOOMAW. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Franklin will state his question of parliamentary inquiry.

Mr. MOOMAW. Mr. Speaker, does not the question on which the vote is now being taken to suspend the rule preclude the debate on the motion to lift from the table?

The SPEAKER. That is correct.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. VAN SICKLE. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman will state his question of parliamentary inquiry.

Mr. VAN SICKLE. Mr. Speaker, under what order of business is the motion to take from the table?

The SPEAKER. If the gentleman will read Rule 53 "On the call of a member for bill or other subject on the table of the House, the question shall be decided without debate or amendment." The rule does not specify when the call may be made.

Mr. VAN SICKLE. Mr. Speaker, does that supersede the order of the day?

The SPEAKER. It appears from the Rule that the motion may be made at any time during the proceedings.

Mr. VAN SICKLE. Mr. Speaker, should that not properly come under "unfinished business"?

The SPEAKER. The Chair is of the opinion that the motion has been properly made.

Mr. MORAN. Mr. Speaker, I don't think that this question is necessarily debatable, and I ask the House to vote "no" on this motion.

The SPEAKER. The gentleman is out of order.

The yeas and nays were required by Mr. ACHTERMAN and Mr. LaRUE and were as follows:

YEAS—48.

Aukerman,	Harkins,	Moran,	Smith, James A.,
Baine,	Holland,	Murrin,	Spengler,
Blank,	Hontz,	Ominsky,	Thom[illegible],
Broad,	Horting,	Ostroff,	Tr[illegible],
Caputo,	Keenan,	Patterson, J. W.,	Tronco,
Cohen, H. B.,	Lewis,	Preston,	Valibus,
Corrigan,	Lopresti,	Reese,	Wagner,
Costanzo,	Marino,	Reising,	Weiss, D. H.,
Dickinson,	McCullough,	Rush,	Weiss, S. A.,
Dougherty,	McGee,	Sarraf,	Welliver,
Dubbs,	Mihm,	Schor,	Westrick,
Dyson,	Moomaw,	Schrope,	Zappala,
Fitch,			

NAYS—122.

Achterman,	Flanagan,	McArdle,	Sollenberger
Alexander,	Flannery,	McDermott,	Sproul,
Allen,	Flinchbaugh,	McDevitt,	Stackpole,
Allmond,	Gerard,	McElroy,	Stank,
Atkins,	Gillette,	McKinney,	Stewart,
Baker, F. T.,	Gorski,	McShane,	Stockham,
Baker, J. J.,	Habbyshaw,	Melchiorre,	Strode,
Balthaser,	Haberlen,	Mellott,	Terry,
Bierly,	Hagerty,	Mooney,	Trout,
Bohn,	Hall,	Muir,	Tumelty,
Boltz,	Hamilton, F. P.,	O'Brien,	Turner,
Boose,	Hamilton, R. S.	O'Connor,	Van Allen,
Boyer,	Harmuth,	O'Keefe,	VanSickle,
Bradley,	Keys,	Perry,	Vogt,
Brown,	Hering,	Pershing,	Wall,
Brownfield,	Hess,	Piole,	Wampole,
Burrows,	Hetrick,	Powers,	Watkins,

Cadwalader,	Hindman,	Readinger,	Webster,
Caesar,	Hirsch,	Robinson,	Weidemann,
Chervenak,	Holmes,	Rothenberger,	Welsh,
Coakley,	Huntley,	Royer,	Whalen,
Coleman,	Imbrie,	Scanlon,	Wilson,
Davies,	Kane,	Schrock,	Winner,
Decker,	Kelso,	Serrill,	Wood,
Donohoe,	Kilroy,	Shoemaker,	Woodside,
Downey,	Kline,	Shugarts,	Wright,
Eckels,	LaRue,	Siegel,	Yanoshat,
Elpern,	Leisey,	Simon,	Yeakel,
Falkenstein,	Lovett,	Sloan,	Yourishin,
Finnerty,	Lyons,	Smith, John A.,	Furman,
Fiss,	Matthews, J. F.,	Snyder,	

So the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the motion to take the bill from the table?

The yeas and nays were required by Mr. ACHTERMAN and Mr. MORAN.

Mr. MOOMAW. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—75.

Allen,	Fitch,	McElroy,	Robinson,
Allmond,	Flanagan,	McGee,	Ruffennach,
Arnold,	Gerard,	McShane,	Rush,
Aukerman,	Gorski,	Melchiorre,	Sarraf,
Baine,	Harkins,	Moomaw,	Scanlon,
Baker, J. J.,	Hartmuth,	Mooney,	Schor,
Blank,	Hering,	Moran,	Shepard,
Brigerman,	Hindman,	Murrin,	Smith, James A.,
Broad,	Hirsch,	Nagel,	Spengler,
Caputo,	Holland,	O'Brien,	Thomas,
Coakley,	Holmes,	O'Keefe,	Tronzo,
Cohen, H. B.,	Hontz,	Ominsky,	Wagner,
Corrigan,	Horting,	Ostroff,	Walsh,
Costanzo,	Keenan,	Patterson, C. S.,	Weiss, D. H.,
Dickinson,	Kelso,	Patterson, J. W.,	Weiss, S. A.,
Dougherty,	Lewis,	Powers,	Welsh,
Dubbs,	Marino,	Preston,	Zappala,
Dyson,	McCullough,	Reese,	Furman,
Elpern,	McDermott,	Reising,	

NAYS—108.

Achterman,	Flinchbaugh,	Munley,	Strode,
Alexander,	Ganser,	O'Connor,	Terry,
Atkins,	Gillette,	O'Neill,	Thompson,
Baker, F. T.,	Habbyshaw,	Peale,	Toole,
Balthaser,	Haberlen,	Perry,	Trout,
Bierly,	Hall,	Pershing,	Turner,
Bohn,	Hamilton, F. P.,	Piole,	Vallbus,
Bois,	Hamilton, R. S.,	Readinger,	Van Allsburg,
Boltz,	Hays,	Richter,	VanSickle,
Boose,	Hess,	Rothenberger,	Vogt,
Boyer,	Huntley,	Royer,	Wall,
Bradley,	Imbrie,	Schrock,	Wampole,
Brancato,	Kane,	Schrope,	Watkins,
Brownfield,	Kline,	Serrill,	Webster,
Burrows,	LaRue,	Shoemaker,	Weidemann,
Cadwalader,	Leisey,	Shugarts,	Welliver,
Caesar,	Lopresti,	Siegel,	Westrick,
Chervenak,	Lovett,	Simon,	Whalen,
Coleman,	Lyons,	Sloan,	Whitenight,
Davies,	Matthews, J. F.,	Smith, John A.,	Wilson,
Decker,	McArdle,	Snyder,	Winner,
Donohoe,	McDevitt,	Sollenberger,	Wood,
Downey,	McFall,	Sproul,	Woodside,
Eckels,	McKinney,	Stackpole,	Wright,
Finnerty,	Mellott,	Stank,	Yanoshat,
Fiss,	Moul,	Stewart,	Yeakel,
Flannery,	Muir,	Stockham,	Yourishin,

So the question was determined in the negative and the motion was not agreed to.

PERMISSION GRANTED COMMITTEE TO MEET DURING SESSION

Miss BRANCATO. Mr. Speaker, I move that the Committee on Cities be granted permission to meet during the session of the House.

On the question.

Will the House agree to the motion?

Mr. BAINE. Mr. Speaker, I object.

QUESTION OF PARLIAMENTARY INQUIRY

Mr. BAINE. Mr. Speaker, I rise to a question of parliamentary inquiry.

The SPEAKER. The gentleman from Allegheny will state his question of parliamentary inquiry.

Mr. BAINE. Mr. Speaker, does it not require unanimous consent to hold a meeting of a committee during the session of the House?

The SPEAKER. It does not. The lady asked permission of the House.

The motion was agreed to and consent was granted.

PERMISSION GRANTED COMMITTEES TO MEET DURING SESSION

Mr. SIMON asked ond obtained permission for the Committee on Ways and Means to meet during the session of the House.

Mr. ACHTERMAN asked and obtained permission for the Committee on State Government to meet during the session of the House.

Mr. HERBERT B. COHEN asked and obtained permission for the Committee on Appropriations to meet during the session of the House.

RECESS

The SPEAKER. If there are no objections the Chair is about to declare a recess until the committees return. Are three objections? The Chair hears none and declares a recess until the committees return.

AFTER RECESS

The SPEAKER, (Roy E. Furman), in the Chair.

The time of recess having expired the House was called to order.

SENATE MESSAGES

AMENDMENTS INSISTED UPON BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1754 entitled:

An Act to amend the act approved the fifth day of May one thousand nine hundred thirty-three (P. L. 289) entitled "An act relating to non-profit corporations defining and providing for the organization merger consolidation and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the first class within the provisions of this act prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas prothonotaries of such courts recorders of deeds and certain State departments commissions and officers authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act imposing penalties and

repealing certain acts and parts of acts relating to corporations" by providing for and regulating the incorporation of non-profit corporations organized to provide hospital care and service for subscribers and conferring powers on the Insurance Department with respect thereto and further defining the scope of the act

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1754

Mr. HERBERT B. COHEN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference Messrs. Herbert B. Cohen, Lovett and Winner.

Ordered, That the Clerk inform the Senate accordingly.

AMENDMENTS INSISTED UPON BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 1755 entitled:

An Act providing for the regulation by the Insurance Department ofno n-profit corporations organized to provide hospitalization for subscribers prescribing legal investments for the funds of such corporations and the hospitals with which such corporations may enter into contracts for hospitalization conferring powers on the Insurance Department and the Department of Welfare exempting such corporations from taxation and providing penalties

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 1755

Mr. HERBERT B. COHEN. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference Messrs. Herbert B. Cohen, Lovett and Winner.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDMENTS INSISTED UPON BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 965 entitled:

An Act to amend section one of the act approved the sixteenth day of April one thousand nine hundred and twenty-five (Pamphlet Laws 244) entitled "An act applying to third class counties only and regulating the selection drawing and summoning of all jurors and talesmen and defining their qualifications in such counties creating a jury board and defining its powers and procedure providing for the appointment of a clerk to the jury board and fixing his maximum salary providing for the custody of the jury wheel and the filing and custody of jury lists providing for the public drawing of jurors and the methods thereof giving the trial judge the right to excuse jurors prescribing the time of challenging jurors for the array and regulating the procedure if array is quashed repealing all acts or parts of acts inconsistent therewith" by reconstituting the jury board

APPOINTMENT OF CONFERENCE COMMITTEE ON HOUSE BILL No. 965

Mr. TOOLE. Mr. Speaker, I move that the House insist upon its non-concurrence in the amendments made and insisted upon by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference Messrs. Toole, Dougherty and Weidemann.

Ordered, That the Clerk inform the Senate accordingly.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 213

The Clerk of the Senate being introduced, informed that the Senate insists on its non-concurrence in the amendments made and insisted upon by the House of Representatives to Senate Bill No. 213 entitled:

An Act to amend section eighteen of the act approved the second day of July one thousand nine hundred and thirty-five (Pamphlet Laws 589) entitled "An act to safeguard human health and life by providing for the issuance of permits to and regulation of persons and entities selling milk and milk products conferring powers and imposing duties on the Secretary of Health the Advisory Health Board and otherwise providing for the administration of the act and imposing penalties" requiring local ordinances in certain cases to conform to this act and the regulations made thereunder

And has appointed Messrs. Heyburn, Sipe and Ealy. a Committee of Conference to confer with a similar committee of the House of Representatives (if the House of Representatives shall appoint such committee) on the subject of the differences existing between the two Houses in relation to said bill.

APPOINTMENT OF CONFERENCE COMMITTEE ON SENATE BILL No. 213

Mr. JOHN A. SMITH. Mr. Speaker, I move that the House insist upon its amendments non-concurred in by the Senate and that a Committee of Conference be appointed.

The motion was agreed to.

The SPEAKER. The Chair appoints as a Committee of Conference Messrs. John A. Smith, Moul and Schrock.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

AMENDMENTS INSISTED UPON BY SENATE

The Clerk of the Senate being introduced, informed that the Senate has insisted upon its amendments, nonconcurred in by the House of Representatives, to House Bill No. 158, entitled:

An Act to preserve and improve the purity of the waters of the Commonwealth for the protection of public health animal and aquatic life and for industrial consumption and recreation empowering and directing the creation of indebtedness or the issuing of non-debt revenue bonds by political subdivisions to provide works to abate pollution providing protection of water supply providing for the jurisdiction of courts magistrates aldermen and justices of the peace in the enforcement thereof and providing additional remedies for abating pollution of waters imposing certain penalties and repealing certain acts

And has appointed Messrs. Rogers, Thompson and Gelder a Committee of Conference to confer with a similar committee of the House of Representatives (already appointed) on the subject of the differences existing between the two houses in relation to said bill.

MINORITY REPORT OF THE TAX STUDY COMMISSION

Mr. SAMUEL A. WEISS. Mr. Speaker, I desire to offer the minority report of the Tax Study Commission.

The SPEAKER. The report will be noted in the Journal and printed in the Appendix to the Legislative Journal.

REPORTS FROM COMMITTEES

Mr. JAMES W. PATTERSON, from the Committee on Counties, reported as committed, House Bill No. 2427, (Senate Bill No. 1308), entitled:

An Act to amend section four hundred and one of the act approved the second day of May one thousand nine hundred and twenty-nine (P. L. 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by further rebulating depositories of funds of counties of the second class.

Mr. WESTRICK, from the Committee on Ways and Means, reported as committed, House Bill No. 2500, (Senate Bill No. 1404), entitled:

An Act to further amend sub-paragraph three of subsection (a) of section five hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State Government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof all public officers collecting money payable to the Commonwealth or agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by making further provision relative to interest upon State deposits.

Mr. BLANK, from the Committee on Judiciary General, reported as committed, House Bill No. 2238, (Senate Bill No. 957), entitled:

An Act changing the procedure in civil actions hereafter brought in any of the Courts of Common Pleas of Philadelphia County providing for trial without jury and for trial without jury and for the filing of agreements therefor providing for the payment of jury fees

Mr. JOHN A. SMITH, from the Committte on State Government, reported as committed, House Bill No. 2318, (Senate Bill No. 1050), entitled:

An Act to amend the act approved the twenty-ninth day of May one thousand nine hundred thirty-five (P. L. 261), entitled "An act authorizing the Secretary of Property and Supplies of the Commonwealh of Pennsylvania with the approval of the Governor to convey a certain part of a tract of land acquired in the name of the Commonwealth as a site for the Cumberland Valley State Institution for Mental Defectives and to acquire in exchange a certain tract therefor" by substituting Owen J. Zimmerman or his successor in title for Samuel Zimmerman.

Mr. ROBINSON, from the Committee on Municipal Corporations, reported as committed, House Bill No. 2449, (Senate Bill No. 1315), entitled:

An Act requiring collectors of city county borough town township school and poor district taxes to file certain reports with the Quarter Sessions Court and the Department of Internal Affairs directing such Department to prepare and furnish forms for such reports making such reports available for public inspection requiring all payments to such collectors for compensation and expenses to be by warrant or order prohibiting such collectors from deducting their compensation and expenses from public funds in their possession and making violation of the act a misdemeanor.

Mr. McFALL, from the Committee on Forestry, reported as committed, House Bill No. 2273, (Senate Bill No. 232), entitled:

An Act providing for the acquisition and maintenance by the Department of Forests and Waters with the advice of the Bushy Run Battlefield Commission of lands adjacent to and including the place where fifty soldiers killed in the battle of Bushy Run are buried as well as other portions of said battlefield and making an appropriation.

Mr. O'BRIEN, from the Committee on Corporations, reported as committed, House Bill No. 2420, (Senate Bill No. 1223), entitled:

An Act to amend section one of the act approved the tenth day of May one thousand nine hundred twenty-seven (P. L. 879) entitled "An act regulating the sale in bulk of fifty-one percentum or more of the stock of goods wares or merchandise of any kind fixtures machinery equipment or real estate by every corporation joint-stock association limited partnership or company providing certain requirements therefor and imposing certain duties upon the seller and buyer and fixing penalties" providing for the payment of unemployment compensation contributions.

Mr. BOIES, from the Committee on State Government, reported as committed, House Bill No. 2214, (Senate Bill No. 1004), entitled:

An Act declaring bonds issued by The General State Authority legal investments for the investment of certain funds and moneys.

Mr. OMINSKY, from the Committte on Cities, reported as committed, House Bill No. 2363, (Senate Bill No. 1251), entitled:

An Act to amend section one of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (Act Number 108) entitled "An act providing for the appointment and filling of vacancies in the office of members of the board of revision of taxes in

counties of the first class" by making further provisions relative to the appointment of members of the said board.

Miss BRANCATO, from the Committee on Judiciary General, reported as committed, House Bill No. 2392, (Senate Bill No. 960), entitled:

An Act providing for the making of compacts by the Commonwealth with other states for mutual helpfulness in relation to persons on probation or parole and imposing certain powers and duties on the Governor and the Board of Pardons.

Miss BRANCATO, from the Committee on Cities, reported as committed, House Bill No. 2499, (Senate Bill No. 1358), entitled:

An Act to amend section six of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (P. L. 13) entitled "An act to carry into effect section five of Article fourteen of the Constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" by providing that in counties of the first class salaries of respective county officers shall not exceed the amount fixed by the tax levying body of such county for such offices.

Miss BRANCATO, from the Committee on Cities, reported as committed, House Bill No. 2478, (Senate Bill No. 1317), entitled:

An Act to amend section two of the act approved the seventh day of July one thousand nine hundred and thirty-six (P. L. 37) entitled "An act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof" by limiting appropriations to amounts realized by the sale of such certificates.

Miss BRANCATO, from the Committee on Cities, reported as committed, House Bill No. 2489, (Senate Bill No. 1235), entitled:

An Act providing for the creation division and consolidation of wards in cities of the first class and defining procedure therefor.

Mr. HOLSTROM, from the Committee on Ways and Means, reported as committed, House Bill No. 2498, (Senate Bill No. 1355), entitled:

An Act to amend section twenty-seven of the act approved the twentieth day of July one thousand nine hundred seventeen (P. L. 1143) entitled "An act relating to free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing empting from collateral inheritance tax all gifts devises existing laws in relation to the above subjects" by exgrants or endowments made to National libraries.

Mr. KEENAN, from the Committee on Counties, reported as committed, House Bill No. 2442, (Senate Bill No. 1228), entitled:

An Act authorizing county commissioners of any county to hold in trust for the inhabitants and citizens of the county any real estate and property appropriate for agriculture fairs or exhibits and to lease the same without expense or liability to the county to any incorporated agriculture association to operate and conduct an annual fair within the county.

Mr. FLANNERY, from the Committee on Public Health and Sanitation, reported as committed, House Bill No. 2443, (Senate Bill No. 1258), entitled:

An Act to amend sections five and eight of the act approved the seventeenth day of May one thousand nine hundred and seventeen (P. L. 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words "drug" and "poison" and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by providing for annual renewals of the registration of pharmacists and assistant pharmacists.

Mr. VALIBUS, from the Committee on State Government, reported as committed, House Bill No. 2479, (Senate Bill No. 309), entitled:

An Act to amend section three as amended of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 452) entitled "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agency and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" changing the personnel.

Mr. JOHN J. BAKER, from the Committee on Labor, reported as committed, House Bill No. 2462, (Senate Bill No. 744), entitled:

An Act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write Workmen's Compensation Insurance in this Commonwealth and to provide for the administration thereof.

Mr. DECKER, from the Committee on Agriculture, reported as committed, House Bill No. 2432, (Senate Bill No. 915), entitled:

An Act to amend the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (P. L. 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing State aid for certain agricultural associations and regulating the payment thereof" as amended providing for aid to counties holding agricultural exhibitions.

Mrs. HORTING, from the Committee on Municipal Corporations, reported as lommitted, House Bill No. 2433, (Senate Bill No. 952), entitled:

An Act to amend section twenty-four of the act approved the sixteenth day of May one thousand nine hun-

dred and twenty-three (P. L. 207) entitled as amended "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as amended by and increasing the term for which sequestrators may lease sequestrated property.

Mr. BRADLEY, from the Committee on Corporations, reported as committed, House Bill No. 2419, (Senate Bill No. 1220), entitled:

An Act to validate conveyances purporting to be the act and deed of a corporation heretofore erroneously executed and acknowledged or executed and acknowledged by persons purporting to be agents of or trustees for a corporation which has since been dissolved.

Miss BRANCATO, from the Committee on State Boards, reported as committed, House Bill No. 2463, (Senate Bill No. 185), entitled:

An Act relating to motor vehicles new and used creating a Motor Vehicle Dealers' Commission establishing its jurisdiction powers and duties and creating and providing for approved motor vehicle appraisers establishing their powers and duties regulating the sale trade-in allowance appraisals and information furnished the Commonwealth on motor vehicles new and used and establishing regulations concerning speedometers authorizing the Commission to establish periodical prices for used motor vehicles either sold or traded in establishing the appraisal value of motor vehicles new or used either for sale or used trade-in allowances providing for the licensing of motor vehicle dealers and salesmen and approved motor vehicle appraisers and the payment of fees therefor authorizing examination of the business papers and affairs of and requiring the filing of reports by licensees authorizing and empowering the Commission to hold hearings and to issue rules and orders and the issuance of subpoena by the Commission or its agents and conferring jurisdiction upon the courts to punish contempts or to prohibit violations of orders of the Commission providing for appeals to the courts from decisions of the Commission imposing penalties and making appropriation.

Mr. MOOMAW, from the Committee on State Government, reported as amended, House Bill No. 2431, (Senate Bill No. 783), entitled:

An Act establishing a Pennsylvania Motor Police Retirement System providing for payments upon retirement death disability involuntary retirement and providing for the payment of certain medical expenses creating a board for the administration thereof establishing certain funds from contributions by the Commonwealth and contributing State employes defining the uses and purposes thereof and the manner of payments therefrom providing for the guarantee by the Commonwealth of certain of said funds providing for the subrogation of the Commonwealth to the rights of the member or dependents against certain third parties exempting annuities allowances returns benefits and rights from taxation and judicial processes and providing penalties.

Mr. MOOMAW, from the Committee on State Government, reported as amended, House Bill No. 2399, (Senate Bill No. 1237), entitled:

An Act authorizing the Secretary of Property and Supplies with the approval of the Governor and the Secretary of Forests and Waters to convey to the Pennsylvania State College subject to certain reservations the Mont Alto State Forest School and to accept a conveyance from said college of a tree nursery tract.

Mr. CHERVENAK, from the Committee on Labor, reported as amended, House Bill No. 2487, (Senate Bill No. 1075), entitled:

An Act to protect the public health and welfare by regulating employment in this Commonwealth with respect to hours and conditions of employment providing for certain exceptions imposing duties liabilities and conditions on employers defining the powers and duties of the Department of Labor and Industry and its officers and representatives and providing penalties.

Mr. BLANK, from the Committee on Cities, reported as amended, House Bill No. 2464, (Senate Bill No. 955), entitled:

An Act authorizing and empowering cities of the first class with the consent of the Water and Power Resources Board of the Commonwealth of Pennsylvania to erect and construct water-works as herein defined within and without their corporate limits to acquire property within and without their corporate limits to acquire property within and without their corporate limits by purchase lease gift and the power of iminent domain for such purposes to generate power and erect power plants stations and lines in connection therewith and to use sell and purchase water water power and electric energy within and without their corporate limits prescribing the powers and duties of such cities providing for the assessment of damages and repealing inconsistent laws.

Mr. OMINSKY, from the Committee on Cities, reported as amended, House Bill No. 2466, (Senate Bill No. 1089), entitled:

An Act to supplement the act approved the twenty-fifth day of June one thousand nine hundred nineteen (P. L. 581) entitled "An act for the better government of cities of the first class of this Commonwealth" supplying a new Article XIX providing for the better government of such cities by regulating and improving the civil service of such cities establishing and regulating the powers and duties of Civil Service Commissions providing for the appointment of Civil Service Commissioners providing for the appointment and regulating the duties and powers of Civil Service Directors defining certain crimes and imposing penalties.

Miss BRANCATO, from the Committee on Cities, reported as amended, House Bill No. 2415, (Senate Bill No. 1139), entitled:

An Act to authorize cities of the first class of this Commonwealth to provide for the payment of deficits arising from non-receipt of revenue during the year 1937 in three equal annual installments and to authorize the making of contracts the drawing of warrants and the approval thereof without appropriation for the payment of such deficits except as provided by this act and to levy and fix the tax rate and to make appropriations and prepare and formulate the financial programs of such cities upon the basis of the discharge of such deficits in the manner provided by this act and repealing any inconsistent legislation.

Mr. BAINE, from the Committee on Corporations, reported as amended, House Bill No. 2385, (Senate Bill No. 630), entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws, three hundred sixty-four) entitled, "An act relating to business corporations, defining and provid-

ing for the organization, merger, consolidation, reorganization, winding up and dissolution of such corporations; conferring certain rights, powers, duties and immunities upon them and their officers and shareholders; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the second class within the provisions of this act; prescribing the terms and conditions upon which foreign business corporations may be admitted, or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas, and certain State departments, commissions and officers; authorizing certain State departments, boards, commission or officers to collect fees for services required to be rendered by this act; imposing penalties, and repealing certain acts and parts of acts relating to corporations," re-defining authorized capital stock; eliminating certain approvals of articles of incorporation and certificates of authority; and further regulating the incorporation of business corporations and the amendments to the articles thereof; regulating and extending the rights, responsibilities, authority, powers and immunities of such corporations and of reorganized corporations and of the shareholders thereof and the rights, powers, qualifications and compensation of the officers thereof; providing for certificates of approval by the Department of State; further providing for and regulating the merger or consolidation and dissolution of such corporations; and providing penalties.

Mrs. HORTING, from the Committee on Education, reported as amended, House Bill No. 2231, (Senate Bill No. 158), entitled:

An Act to further amend the act approved the eighteenth day of May one thousand nine hundred and eleven (P. L. 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collection such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by providing for health rooms providing for enumeration of minors in certain cases requiring enumeration of illiterate children and alien residents providing for home and school visitors in lieu of or in addition to other attendance officers and for their compensation providing for the education of physically and mentally handicapped children and for the care of uneducatable children authorizing school districts to provide care and treatment of defective ears of pupils and authorizing school district of the fourth class to provide medical inspection at their own expense.

Mr. DONOHOE, from the Committee on Corporations, reported as amended, House Bill No. 2384, (Senate Bill No. 629), entitled:

An Act to further amend the act approved the fifth day of May, one thousand nine hundred and thirty-three (Pamphlet Laws two hundred eighty-nine) entitled "An act relating to non-profit corporations; defining and providing for the organization, merger, consolidation, and dissolution of such corporations; conferring certain rights, powers, duties, and immunities upon them and their officers and members; prescribing the conditions on which such corporations may exercise their powers; providing for the inclusion of certain existing corporations of the first class within the provisions of this act; prescribing the terms and conditions upon which foreign non-profit corporations may be admitted or may continue to do business within the Commonwealth; conferring powers and imposing duties on the Courts of Common Pleas, prothonotaries of such courts, recorders of deeds, and certain State departments, commissions, and officers; authorizing certain local public officers and State departments to collect fees for services required to be rendered by this act; imposing penalties; and repealing certain acts and parts of acts relating to corporations," further regulating the incorporation of non-profit corporations; regulating, and extending and restricting in certain cases, the rights, responsibilities, authority and powers of such corporations and of the members thereof, and the creation, rights, powers and qualifications of the officers thereof; further providing for and regulating the merger or consolidation, and the dissolution of such corporations, and providing penalties.

Mr. KANE, from the Committee on Judiciary General, reported as amended, House Bill No. 2286, (Senate Bill No. 214), entitled:

An Act providing for the joinder of plaintiffs in civil suits and the rendition of verdicts and entry of judgment in such cases and defining the powers of the court in such cases.

Mr. BRADLEY, from the Committee on Mines and Mining, reported as amended, House Bill No. 2456, (Senate Bill No. 1069), entitled:

An Act relating to and regulating the mining of anthracite coal providing for the health safety and welfare of persons employed in and about the anthracite coal mines and for the protection and preservation of property connected therewith amending consolidating revising and changing the law relating thereto and imposing penalties.

Mr. SAMUEL A. WEISS, from the Committee on Judiciary General, reported as committed, House Bill No. 1930, entitled:

An Act making unlawful certain discriminations in price, in services or facilities furnished, or in payment for services or facilities to be rendered, in connection with the sale of commodities in the course of trade or commerce, and providing certain remedies for violation.

Mr. PIOLE, from the Committee on Labor, reported as committed, House Bill No. 2002, entitled:

An Act to amend section three of the act approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1083), entitled "An act requiring all persons contracting with the Commonwealth or any department or officer thereof or any municipal corporation, division or subdivision of the Commonwealth, to accept the provisions of the State Wormen's Compensation Act, and to insure the said contractors' liability thereunder or secure an exemption from insurance in accordance with the terms of the said act in respect to such contract," by making the Commonwealth or municipality or division or subdivision thereof, liable for payment of compensation to persons injured while employed under a contract executed in violation of the provisions of this act.

Mr. VALIBUS, from the Committee on Labor, reported as committed, House Bill No. 2003, entitled:

An Act to amend section eight hundred and five of the act approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class, and amending, revising, consolidating and changing the law relating thereto' by making townships liable for payment of compensation to persons injured while employed under a contract executed in violation of provisions of this act.

Mr. DAVID H. WEISS, from the Committee on Cities, reported as committed, House Bill No. 2037, entitled:

An Act to re-enact a part of section one of article three of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," providing for the removal and dismissal of policemen in cities of the second class.

Mr. HEBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2364, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition of certain lands in Lackawanna and Luzerne Counties as State forest lands.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 1662, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition of lands, and the development and improvement of such lands in connection with the Birthplace of James Buchanan.

Mr. SOLLENBERBER, from the Committee on State Government, reported as committed, House Bill No. 2446, (Senate Bill No. 1311), entitled:

An Act providing for the erection construction and equipment of buildings for a new State sanatorium or new buildings at existing sanatoria designating the manner of acquiring or setting aside of land for the erection and construction of such buildings by The General State Authority authorizing the Commonwealth to lease such new sanatorium or building or buildings and the grounds connected therewith from The General State Authority upon their completion and the Department of Health to manage and operate the same and conferring powers and imposing duies upon certain State departments.

Mr. STACKPOLE, from the Committee on Corporations, reported as committed, House Bill No. 2440, (Senate Bill No. 1224), entitled:

An Act to amend article nine of the act approved the fifth day of May one thousand nine hundred and thirty-three (Pamphlet Laws 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing that a domestic business corporation formed by merger of one or more foreign business corporations shall be entitled to a credit on the bonus due the Commonwealth equal to the amount of the bonus paid under existing laws by the corporations so merging.

Mr. KANE, from the Committee on Ways and Means, reported as committed, House Bill No. 2298, (Senate Bill No. 1042), entitled:

An Act to amend section one thousand five hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by making further provisions relating to advances out of appropriations

Mr. TRONZO, from the Committee on Judiciary General, reported as committed, House Bill No. 2195, (Senate Bill No. 853), entitled:

An Act defining the method of computing the aggregate minimum and marimum limits of consecutive sentences imposed upon persons convicted of crime.

Mr. PERRY from the Committee on State Government, reported as committed, House Bill No. 2441, (Senate Bill No. 1226), entitled:

An Act authorizing the Joint Commission having jurisdiction over bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New York to sell and dispose of certain real and personal property to lease real estate and to license Public Utility Companies to occupy with their facilities parts of such bridges as are within the jurisdiction of the Commission and providing for the disposal of the proceeds thereof.

Mr. McKINNEY, from the Committee on State Government, reported as committed, House Bill No. 2404, (Senate Bill No. 376), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Kutztown State Teachers College to acquire certain tracts of land for the use of said college and making an appropriation.

Mr. STOCKHAM, from the Committee on Public Utilities, reported as committed, House Bill No. 2341, (Senate Bill No. 820), entitled:

An Act to further amend section one of the act approved the seventh day of April one thousand nine hundred thirty-three (Pamphle Laws twenty-seven) entitled "An act to authorize the Department of Highways and the county commissioners to occupy and relocate rights of way of public service companies in certain cases and to acquire by purchase or condemnation the necessary land therefor" by changing certain provisions as to transfer of structures and facilities of public service companies providing for ascertainment and payment of cost procedure before Pennsylvania Public Utilities Commission and appeal.

Mr. TROUT, from the Committee on State Government, reported as committed, House Bill No. 2413, (Senate Bill No. 1113), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Edinboro State Teachers College to acquire certain tracts of land for the use of said college and making an appropriation.

Mr. TURNER, from the Committee on State Government, reported as committed, House Bill No. 2398, (Senate Bill No. 1231), entitled:

An Act empowering the Department of Property and Supplies with the consent and approval of the Department of Military Affairs and the Governor to lease or rent a part or parts of the Pennsylvania Military Reservation at Indiantown Gap to the City of Harrisburg for the purpose of impounding water for a water supply and appropriating the moneys received therefrom to the Department of Military Affairs.

Mr. McDEVITT, from the Committee on Judiciary General, reported as committed, House Bill No. 2393, (Senate Bill No. 986), entitled:

An Act to amend section one hundred fifty-five of the act approved the thirty-first day of March, one thousand eight hundred and sixty (Pamphlet Laws 382) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" extending the provisions to memorials tablets and works of art erected within buildings or on grounds.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2369, (Senate Bill No. 514), entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia Pennsylvania.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2366, (Senate Bill No. 166), entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museums.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2331, (Senate Bill No. 32), entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2335, (Senate Bill No. 207), entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Engineering.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2381, (Senate Bill No. 83) entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2383, (Senate Bill No. 561), entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania Philadelphia Pennsylvania.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2382, (Senate Bill No. 127), entitled:

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School for Medicine.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2314, (Senate Bill No. 885), entitled:

An Act providing for special vocational trade industrial and commercial schools and classes and occupational adjustment offices through public school districts and in cooperation with employment and re-employment offices for the training re-training instruction and adjustment of certain persons in order to enable them to enter re-enter or continue employment under changing conditions conferring powers and imposing duties upon the Superintendent of Public Instruction and making an appropriation.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 786, (Senate Bill No. 147), entitled:

An Act making an appropriation to the Department of Agriculture to compensate land owners for cedar trees destroyed to prevent damage to apple orchards by cedar apple rust.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2277, (Senate Bill No. 430), entitled:

An Act making an appropriation to the Department of Health for the prevention of blindness in infants.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2322, (Senate Bill No. 1134), entitled:

An Act to repeal the act approved the seventh day of August one thousand nine hundred thirty-six (Pamphlet Laws 102) entitled "An act transferring money from the State School Fund to the General Fund and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2421, (Senate Bill No. 1225), entitled:

An Act making an appropriation out of The State Stores Fund to the Department of Property and Supplies for the acquisition of land (with or without buildings thereon) and for the erection construction and equipment of an office building thereon for the use of the Pennsylvania Liquor Control Board.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2388, (Senate Bill No. 860), entitled:

An Act supplementing the act of July twenty-second one thousand nine hundred and thirty-six (P. L. 70) and authorizing the Governor directly or through such agency as he may designate to provide plan prepare supervise and carry out a suitable program throughout the Commonwealth of Pennsylvania and elsewhere for the Celebration of the one hundred and fiftieth Anniversary of the Framing the Signing the Ratification by Pennsylvania and the Final Adoption and Establishment of the Constitution of the United States during the years one thousand nine hundred thirty-seven one thousand nine hundred thirty-eight and one thousand nine hundred thirty-nine and making an appropriation.

Mr. McDERMOTT, from the Committee on Municipal Corporations, reported as amended, House Bill No. 730, entitled:

An Act providing for and regulating the appointment, promotion and reduction in rank and removal of paid members of the bureau of police, bureau of detectives, police women, bureau of electricity in connection with police departments, police telephone operators and their assistants, and police radio operators and their assistants, in counties of the second class, and in the cities, boroughs,

towns and townships within such counties; creating a county civil service commission in each such county, the members thereof to receive salaries to be payable by the counties; defining the powers and duties of such civil service commissions; imposing certain duties and expenses on such counties and the cities, boroughs, towns and townships located therein; imposing penalties; and repealing inconsistent laws.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2337, (Senate Bill No. 406), entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2455, (Senate Bill No. 879), entitled:

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two years beginning June first one thousand nine hundred thirty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-seven.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2165, (Senate Bill No. 516), entitled:

An Art making an appropriation to the Department of Health for the purchase and distribution of vitamin products.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2336, (Senate Bill No. 387), entitled:

A Further Supplement to the act approved the first day of April, one thousand eight hundred and sixty-three (Pamphlet Laws two hundred thirteen) entitled, "An act to accept the grant of Public Lands, by the United States, to the several states, for the endowment of Agricultural College"; and making appropriations for carrying the same into effect.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2410, (Senate Bill No. 881), entitled:

An Act making an appropriation to the State Veterans' Commission for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war or their dependents.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2476, (Senate Bill No. 1298),entitled:

An Act to amend sections one and two of the act approved the seventh day of August one thousand nine hundred thirty-six (Pamphlet Laws 126) entitled "An act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety and at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs alterations and additions to and replacement of existing buildings and equipment" authorizing the use of said appropriation to remove hazards to health.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2409, (Senate Bill No. 880), entitled:

An Act appropriating to the Department of Public Assistance for public assistance all restitutions and overpayments collected by or for such department.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2438, (Senate Bill No. 1048), entitled:

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2492, (Senate Bill No. 1299), entitled:

An Act making an appropriation to the Department of Property and Supplies for sewer purpose in connection with the East Stroudsburg State Teachers' College.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2482, (Senate Bill No. 556), entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry, Philadelphia, School of Design for Women at Philadelphia Pennsylvania.

Miss BRANCATO, from the Committee on Cities, reported as committed, House Bill No. 2494, (Senate Bill No. 1322), entitled:

An Act to further amend section one of the act approved the eleventh day of May one thousand nine hundred eleven (Pamphlet Laws 275) entitled "An act to provide for the appointment of county city inspectors of weights and measures providing for their compensation and expenses prescribing their duties prohibiting vendors from giving false or insufficient weights and fixing the penalties for the violation of the provision hereof" by eliminating certain conditions of removal of inspectors and providing for their appointment in counties of the first class.

Mr. HERBERT B. COHEN, from the Committee on Appropriations, reported as committed, House Bill No. 2372, (Senate Bill No. 770), entitled:

An Act to re-enact and amend the act approved the first day of May one thousand nine hundred twenty-nine (Pamphlet Laws one thousand forty-six) entitled "An act appropriating the moneys in the Motor License Fund" as amended by making the moneys in the Motor License Fund available to the Pennsylvania Motor Police to defray all expenses required by such agency in the proper conduct of its work.

Mr. OMINSKY, from the Committee on Cities, reported as committed House Bill No. 792, entitled:

An Act providing for the inspection of weights and measures by the Department of Public Safety of cities of the first class, and by its officers and agents as part of its police affairs, and abolishing the office of inspectors of weights and measures in counties of the first class; transferring standard tests of weights and measures from such counties to such cities; conferring powers and imposing duties on such departments of cities of the first class, its officers and agents; and providing penalties.

BILL RE-REFERRED

Mr. LONGAKER, returned from the Committee on Welfare with the recommendation that it be re-referred to the Committee on Manufactures, House Bill No. 1892, entitled:

An Act to regulate and improve the administration of public assistance in the Commonwealth of Pennsylvania;

establishing a personnel director for the Department of Assistance; providing a merit system for the employment, promotion, and dismissal of employes of the State Department of Assistance; and providing for appeals in all matters pertaining to this act.

The SPEAKER. The bill is now re-referred to the Committee on Manufactures.

BILLS ON FIRST READING

The SPEAKER. If there are no objections all bills reported from committee as committed will be read the first time. Are there objections? The Chair hears none and all bills reported as committed will be read the first time.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2427, (Senate Bill No. 1308), entitled:

An Act to amend section four hundred and one of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by further regulating depositories of funds of counties of the second class.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2500, (Senate Bill No. 1404), entitled:

An Act to further amend sub-paragraph three of subsection (a) of section five hundred five of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State Government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belnging to the Commonwealth or any agency thereof including escheated propery and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the re-settlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof all public officers collecting moneys payable to the Commonwealth or agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by making further provision relative to interest upon State deposits.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2238, (Senate Bill No. 957), entitled:

An Act changing the procedure in civil actions hereafter brought in any of the Courts of Common Pleas of Philadelphia County providing for trial without jury and for the filing of agreements therefor providing for the payment of jury fees.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2318, (Senate Bill No. 1050), entitled:

An Act to amend the act approved the twenty-ninth day of May, one thousand nine hundred thirty-five (Pamphlet Laws two hundred sixty-one) entitled "An act authorizing the Secretary of Property and Supplies of the Commonwealth of Pennsylvania, with the approval of the Governor, to convey a certain part of a tract of land acquired in the name of the Commonwealth as a site for the Cumberland Valley State Institution for Mental Defectives, and to acquire in exchange a certain tract therefor," by substituting Owen J. Zimmerman, or his successor in title, for Samuel Zimmerman.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill 2449, (Senate Bill No. 1315), entitled:

An Act requiring collectors of city county borough town township school and poor district taxes to file certain reports with the Quarter Sessions Court and the Department of Internal Affairs directing such Department to prepare and furnish forms for such reports making such reports available for public inspection requiring all payments to such collectors for compensation and expenses to be by warrant or order prohibiting such collectors from deducting their compensation and expenses from public funds in their possession and making violation of the act a misdemeanor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2273, (Senate Bill No. 232), entitled:

An Act providing for the acquisition and maintenance by the Department of Forests and Waters with the advice of the Bushey Run Battlefield Commission of lands adjacent to and including the place where fifty soldiers killed in the battle of Bushy Run are buried as well as other portions of said battlefield and making an appropriation

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2420, (Senate Bill No. 1223), entitled:

An Act to amend section one of the act approved the tenth day of May one thousand nine hundred twenty-seven (Pamphlet Laws 879) entitled "An act regulating the sale in bulk of fifty-one per centum or more of the stock of goods wares or merchandise of any kind fixtures machinery equipment or real estate by every corporation joint-stock association limited partnership or company providing certain requirements therefor and imposing certain duties upon the seller and buyer and fixing penalties"

providing for the payment of unemployment compensation contributions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2214, (Senate Bill No. 1004), entitled:

An Act declaring bonds issued by The General State Authority legal investments for the investment of certain funds and moneys.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2363, (Senate Bill No. 1251), entitled:

An Act to amend section one of the act approved the twenty-eighth day of April one thousand nine hundred thirty-seven (Act No. 108) entitled "An act providing for the appointment and filling of vacancies in the office of members of the board of revision of taxes in counties of the first class" by making further provisions relative to the appointment of members of the said board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2392, (Senate Bill No. 960), entitled:

An Act providing for the making of compacts by the Commonwealth with other states for mutual helpfulness in relation to persons on probation or parole and imposing certain powers and duties on the Governor and the Board of Pardons.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2499, (Senate Bill No. 1358), entitled:

An Act to amend section six of the act approved the thirty-first day of March one thousand eight hundred and seventy-six (Pamphlet Laws 13) entitled "An act to carry into effect section five of Article fourteen of the constitution relative to the salaries of county officers and the payment of fees received by them into the State or county treasury in counties containing over one hundred and fifty thousand inhabitants" by providing that in counties of the first class salaries of respective county officers shall not exceed the amount fixed by the tax levying body of such county for such offices.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2478, (Senate Bill No. 1317), entitled:

An Act to amend section two of the act approved the seventh day of July one thousand nine hundred and thirty-six (Pamphlet Laws 37) entitled "An act to provide for the public sale by cities of the first class of tax anticipation certificates representing registered delinquent taxes and authorizing the appropriation for current or other purposes funds realized or estimated to be collectible from the sale thereof" by limiting appropriations to amounts realized by the sale of such certificates.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2498, (Senate Bill No. 1355), entitled:

An Act to amend section twenty-seven of the act approved the twentieth day of July one thousand one hundred seventeen (P. L. 1143) entitled "An act relating to free public non-sectarian libraries and branch libraries within this Commonwealth providing for their establishment maintenance and regulation and for the maintenance and regulation of such free public non-sectarian libraries as may have been already established by the several counties cities boroughs towns and townships and providing that all library property and all gifts devises grants or endowments for library purposes shall be exempt from taxation and providing that the several counties cities boroughs towns and townships may levy taxes condemn private property and borrow money for library purposes and imposing penalties for injuring library property and for violations of library regulations and repealing existing laws in relation to the above subjects" by exempting from collateral inheritance tax all gifts devises grants or endowments made to national libraries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2489, (Senate Bill No. 1235), entitled:

An Act providing for the creation division and consolidation of wards in cities of the first class and defining procedure therefor.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2442, (Senate Bill No. 1228), entitled:

An Act authorizing county commissioners of any county to hold in trust for the inhabitants and citizens of the county any real estate and property appropriate for agriculture fairs or exhibits and to lease the same without expense or liability to the county to any incorporated agriculture association to operate and conduct an annual fair within the county.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2443, (Senate Bill No. 1258), entitled:

An Act to further amend sections five and eight of the act, approved the seventeenth day of May, one thousand nine hundred and seventeen (P. L. 208), entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs, and providing penalties for the violation there-

of; defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law, and the power to make rules and regulations for the enforcement of said law, and providing for the purchase of samples of drugs for determining their quality, strength, and purity," by providing for annual renewals of the registration of pharmacists and assistant pharmacists.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2479, (Senate Bill No. 309), entitled:

An Act to amend section three as amended of the act approved the twenty-eighth day of June one thousand nine hundred and thirty-five (P. L. 452) entitled "An act to promote the welfare of the people of the Commonwealth creating a General State Authority as a body corporate and politic with power to construct improve and operate projects and to lease the same and to fix and collect fees rentals and charges for the use thereof authorizing and regulating the issuance of bonds by said Authority and providing for the payment of such bonds and the rights of the holders thereof and to enter into agreements with the Government of the United States or any Federal agncy and authorizing the Department of Property and Supplies to grant assign convey or lease to the Authority lands of the Commonwealth and interests therein and to acquire lands therefor granting the right of eminent domain and providing that no debt of the Commonwealth shall be incurred in the exercise of any of the powers granted by this act" changing the personnel

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2462, (Senate Bill No. 744), entitled:

An Act to establish funds to provide security for the payment of benefits in event of the insolvency of an insurance carrier authorized to write Workmen's Compensation Insurance in this Commonwealth and to provide for the administration thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2432, (Senate Bill No. 915), entitled:

An Act to amend the act approved the twenty-fifth day of July one thousand nine hundred and seventeen (P. L. 1195) entitled "An act for the encouragement of agriculture and the holding of agricultural exhibitions providing for State aid for certain agricultural associations and regulating the payment thereof" as amended providing for aid to counties holding agricultural exhibitions.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2433, (Senate Bill No. 952), entitled:

An Act to amend section twenty-four of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) as amended entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" as amended by and increasing the term for which sequestrators may lease sequestrated property.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2419, (Senate Bill No. 1220), entitled:

An Act to validate conveyances purporting to be the act and deed of a corporation heretofore erroneously executed and acknowledged or executed and acknowledged by persons purporting to be agents of or trustees for a corporation which has since been dissolved.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2463, (Senate Bill No. 815), entitled:

An Act relating to motor vehicles new and used creating a Motor Vehicle Dealers' Commission establishing its jurisdiction powers and duties and creating and providing for approved motor vehicle appraisers establishing their powers and duties regulating the sale trade-in allowance appraisals and information furnished the Commonwealth on motor vehicles new and used and establishing regulations concerning speedometers authorizing the Commission to establish periodical prices for used motor vehicles either sold or traded in establishing the appraisal value of motor vehicles new or used either for sale or used trade-in allowances providing for the licensing of motor vehicles dealers and salesmen and approved motor vehicle appraisers and the payment of fees therefor authorizing examination of the business papers and affairs of and requiring the filing of reports by licenees authorizing and empowering the Commission to hold hearings and to issue rules and orders and the issuance of subpoena by the Commission or its agents and conferring jurisdiction upon the courts to punish contempts or to prohibit violations of orders of the Commission providing for appeals to the courts from decisions of the Commission imposing penalties and making appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1930, entitled:

An Act making unlawful certain discriminations in price, in services or facilities furnished, or in payment for services or facilities to be rendered, in connection with the sale of commodities in the course of trade or commerce, and providing certain remedies for violation,

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1202, entitled:

An Act to amend section three of the act, approved the eighteenth day of July, one thousand nine hundred and seventeen (P. L. 1083), entitled "An act requiring all persons contracting with the Commonwealth or any department or officer thereof or any municipal corporation, division or subdivision of the Commonwealth, to accept the provisions of the State Workmen's Compensation Act, and to insure the said contractors' liability thereunder or secure an exemption from insurance in accordance with the terms of the said act in respect to such contract," by making the Commonwealth or municipality or division or subdivision thereof, liable for payment of compensation to persons injured while employed under a contract executed in violation of the provisions of this act.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 2003, entitled:

An Act to amend section eight hundred and five of the act approved the first day of May, one thousand nine hundred and thirty-three (P. L. 103), entitled "An act concerning townships of the second class, and amending, revising, consolidating and changing the law relating thereto" by making townships liable for payment of compensation to persons injured while employed under a contract executed in violation of provisions of this act.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2037, entitled:

An Act to re-enact a part of section one of article three of the act, approved the seventh day of March, one thousand nine hundred and one (P. L. 20), entitled "An act for the government of cities of the second class," providing for the removal and dismissal of policemen in cities of the second class.

And said bill having been read at length the first time. Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2364, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition of certain lands in Lackawanna and Luzerne counties as State forest lands.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 1662, entitled:

An Act making an appropriation to the Department of Forests and Waters for the acquisition of lands, and the development and improvement of such lands in connection with the Birthplace of James Buchanan.

And said bill having been read at length the first time, Ordered. To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2446, (Senate Bill No. 1311), entitled:

An Act providing for the erection construction and equipment of buildings for a new State sanatorium or new buildings at existing sanatoria designating the manner of acquiring or setting aside of land for the erection and construction of such buildings by The General State Authority authorizing the Commonwealth to lease such new sanatorium or building or buildings and the grounds connected therewith from The General State Authority upon their completion and the Department of Health to manage and operate the same and conferring powers and imposing duties upon certain State departments.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2440, (Senate Bill No. 1224), entitled:

An Act to amend article nine of the act approved the fifth day of May one thousand nine hundred and thirty-three (P. L. 364) entitled "An act relating to business corporations defining and providing for the organization merger consolidation reorganization winding up and dissolution of such corporations conferring certain rights powers duties and immunities upon them and their officers and shareholders prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing corporations of the second class within the provisions of this act prescribing the terms and conditions upon which foreign business corporations may be admitted or may continue to do business within the Commonwealth conferring powers and imposing duties on the Courts of Common Pleas and certain State departments commissions and officers authorizing certain State departments boards commissions or officers to collect fees for services required to be rendered by this act imposing penalties and repealing certain acts and parts of acts relating to corporations" providing that a domestic business corporation formed by merger of one or more foreign business corporations shall be entitled to a credit on the bonus due the Commonwealth equal to the amount of the bonus paid under existing laws by the corporations so merging.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2298, (Senate Bill No. 1024), entitled:

An Act to amend section one thousand five hundred four of the act approved the ninth day of April one thousand nine hundred twenty-nine (Pamphlet Laws three hundred forty-three) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belonging to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the re-settlement of accounts and appeals to the courts refunds of money erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof

of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by making further provision relating to advances out of appropriations.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2195, (Senate Bill No. 853), entitled:

An Act defining the method of computing the aggregate minimum and maximum limits of consecutive sentences imposed upon persons convicted of crime.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2441, (Senate Bill No. 1226), entitled:

An Act authorizing the Joint Commission having jurisdiction over bridges over the Delaware River between the Commonwealth of Pennsylvania and the State of New York to sell and dispose of certain real and personal property to lease real estate and to license Public Utility Companies to occupy with their facilities parts of such bridges as are within the jurisdiction of the Commission and providing for the disposal of the proceeds thereof.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2404, (Senate Bill No. 376), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Kutztown State Teachers College to acquire certain tracts of land for the use of said college and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2341, (Senate Bill No. 820), entitled:

An Act to further amend section one of the act approved the seventh day of April one thousand nine hundred thirty-three (Pamphlet Laws twenty-seven) entitled "An act to authorize the Department of Highways and the county commissioners to occupy and relocate rights of way of public service companies in certain cases and to acquire by purchase or condemnation the necessary land therefor" by changing certain provisions as to transfer of structures and facilities of public service companies providing for ascertainment and payment of cost procedure before Pennsylvania Public Utilities Commission and appeal.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2413, (Senate Bill No. 1113), entitled:

An Act authorizing the Department of Property and Supplies with the approval of the Governor and the Board of Trustees of the Edinboro State Teachers College to acquire certain tracts of land for the use of said college and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2398, (Senate Bill No. 1231), entitled:

An Act empowering the Department of Property and Supplies with the consent and approval of the Department of Military Affairs and the Governor to lease or rent a part or parts of the Pennsylvania Military Reservation at Indiantown Gap to the City of Harrisburg for the purpose of impounding water for a water supply and appropriating the moneys received therefrom to the Department of Military Affairs.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2393, (Senate Bill No. 986), entitled:

An Act to amend section one hundred fifty-five of the act approved the thirty-first day of March one thousand eight hundred and sixty (Pamphlet Laws 382) entitled "An act to consolidate revise and amend the penal laws of this Commonwealth" extending the provisions to memorials tablets and works of art erected within buildings or on grounds.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2369, (Senate Bill No. 514), entitled:

An Act making an appropriation to the Pennsylvania Museum and School of Industrial Art Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2366, (Senate Bill No. 166), entitled:

An Act making an appropriation to the Board of Trustees of the Philadelphia Museums.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2331, (Senate Bill No. 32), entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Mineral Industries.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2334, (Senate Bill No. 207), entitled:

An Act making an appropriation to the Trustees of the Pennsylvania State College for the use of the School of Engineering.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2381, (Senate Bill No. 83), entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2383, (Senate Bill No. 561), entitled:

An Act making an appropriation to the Trustees of the University of Pennsylvania Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2382, (Senate Bill No. 127), entitled·

An Act making an appropriation to the Trustees of the University of Pittsburgh for the general maintenance of and the purchase of apparatus and equipment for the University of Pittsburgh and for the maintenance of teaching facilities in hospitals for students in the School for Medicine.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2314, (Senate Bill No. 885), entitled:

An Act providing for special vocational trade industrial and commercial schools and classes and occupational adjustment offices through public school districts and in cooperation with employment and re-employment offices for the training re-training instruction and adjustment of certain persons in order to enable them to enter re-enter or continue employment under changing conditions conferring powers and imposing duties upon the Superintendent of Public Instruction and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 786, (Senate Bill No. 147), entitled:

An Act making an appropriation to the Department of Agriculture to compensate land owners for cedar trees destroyed to prevent damage to apple orchards by cedar apple rust.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2277, (Senate Bill No. 430), entitled:

An Act making an appropriation to the Department of Health for the prevention of blindness in infants.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2322, (Senate Bill No. 1134), entitled:

An Act to repeal the act approved the seventh day of August one thousand nine hundred thirty-six (Pamphlet Laws 102) entitled "An act transferring money from the State School Fund to the General Fund and requiring the State Council of Education to liquidate such investments in the State School Fund as may be necessary to effectuate such transfer.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2421, (Senate Bill No. 1225), entitled:

An Act making an appropriations out of The State Stores Fund to the Department of Property and Supplies for the acquisition of land (with or without buildings thereon) and for the erection construction and equipment of an office building thereon for the use of the Pennsylvania Liquor Control Board.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2388, (Senate Bill No. 860), entitled:

An Act supplementing the act of July twenty-second, one thousand nine hundred and thirty-six (Pamphlet Laws seventy) and authorizing the Governor directly or through such agency as he may designate to provide, plan, prepare, supervise and carry out a suitable program throughout the Commonwealth of Pennsylvania and elsewhere for the Celebration of the 150th Anniversary of the Framing, the Signing, the Ratification by Pennsylvania and the Final Adoption and Establishment of the Constitution of the United States during the years 1937-38-39, and making an appropriation.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2337, (Senate Bill No. 406), entitled:

An Act making an appropriation to the Local Government Commission to continue its work.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2455, (Senate Bill No. 879), entitled:

An Act making an appropriation to the Department of Public Assistance for the purpose of carrying out the Public Assistance Law for the two years beginning June first one thousand nine hundred thirty-seven and for the payment of assistance and expenses accrued or incurred prior to and remaining unpaid on May thirty-first one thousand nine hundred thirty-seven.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2165, (Senate Bill No. 516), entitled:

An Act making an appropriation to the Department of Health for the purchase and distribution of vitamin products.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2336, (Senate Bill No. 387), entitled:

A Further Supplement to the act approved the first day of April one thousand eight hundred and sixty-three (Pamphlet Laws two hundred thirteen) entitled "An act to accept the grant of Public Lands by the United States to the several states for the endowment of Agricultural College" and making appropriations for carrying the same into effect.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2410, (Senate Bill No. 881), entitled:

An Act making an appropriation to the State Veterans' Commission for certain expenses of the commission and for the assistance of needy Pennsylvania veterans of any war or their dependents.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2476, (Senate Bill No. 1298), entitled:

An Act to amend sections one and two of the act approved the seventh day of August one thousand nine hundred thirty-six (Pamphlet Laws 126) entitled "An act making an appropriation to the Department of Property and Supplies for increasing the capacity of overcrowded State institutions eliminating fire and other hazards to safety at State institutions providing for the purchase of safety and other equipment the erection and construction of new buildings and repairs alterations and additions to and replacement of existing buildings and equipment" authorizing the use of said appropriation to remove hazards to health.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2409, (Senate Bill No. 880), entitled:

An Act appropriating to the Department of Public Assistance for public assistance all restitutions and overpayments collected by or for such department.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2438, (Senate Bill No. 1048), entitled:

An Act making an appropriation to the Department of Health for use in research work dealing with human nutrition for children.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2492, (Senate Bill No. 1299), entitled:

An Act making an appropriation to the Department of Property and Supplies for sewer purpose in connection with the East Stroudsburg State Teachers' College.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2482, (Senate Bill No. 556), entitled:

An Act making an appropriation to the Moore Institute of Art Science and Industry, Philadelphia, School of Design for Women at Philadelphia Pennsylvania.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

REPORT OF EDUCATIONAL COSTS SURVEY COMMISSION

Mr. BROWNFIELD. Mr. Speaker, I desire to offer the report of the Educational Costs Survey Commission functioning under the terms of Act 420, approved July 19, 1935.

The SPEAKER. The report will be noted in the Journal and printed in the Appendix to the Legislative Journal.

BILL ON THIRD READING

Mr. HERBERT B. COHEN asked and obtained unanim-

ous consent to call up out of order House Bill No. 2436, Printer's No. 1121, on page 43 of today's calendar, bills on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2436, entitled:

An Act making an appropriation to the State Emergency Relief Board for direct relief work relief and expenses defining the purposes for which such moneys may be expended prescribing the powers and duties of the State Emergency Relief Board and certain State departments prohibiting political activity by employes of the State Emergency Relief Board and prescribing penalties.

On the question,

Will the House agree to the bill on third reading?

It was agreed to.

On the question,

Shall the bill pass finally?

Mr. TURNER. Mr. Speaker, I desire to interrogate the gentleman from York, Mr. Cohen.

The SPEAKER. Will the gentleman from York, Mr. Cohen, permit himself to be interrogated?

Mr. HERBERT B. COHEN. Mr. Speaker, I will.

Mr. TURNER. Mr. Speaker, will the gentleman from York be good enough to tell us the amount of the appropriation for relief for the month of June?

Mr. HERBERT B. COHEN. Mr. Speaker, the amount of the appropriation is four million eight hundred and some odd thousands of dollars.

Mr. TURNER. Mr. Speaker, is that a reduction or an increase over the present month?

Mr. HERBERT B. COHEN. Mr. Speaker, it is a reduction.

On the question recurring.

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered ,That the Clerk present the same to the Senate for concurrence.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1764.

An Act relating to certain existing beneficial societies conferring certain rights powers and duties upon them their officers and members authorizing the payment of benefits by them in the event of sickness accident disability or death regulating such societies and corporations and limiting the amount for which they may issue membership certificates or policies providing for reserves imposing penalties and repealing certain existing laws and parts of law

With the information that Senate has passed the same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 22, by inserting after the figure "1" and before the word "Be" the letter and word "A Applicability;" also at the beginning of line 27, by striking out the letter "(a)" and inserting in lieu thereof the figure "(1);" also on page 4, at the beginning of line 1, by striking out the letter "(b)" and inserting in lieu thereof the letter "(2);" also at the beginning of line 5, by striking out the letter "(c)" and inserting in lieu thereof the figure "(3);" also same page by inserting after line 10 the following new paragraph:

"B Any beneficial society heretofore incorporated as aforesaid and now actually conducting business may continue such business pending the issuance of a certificate of authority by the Insurance Commissioner or until notified by the Insurance Commissioner that he has declined to issue such certificate of authority."

Amend section 2, page 4, line 11, by inserting after the figure "2" and before the word "Any" the words "Benefits Limited."

Amend section 3, page 8, line 23, by striking out the words "shareholders or."

Amend section 5, page 10, line 17, by inserting after the word "shall" the word "hereafter"; also line 20, by inserting after the word "contracts" the word "hereafter"; also line 27, by inserting after the word "contracts" the word "hereafter".

Amend section 10, page 14, line 28, by inserting after the figures "10" and before the word "Solicitors" the words

"Qualifications of Solicitors and Agents"; also on page 15, by inserting after line 2 the following new section:

"Section 11 When Application Constitution By-Laws and Rules are Considered Party of Policy All beneficial certificates issued by any beneficial society in which the application of the member the constitution by-laws or other rules of the society form part of the certificate or contract between the parties thereto or have any bearing thereon shall contain or have attached thereto correct copies of the application as signed by the applicant or the constitution by-laws or other rules referred to and unless so attached and accompanying the certificate or contract such application constitution or by-laws or other rules shall not be received in evidence in any controversy between the parties to or interested in the certificate or contract nor shall such application constitution by-laws or other rules be considered a part of the certificate or contract between such parties."

Amend bill, page 15, line 3, by striking out before the word "Penalties" the figures "11" and inserting in lieu thereof the figures "12"; also in line 5, by striking out the word "thereto" and inserting in lieu thereof the word "thereof"; also at the end of line 7, by striking out the word "thereto" and inserting in lieu thereof the word "thereof."

Amend bill, page 16, line 1, by striking out before the word "Scope" the figures "12" and inserting in lieu thereof the figures "13"; also same page, line 18, by striking out before the word "Repealers" the figures "13" and inserting in lieu thereof the figures "14"; also on page 17, line 10, by striking out before the word "The" the figures "14" and inserting in lieu thereof the figures and words "15 Constitutional Construction."

On the question,

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Wisner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

BILLS ON FIRST READING

Agreeably to order.

The House proceeded to the first reading and consideration of House Bill No. 588, entitled:

An Act relating to the licensing of detectives and operatives employed by detectives defining detectives and making it unlawful to act or solicit business as a private detective or as an operative or employe of a detective without having filed a bond and obtained a license.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2439, (Senate Bill No. 1216), entitled:

An Act to further amend subsection (e) of section eight hundred and one of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws nine hundred five) entitled "'An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claim registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" requiring all motor vehicles trailers and semi-trailers to have red reflectors at the rear.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

BILL RECOMMITTED

Mr. AUKERMAN. Mr. Speaker, I move that this bill be recommitted to the Committee on Motor Vehicles.

The motion was agreed to.

BILLS ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2452, entitled:

An Act to further amend section four of the act approved the twenty-first day of May one thousand nine hundred thirty-one (Pamphlet Laws one hundred forty-nine) entitled "An act imposing a State tax payable by those herein defined as distributors on liquid fuels used or sold and delivered within the Commonwealth which are ordinarily practically and commercially usable in internal combustion engines for the generation of power providing for the collection and lien of the tax and the distribution and use of the proceeds thereof requiring such distributors to secure permits to file corporate surety bonds and reports and to retain certain records imposing duties on retail dealers common carriers county commissioners and such distributors providing for rewards imposing certain costs on counties conferring powers and imposing duties on certain State officers and departments providing for refunds imposing penalties and making an appropriation" by making a further provision for the payment of the tax.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2389, (Senate Bill No. 917), entitled:

An Act to establish as a State highway a certain section of public road in the counties of Franklin and Adams and providing for its construction and maintenance at the expense of the Commonwealth.

And said bill having been read at length the first time,
Ordered, To be laid aside for second reading.

HOUSE BILLS MADE SPECIAL ORDER

Mr. HERBERT B. COHEN. Mr. Speaker, I move that all House Bills be made a special order of business on second reading in their order, immediately upon the adoption of this motion.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2099, as follows.

An Act to further amend sections two hundred forty-six two hundred fifty-six and two hundred sixty-two of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" fixing the salary and qualifications of the district attorney and providing for the appointment and compensation of assistant district attorneys stenographers and clerks in counties of the sixth seventh classes

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections two hundred forty-six and two hundred fifty-six of the act approved the second day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1278) entitled "An act relating to counties of the second third fourth fifth sixth seventh and eighth classes and revising amending and consolidating the laws relating thereto" as amended by the act approved the ninth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 401) are hereby further amended to read as follows

Section 246 Qualifications Eligibility Compensation The district attorney shall be a person learned in the law who has been admitted to practice as an attorney in the Supreme or Superior Court of this Commonwealth [at] for at least two years preceding the time of his election or appointment and who shall have resided in the county for which he is elected or appointed for two years next preceding his election or appointment and who is a resident of such county In counties of the third class the district attorney shall receive a salary of seven thousand five hundred dollars ($7,500) per annum

In counties of the fourth class the district attorney shall receive a salary of six thousand dollars ($6,000) per annum

In counties of the sixth class the district attorneys shall receive annual salaries depending upon the population of the county as follows

(a) Fifty thousand and more but less than sixty thousand twenty-four hundred dollars ($2400)

(b) Sixty thousand and more but less than seventy thousand twenty-seven hundred dollars ($2700)

(c) Seventy thousand and more but less than eighty thousand three thousand dollars ($3000)

(d) Eighty thousand and more but less than ninety thousand thirty-three hundred dollars ($3300)

(e) Ninety thousand and more but less than one hundred thousand thirty-six hundred dollars ($3600)

In counties of the seventh class the district attorneys shall receive annual salaries depending upon the population of the county as follows

(a) Twenty thousand and more but less than thirty thousand fifteen hundred dollars ($1500)

(b) Thirty thousand and more but less than forty thousand eighteen hundred dollars ($1800)

(c) Forty thousand and more but less than fifty thousand twenty-one hundred dollars ($2100)

In all other classes of counties the district attorney shall receive the salary now provided by law

No district attorney shall be eligible to a seat in the Legislature or to any other office under the laws and Constitution of the State excepting an office or commission in the militia of the State during his continuance in office

Section 256 Assistant District Attorneys Number Compensation In counties of the second third fourth fifth and sixth classes the district attorney may appoint such number of assistants learned in the law to assist him in the discharge of his duties as is fixed by this section

In counties of the second class the district attorney shall have authority to appoint one or more assistants learned in the law not exceeding sixteen in number One of said assistants district attorneys who shall be designated as the first assistant shall receive a salary of seventy-five hundred dollars ($7,500) per annum One of said assistant district attorneys who shall be designated as the second assistant shall receive a salary of sixty-five hundred dollars ($6,500) per annum Two of said assistant district attorneys shall receive salaries of six thousand dollars ($6,000) per annum each Four of said assistant district attorneys shall receive salaries of fifty-five hundred dollars ($5,500) per annum each Two of said assistant district attorneys shall receive salaries of five thousand dollars ($5,000) per annum each Two of said assistant district attorneys shall receive salaries of forty-five hundred dollars ($4,500) per annum each and four of said assistant district attorneys shall receive salaries of four thousand dollars ($4,000) per annum each In the event of the appointment of a less number of assistants than sixteen the district attorney shall have the power to determine into which class as to salaries the appointee or appointees shall be placed Said salaries herein provided shall be paid out of the county treasury

For all counties of the third class the district attorney shall have authority to appoint a first assistant district attorney at an annual salary of four thousand dollars ($4,000) and three assistant district attorneys at annual salaries of three thousand five hundred dollars ($3,500) each and two assistant district attorneys at annual salaries of three thousand five hundred dollars ($3,500) each and two assistant district attorneys at annual salaries of three thousand dollars ($3,000) each

In all counties of the fourth class the district attorney shall have authority to appoint a first assistant district attorney at an annual salary of three thousand five hundred dollars ($3,500) and three assistant district attorneys at annual salaries of three thousand dollars ($3,000) each

In counties of the fifth class [and in counties of the sixth class with the approval of the court] the district attorney shall have authority to appoint not more than two assistant district attorneys The first assistant district attorney shall receive a salary of two thousand five hundred dollars ($2,500) per annum and the second assistant district attorney shall receive a salary of two thousand dollars ($2,000) per annum

In counties of the sixth and seventh classes having a population of forty thousand or more the district attorney shall have authority to appoint one assistant district attorney In counties of the sixth class having a population of eighty thousand or more such assistant district attorney shall receive a salary of two thousand dollars ($2,000) and in counties of the sixth class having a population of less than eighty thousand such assistant district attorney shall receive a salary of one thousand two hundred and fifty dollars ($1,250) and in counties of the seventh class having a population of forty thousand or more seven hundred and fifty dollars ($750)

The salary board of any county of the third class in case of an emergency or on account of increased business or unusual circumstances or conditions may authorize the district attorney to appoint such additional assistant district attorneys as may be approved by the court Provided however That the salary of said appointees shall not exceed the minimum salary provided for assistants in the respective offices

Section 2 Section two hundred sixty-two of said act as last amended by section one of the act approved the twelfth day of July one thousand nine hundred and thirty-five (Pamphlet Laws 657) is hereby further amended to read as follows

Section 262 Stenographers in Fourth Fifth Sixth Seventh and Eighth Class Counties In counties of the fourth and fifth classes the district attorney may employe a stenographer or stenographers whose combined annual salaries in any one of said counties shall not exceed two thousand five hundred dollars ($2,500) Such salaries shall be fixed by the district attorney

In counties of the sixth class the district attorney may employ a stenographer as an assistant in his office at a salary of not less than seven hundred fifty dollars ($750) nor more than one thousand five hundred dollars ($1,500) a year Said salary be fixed by the salary board of the county

In counties of the [seventh and] eighth [classes] class the district attorney may with [a] the consent of the county commissioners employ a stenographer as an assistant in his office at a salary not to exceed seven hundred and fifty dollars ($750.00) per year

In counties of the seventh class the district attorney may employ a stenographer as an assistant in his office at a salary of not less than five hundred dollars and not to exceed one thousand dollars ($1000) a year to be fixed by the county commissioners

The salaries of said stenographer shall be paid by the respective counties in the same manner as other county employes are paid

And said bill having been read at length the second time and agreed to

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1238, as follows:

An Act to validate certain debts and obligations of school districts.

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever prior to the effective date of this act pursuant to section five hundred and eight of the act approved the eighteenth day of May Anno Domini one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" and its amendments any school district of this Commonwealth shall have incurred a temporary debt or borrowed money such indebtedness is hereby declared to have been validly incurred and such money lawfully borrowed and the certificates of indebtedness or obligations issued therefor to be binding obligations upon such school district notwithstanding that said certificates of indebtedness or obligations were not issued under the seal of the district if any where not properly attested by the president and secretary of the board of directors of such district and that it does not appear from the minutes of such board of school directors or otherwise that the incurring of the said debt and the authority to execute the said certificates of indebtedness or other obligations had received the vote of not less than two-thirds of the members of such board of school directors and that such school district had not provided for the payment of the same from its current revenue Provided however That it appears from the report of the auditors of such school district or otherwise that the proceeds of the sale or discount of the said certificates of indebtedness or obligations so issued were received by the said school district or credited to its account And provided further That such certificates of indebtedness or obligations were signed by at least two officers of such board of school directors and that the indebtedness of such school district including such debt or money borrowed did not constitute two per centum of the total valuation of the taxable property of such school district for school purposes therein And provided further That in all other respects the provisions of section five hundred and eight of the said act of May eighteenth one thousand nine hundred and eleven and of the amendments thereto were complied with

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 934, as follows:

An Act to amend section five hundred and six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended authorizing any school district to incur or increase its indebtedness in order to purchase perpetual fire insurance and to issue bonds to secure the same providing for the education of the deposit money in ascertaining the net indebtedness of any such school district and providing for the application of such deposit

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and six of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" which was last amended by section four of the act approved the first day of June one thousand nine hundred and thirty-three (Pamphlet Laws 1152) is hereby further amended to read as follows

Section 506 The board of school directors in any school district of this Commonwealth in any year in order to purchase or acquire proper sites or grounds for school buildings or any lands additional to any present school sites or grounds or to erect enlarge equip or furnish any school building or to repair or rebuild any new or old building or to purchase perpetual fire insurance on any or all of its school buildings and to insure the deposit money paid therefor or in order to pay or refund any existing indebtedness of any school district or to pay any indebtedness incurred by any municipality for or on account of any school district or for school purposes as is herein required to be assumed by any school district hereby established or to refund as herein authorized to any municipality the amount of any such indebtedness or to pay or refund obligations [of] or certificates of indebtedness issued under the provisions of section five hundred and eight of this act may create and incur an indebtedness against such school district and issue bonds to secure the same for any and all such purposes or may create and incur an increase of any existing indebtedness against any such school district for any and all such purposes to any amount that the total indebtedness of such school district including the indebtedness of any school or ward school district therein if any shall never exceed seven per centum upon the assessed value of the taxable property for school purposes therein

Whenever any school district shall have incurred or increased its indebtedness to purchase perpetual fire insurance and to insure the deposit money paid therefor as hereinbefore authorized and it shall become necessary to ascertain the net amount of its indebtedness in accordance with the provisions of section five of the act approved the twentieth day of April one thousand eight hundred and seventy-four (Pamphlet Laws 65) entitled "An act to regulate the manner of increasing the indebtedness of municipalities to provide for the redemption of the same and to impose penalties for the illegal increase thereof as supplemented and amended the reclaimable amount of deposit money paid for such perpetual fire insurance may be considered as an outstanding solvent debt due to any such school district and may be deducted from the gross amount of the indebtedness of any such school district Provided however That until any such bonds issued as aforesaid shall have been paid in full the deposit money received by such school district upon the cancellation of any such perpetual fire insurance policy or so much thereof as may be necessary shall be deposited in the sinking fund created for such bonds and shall be used only for the payment and retirement thereof

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. COAKLEY. Mr. Speaker, I move that this bill be recommitted to the Committee on Education

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1362, as follows:

An Act making the insurer in an action in tort involving the operation of a motor vehicle a proper party to the action in certain cases and providing for the effect of such joinder

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in any action for damages caused by the alleged negligent use operation maintenance management or control of a motor vehicle any insurer of motor vehicles which has an interest in the outcome of such controversy or which by its policy of insurance assumes or reserves the right to control the prosecution defense or settlement of the claim or action of the plaintiff or any of the parties to such claim or action or which by its policy agrees to prosecute or defend such action or agrees to engage counsel to prosecute or defend such action or agrees to pay the costs of such litigation is by this section made a proper party thereto

Section 2 When any such insurer shall be made a party to any such action pursuant to this section and it shall appear at any time before or during the trial thereof that there is or may be a cross issue between the insurer and any other party thereto or any issue between the insurer and any other person partnership or corporation not a party thereto involving the question whether the insurer would be liable if the judgment should be rendered against the original defendant therein the court may upon motion of any party in any such action cause any such person partnership or corporation to be made an additional party defendant to said action and all the issues involved in said controversy determined in the trial of said action Nothing herein contained shall be construed to prohibit the trial court from directing and conducting separate trials on the issues involved in such order as to it shall seem fit and proper so as to equitably determine the rights of all the parties involved

Section 3 All acts and parts of acts inconsistent with the provisions of this act are hereby repealed

And said bill having been read at length the second time and agreed to,

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1762, as follows:

An Act to further amend section one of the act approved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws 117) entitled "An act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" by defining and prohibiting certain acts related to the practice of the law by persons partnerships associations and corporations not duly and regularly admitted to practice law and defining the practice of law and defining those who may engage in the practice of law and providing for penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act ap-

proved the twenty-eighth day of April one thousand eight hundred and ninety-nine (Pamphlet Laws 117) entitled "An act making it unlawful for any person to hold himself out or advertise himself as a lawyer attorney-at-law or counsellor-at-law in any county of the State of Pennsylvania unless duly admitted to practice by a court of record of any county in this Commonwealth and providing a penalty therefor" as amended by the act approved the twenty-fourth day of April one thousand nine hundred and thirty-three (Pamphlet Laws 66) is hereby further amended to read as follows

Section 1 Be it enacted etc That from and after the passage of this act it shall not be lawful for any person partnership association [or] corporation or foreign corporation in any county in the State of Pennsylvania to practice law or to hold himself herself or itself out to the public as being entitled to practice law or use or advertise the title of lawyer attorney-at-law attorney and counsellor-at-law counsellor or the equivalent in any language in such manner as to convey the impression that he she or it is a practitioner of the law of this or any other State nation country or land or in any manner to advertise that he she or it either alone or together with another person or persons has owns conducts or maintains a law office or law and collection office of any kind for the practice of the law of this or any other State nation country or land without having first been duly and regularly admitted to practice law in a court of record of any county in this Commonwealth or the Supreme Court in accordance with the regularly established rules governing such admissions Provided however That nothing herein contained shall be construed as prohibiting corporations of the first class acting in good faith and in pursuance of the purposes of their charters from rendering through attorney's-at-law legal service to the [members] officers and employees of such corporations about the business of such corporation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1735, as follows:

An Act to amend section sixteen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws 507) entitled "An act to provide revenue for State and County purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" by providing that the taxes hereafter or heretofore imposed by the first section shall be a first lien on all real property of the resident against whom the same are assessed

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of the act approved the seventeenth day of June one thousand nine hundred and thirteen (Pamphlet Laws 507) entitled "An act to provide revenue for State and county purposes and in cities coextensive with counties for city and county purposes imposing taxes upon certain classes of personal property providing for the assessment and collection of the same providing for the duties and compensation of prothonotaries and recorders in connection therewith and modifying existing legislation which provided for raising revenue for State purposes" is hereby amended to read as follows

Section 16 That the tax upon personal property imposed by the first section of this act shall be collected by distraint or otherwise as other taxes for county purposes or in cities coextensive with counties for city and county purposes are collected under the laws of this Commonwealth and in addition thereto all taxes which may be hereafter lawfully imposed or assessed under the first section of this act together with all penalties and interest and all taxes penalties and interest heretofore lawfully imposed or assessed under the first section of this act shall be and they are hereby declared to be a first lien on all real property of the resident against whom the same are assessed after the same have been entered and docketed of record by the prothonotary of the county where the resident's property is situated Such lien shall have priority to and be fully paid and satisfied out of the proceeds of any judicial sale of such property Provided however That no tax by said first section imposed shall be collectible or collected for the year one thousand nine hundred and thirteen it being intended that the tax upon such personal property for said year shall be collected by and for the State under existing legislation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1324, as follows:

An Act authorizing cities of the third class to surrender their charter and be constituted a borough or boroughs providing the procedure therefor and terminating the terms of officers of such city when the borough government or governments are organized

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That a city of the third class may surrender its charter and be constituted a borough in the manner hereinafter provided

Section 2 The council of any such city of the third class on its own motion may or within fifteen days after receipt of a petition signed by electors at least equal to five per centum of the highest total vote cast for a candidate for office in such city at the last preceding election general or municipal shall pass a resolution and record it upon its minutes submitting the question of whether such city shall surrender its charter and be constituted a borough to the qualified electors of such city Where a city was created by joining two boroughs the question to be submitted may be whether one borough shall be created or whether the former boroughs shall be reestablished The form in which the question shall in such cases be submitted shall be stated in the motion of council or in the petition as the case may be

Section 3 Such question shall be submitted to the electors at the next general or municipal election occurring at least sixty days after the passage of such resolution Notice of said resolution shall be given by publication in at least two newspapers published in the county and circulated in said city once a week for three consecutive weeks immediately prior to the election at which the question is to be submitted that such an election will be held

Section 4 The council shall verify such resolution to the county commissioners of the proper county who shall thereupon cause the question to be printed at the foot of the official ballot to be used at any general or municipal election in said city in the following form

Do you favor the surrender of the charter of the city of ..... and the government of said municipality as (one borough) (or as formerly two boroughs) under the general laws relating to boroughs	Yes	
	No	

The electors shall designate with a cross-mark (X) in the appropriate square their desire to vote for or against such surrender

Section 5 It shall be the duty of the election officers within the city to receive the ballot so marked and to count the vote cast for and against a surrender of the city charter and make return thereof to the prothonotary who shall lay the same before the return board The return board shall compute the return and certify the result of the election to the corporate authorities of the city and a duplicate return to the Secretary of the Commonwealth each duly certified in the manner required by law

Section 6 In receiving counting and making return of the vote cast inspectors judges and clerks of the said election shall be governed by the laws of the Commonwealth regulating general elections and all inspectors judges and clerks voting at or in attendance upon the election to be held under the provisions of this act shall be subject to the penalties imposed by the election laws of this Commonwealth

Section 7 Whenever by the returns of the election in any city of the third class as aforesaid it shall appear that a majority of the vote cast is against the surrender of the city charter no further proceedings shall be had and it shall not be lawful to hold another election upon that question in such city for a period of five years thereafter If it shall appear by the said returns that a majority of the vote cast is in favor of surrendering the city charter the Governor shall issue letters patent under the great seal of the Commonwealth reciting the facts constituting the same a body or bodies corporate and politic by the name or names of the borough or boroughs of the bounderies of which shall be the same as those of the former city or as the former boroughs as the case may be The letters patent issued as aforesaid shall be immediately recorded in the office of the recorder of deeds for the proper county at the expense of the municipality

Section 8 At the first municipal election occurring after the issuing of letters patent there shall be chosen in said borough or in each of said boroughs the borough officers provided for by the general laws relating to boroughs who shall begin their term from the first Monday of January of the year next succeeding

Council shall consist of two members from each ward unless such number shall be subsequently changed as provided by law to be elected by the qualified electors thereof Provided however That where two boroughs are created if either of said boroughs were not divided into wards then councilmen shall be elected at large as provided by the general laws relating to boroughs in such cases At the first election where boroughs are divided into wards one councilman shall be elected in each ward for a term of four years and one for a term of two years and thereafter at each municipal election one councilman shall be elected in each ward for a term of four years The three auditors shall be elected one for six years one for four years and one for two years and at each municipal election thereafter one auditor shall be elected for a term of six years All other officers including councilmen at large shall be elected for long or short terms so as to coincide with the terms as fixed by the general borough laws Until otherwise changed the wards of the city shall continue as the wards of the borough except where two boroughs are created in which case the wards shall be in each borough if there were wards as they were before the city was created

Section 9 All property and estate whatsoever real personal and mixed of the city are hereby upon the organization of the borough government severally and respectively vested in the corporation or body politic of said borough and for the use and benefit of the citizens thereof forever

All suits prosecutions debts and claims whatsoever shall upon the organization of the borough government be transferred to said borough or boroughs In all suits by or against the city pending at the time of organization of the borough government under this act the borough or boroughs shall be substituted as a party and the suit shall be under the management and control of such borough or boroughs as fully and completely as if no alteration had been made in said charter All claims and demands of whatever nature whether payable presently or in the future existing against the said city when the borough government or governments shall be organized shall be recoverable from or against the borough or boroughs The debts and assets of the city shall become the debt and assets of the borough or boroughs and where two boroughs are created the councils of said borough shall by agreement determine how much of said debt each borough shall bear and what part of the assets of such city each borough shall receive and where no such agreement can be reached within thirty days after such boroughs are organized the said division shall be determined by the Court of Common Pleas of the county upon petition of either borough or of any creditor of the city The decision of the court on such division shall be final

Section 10 A borough constituted and created under the provisions of this act shall have the same powers and be governed by the same laws as a borough incorporated and formed under general law

Section 11 The charter of the city shall continue in full force and operation and all officers under the same shall hold their respective offices until the first Monday of January following the municipal election next succeeding the issuing of letters patent to the said borough at which time the officers of said borough chosen as hereinbefore provided shall enter upon their respective terms of service the borough government shall be duly organized under this act and the terms of all officers of the city government shall cease and terminate

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1840, as follows:

An Act to amend section one thousand one hundred two of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended providing that county district assistant and associate superintendents shall not be otherwise employed for remuneration

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand one hundred two of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as amended by the act approved the twenty-ninth day of May one thousand nine hundred and thirty-one (Pamphlet Laws 243) is hereby further amended to read as follows

Section 1102 Every person elected or appointed as county district or assistant county or district superintendent or associate superintendent must be a person of

good moral character and shall not be employed in any other capacity for remuneration by any person copartnership association or corporation

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1785, as follows:

An Act to further amend section sixteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" by providing for special registration of veterans in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section sixteen of the act approved the seventeenth day of May one thousand nine hundred and seventeen (Pamphlet Laws 208) entitled "An act to regulate the practice of pharmacy and sale of poisons and drugs and providing penalties for the violation thereof defining the words 'drug' and 'poison' and providing for the appointment of a board which shall have in charge the enforcement of said law and the power to make rules and regulations for the enforcement of said law and providing for the purchase of samples of drugs for determining their quality strength and purity" as last amended by section two of the act approved the sixteenth day of May one thousand nine hundred and twenty-one (Pamphlet Laws 613) is hereby further amended to read as follows

Section 16 (a) That the Pennsylvania Board of Pharmacy may in its discretion register as a pharmacist without examination any person who is duly so registered by examination in some other State Provided That the said person shall produce satisfactory evidence of having had the required secondary and professional education and is possessed of good character and morals demanded of applicants for registration as pharmacist under the provisions of the pharmacy act of Pennsylvania excepting that persons of good moral character who have become registered as pharmacists by examination in other States prior to May seventeenth one thousand nine hundred and seventeen shall be required to meet only the requirements which existed in Pennsylvania at the time when they became registered in such other State And provided also That the State in which such person is registered shall grant registration as a pharmacist without examination to pharmacists duly registered by examination in the State of Pennsylvania Applicants for such registration in Pennsylvania shall pay a fee of fifteen dollars ($15) for the application and expense of making an investigation of their character general reputation and pharmaceutical standing in the State where they have resided by the Pennsylvania Board of Pharmacy A fee of twenty-five dollars ($25) shall be paid for the registration and certificate thereof

(b) The Pennsylvania Board of Pharmacy in order to be informed and to determine the status of boards of pharmacy of other States desiring to effect agreements for reciprocal registration of pharmacists and in order also to be advised regarding the progress of pharmacy throughout the country shall annually select one of its members to meet with like representatives from other State boards of pharmacy At such meetings when arranged there shall be discussed the degree of fitness for registration which is required by the several State boards of pharmacy The Pennsylvania Board of Pharmacy through its representatives may with like representatives from other State boards of pharmacy join in creating and maintaining an association of representatives of the several State boards of pharmacy to be engaged in the general advancement of pharmacy and the keeping of records pertaining to reciprocal registration of pharmacists and in its discretion may give to such association information which it possesses relating to such aims and objects The Pennsylvania Board of Pharmacy at an expense not to exceed twenty-five dollars ($25) per annum may subscribe for and secure the service of an association engaged in the compilation of pharmaceutical information knowledge and progress specially adopted to secure efficiency in the work of the board

(c) Every person registered in Pennsylvania as an assistant pharmacist who has served in the armed forces of the United States and who can present an honorable discharge from such service and who has had fifteen years experience as an assistant pharmacist and every person registered in Pennsylvania as an assistant pharmacist or registered as a pharmacist in any other state who has been in the retail drug business for at least twenty-five years the last fifteen years of which were in this Commonwealth may apply during a period of ninety days from the approval of this act on a form provided by the State Board of Pharmacy for registration as a pharmacist Upon approval of said application after an oral examination and payment of a fee of fifty dollars ($50) the State Board of Pharmacy shall grant and the Department of Public Instruction shall issue a certificate of registration as a pharmacist to such person without requiring him to meet other provisions of law which may otherwise prevail for registration

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1757, entitled:

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and further providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and non-resident real estate brokers and real estate salesmen and their business" is hereby amended to read as follows

Section 2 (a) The term "real estate broker" shall include all persons copartnerships associations and corporations foreign and domestic who for another and for a fee commission or other valuable consideration shall sell ex-

change purchase or rent or shall negotiate the sale exchange purchase or rental or shall offer or attempt to negotiate the sale exchange purchase or rental or shall hold himself or themselves out as engaged in the business of selling exchanging purchasing or renting of any real estate interest in real estate the property of another whether the same shall be located within the State of Pennsylvania or elsewhere or shall collect or offer or attempt to collect rental for the use of real estate the property of another or shall negotiate or offer or attempt to negotiate a loan secured or to be secured by mortgage or other encumbrance upon or transfer of any such real estate or shall prepare any paper instrument or document necessary incidental or concomitant to any of the foregoing matters transacted by such person copartnership association or corporation It shall also include any person copartnership association or corporation employed by the owner or owners of lots or other parcels of real estate including cemetery lots at a stated salary or upon a commission or upon a salary and commission basis or otherwise to sell such real estate or any parts thereof in lots or other parcels and who shall sell or exchange or offer or attempt to negotiate the sale or exchange of any such lot or parcel of real estate One act in consideration of compensation by fee commission or otherwise of buying selling renting or exchanging any such real estate of or for another or attempting or offering so to do or negotiating a loan upon or leasing or renting or placing for rent any such real estate or collection of rent therefrom shall constitute prima facie evidence that the person copartnership association or corporation so acting or attempting to act is a real estate broker within the meaning of this act The term "real estate broker" shall also include all persons copartnerships associations and corporations foreign and domestic the principal business of whom or which is the purchasing selling renting trading or exchanging of real estate whether for another or as purchaser seller or owner of such real estate and all real estate auctioneers and real estate appraisers and all persons who negotiate or offer for sale any mortgage or other security for which real estate is the collateral as well as all managers of office buildings and persons employed by banking institutions and trust companies for the foregoing purposes apartment buildings and other buildings

(b) The term "real estate salesman" shall mean and include any person employed by a licensed real estate broker to [sell or offer for sale to buy or offer to buy or to negotiate the purchase sale or exchange of any real estate or interest in real estate the property of another or to negotiate a loan upon real estate or to lease or rent or offer to lease or rent or place for rent any such real estate] perform any or all of the functions of a real estate broker Provided however That stenographic or other clerical help employed solely in such capacity in the office of the broker shall not be required to be licensed as real estate salesmen

(c) Neither of the said terms "real estate broker" or "real estate salesman" shall be held to include within the meaning of this act any person firm association partnership or corporation who as owner shall perform any of the act with reference to property owned by them unless the principal business of such person firm association partnership or corporation is the purchasing selling renting trading or exchanging of such property nor any person holding in good faith a duly executed letter of attorney from the actual owner of any real estate authorizing the sale conveyance or leasing of such real estate for and in the name of such owner or the negotiating of any loan thereon nor shall they be held to include in any way attorneys at law and justices of the peace where only one transaction is involved and where such letter of attorney is recorded in the office of the recorder of deeds nor shall they be held to include any receiver trustee in bankruptcy administrator or executor or any other person or corporation acting under the appointment or order of any court or as trustee under the authority of a will or deed of trust where only the transactions pertaining thereto are involved or the duly elected executive officer of any banking institution or trust company operating under the banking laws of Pennsylvania

(d) The term "department" shall mean the Department of Public Instruction of this Commonwealth

On the question,

Will the House agree to the section?

Mr. COAKLEY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1 (sec. 2) page 2, lines 22, 23, 24 and 25 by striking out "or shall prepare any proper instrument or docu" in line 22, the whole of lines 23 and 24 and the words "association or corporation" in line 25.

Amend section 1 (sec. 2) page 3, lines 22, 23 and 24 by striking out "and persons employed by banking institutions" in line 22 and the whole of lines 23 and 24 and inserting in lieu thereof: "apartment buildings and other buildings and persons employed by banking institutions and trust companies for the foregoing purposes"

Amend section 1 (sec. 2) page 4, lines 20 to 24 by striking out "nor shall they be held to" in line 20, the whole of lines 21, 22 and 23 and the words "recorder of deeds" in line 24 and inserting in lieu thereof: "where only one transaction is involved and where such letter of attorney is recorded in the office of the recorder of deeds NOR shall they be held to include in any way attorneys at law and justices of the peace"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read and agreed to as follows:

Section 2 Section six of said act as amended by section one of the act approved the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 1410) is hereby further amended to read as follows

Section 6 From and after January 1, 1930 it shall be unlawful for any person copartnership association or corporation to engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without first obtaining a license as a real estate broker or real estate salesman from the department

No person copartnership association or corporation may be licensed by the department as a real estate broker unless such person and all of the members of any such copartnership or association who are actively engaged in the real estate business and all of the officers of any such corporation who are actively engaged are of the age of twenty-one-years and upwards [and] are citizens of the United States and shall have served an apprenticeship as a duly licensed real estate salesman of not less than two years in the employ of a duly licensed real estate broker or brokers.

The third section was read as follows:

Section 3 Clause (b) and (c) of section seven and section eight of said act as last amended by section one of the act approved the sixteenth day of May one thousand nine hundred and thirty-five (Pamphlet Laws 170) are hereby further amended to read as follows

(b) Application for licenses as real estate broker shall be made in writing to the department upon a blank provided for the purpose by the department and shall contain such information as to the applicant or when the application is made by a co-partnership association or a corporation as to its members or officers as the department shall require The application shall be signed by the applicant and shall be accompanied by the recommendation of at least two citizens not related to the applicant

or in the case of a copartnership or corporation to any member or officer thereof who shall be owners of real estate within and residents of the county in which the applicant resides or has his their or its place of business certifying to the honesty truthfulness and good repute of the applicant or in the case of a copartnership or association or corporation its members or officers by name and recommending that a license be granted the applicant and by the recommendation of one licensed real estate broker or licensed member or officer of a copartnership association or corporation licensed as a real estate broker If the applicant or in the case of a copartnership or corporation any of its members or officers shall have resided or shall have engaged in business for less than one year in the county from which the application is made such application shall also be accompanied by the recommendation of at least two (2) real estate owners not related to the applicant of each of the counties where he or each of such members or officers has formerly resided or engaged in business during the said period of one year prior to the filing of such application certifying to the honesty truthfulness and good repute of the applicant or its members or officers by name and recommending that the license be granted Each application shall be accompanied by two photographs of the applicant or in the case of a copartnership association or corporation of the applicant members or officers thereof Where the applicant for a real estate broker's license maintains more than one place of business within the Commonwealth he shall be required to apply for and procure a duplicate license for each branch office so maintained by him such duplicate license to be issued with an additional charge of two dollars and fifty cents ($2.50) for each additional office or place of business Every such application shall state the name of the person copartnership association or corporation and the location of the place or places of business for which such license is desired and the license shall expire December thirty-first of the year issued unless sooner revoked or suspended by the department or renewed annually as hereinafter described

(c) Application for license as real estate salesman shall be made in writing to the department signed by the applicant setting forth the period of time during which he has been engaged in the business stating the name of the last employer and the name and place of business of the person firm copartnership association or corporation then employing him or into whose employ he is then about to enter All applications shall be made upon a blank provided for the purpose by the department and shall contain such information as to the applicant in addition to the above prescribed as the department shall require The application shall be accompanied by the recommendation of his employer or prospective employer certifying that the applicant is honest truthful and of good repute and recommending that such license be granted All such licenses shall expire December thirty-first of the year issued unless sooner revoked or suspended by the department or renewed annually as hereinafter described

No person may hereafter be licensed as a real estate salesman and no person copartnership association or corportion may hereafter be licensed as a real estate broker by the department unless such person and all of the members of any such copartnership or association and all of the officers of any such corporation intending to actually engage in or actually engaging in the real estate business as a real estate broker or salesman shall first submit to and pass an examination conducted by the deprtment and prepared by the department subject to the approval of the Real Estate Advisory Committee Provided however That any person who has been licensed as a real estate salesman or real estate broker for a period of six (6) months next preceding the effective date of this act and is thus engaged in this Commonwealth at the time this act goes into effect may secure the certificate of registration as a broker or a salesman without an examination provided such person shall make application to the department for registration within ninety (90) days after the effective date of this act The department shall hold examinations on the second Saturdays in January April July and October in the Cities of Philadelphia Pittsburgh Harrisburg Wilkes-Barre and Erie at such hours and under such rules and regulations as the department shall prescribe The examination for a broker's license shall [differ from the examination for a salesman's license in that it shall be of a more exacting nature and require higher standards of knowledge of real estate] include questions on real estate practice real estate law the applicant's ability to read and write English his knowledge of mathematics and other common school branches The examination for salesman's license shall be limited to the common school branches Provided however That in event the license of any real estate broker or salesman shall be cancelled by the department subsequent to the enactment of this act no new license shall be issued to such person unless he complies with the provisions of this act Provided further however That the department may waive these requirements in the case of an application from a non-resident broker of those states having similar requirements under the law of which similar recognition and courtesies are extended to licensed real estate brokers and real estate salesmen of this State

An individual may apply for and receive from the department a temporary permit to operate as a real estate [broker or as a real estate] salesman until the next regular examination but not more than two successive temporary permits shall be issued to any individual Any individual who fails to pass the examination at two successive examinations shall be ineligible for a similar examination until after the expiration of [one full year] two full years from the time such individual took the last examination [Provided however That any applicant who fails to pass a salesman's examination shall be ineligible to apply for or operate under a temporary broker's certificate]

Section 8 The fees to be charged by and paid to the department by licensees for all licenses and renewals thereof issued shall be as follows

(1) A fee of ten dollars ($10.00) shall accompany an application for examination for real estate broker's license and in the event that the applicant successfully passes the examination no additional fee shall be required for the issuance of a certificate of registration Provided That if the applicant fails to pass the examination he may be eligible to take the next examination without any additional fee Provided That there shall be an additional license fee of two and one-half ($2.50) dollars annually for each additional office or place of business

(2) A fee of five dollars ($5.00) shall accompany an application for examination for a real estate salemen's license and in the event that the applicant successfully passes the examination no additional fee shall be required for the issuance of a certificate of registration Provided however That if the applicant fails to pass the examination he may be eligible to take the next examination without any additional fee

(3) It shall be the duty of all persons licensed to practice as a real estate broker or real estate salesman to register annually with the department and pay for each such annual registration as a real estate broker the sum of five dollars ($5.00) and pay for each such annual registration as a real estate salesman the sum of two dollars and one-half ($2.50) Said application for renewal of real estate broker's or salesman's license shall be made to the department annually on or before January first of the next succeeding year

(4) The department shall be required to publish annually a list of the persons copartnerships and corporations registered for that particular year

On the question,

Will the House agree to the section?

Mr. COAKLEY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend section 3 (section 7 (c)) page 8, lines 25 and 26 by striking out "subject to the approval of the Real Estate Advisory Committee"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The fourth to the seventh sections inclusive and title were separately read and agreed to as follows:

Section 4 Section nine and clauses (a) and (d) of section ten of said act as amended by sections four five and six of the act approved the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 1410) are hereby further amended to read as follows

Section 9 (a) Every person copartnership association or corporation licensed as a real estate broker under the provisions of this act shall be required to have and maintain a definite place of business within the Commonwealth which shall be a room or rooms used exclusively for the transaction of real estate business or such business and any allied business and which shall serve as his their or its office for the transaction of business under the authority of the said license and where the [license] certificate of registration and the current annual renewal card shall be prominently displayed The said place of business shall be specified in the application for license and designated in the license and no license issued under the authority of this act shall authorize the licensee to transact business from any office other than that designated in the license unless notice in writing shall be given within ten days to the department of any change of business location designating the new location of such office whereupon the department shall forthwith issue a new license for the new location for the unexpired period without charge The change of the specified business location without notification to the department shall automatically cancel the license theretofore issued Every real estate broker shall display on the outside of his place of business a sign containing the words Real Estate or Realtor where such latter title is duly authorized The department subject to the approval of the Real Estate Advisory Committee shall not adopt reasonable rules and regulations for the conduct of such places of business

(b) All real estate brokers shall also prominently display in their place or places of business the [licenses] certificate of registration and the current annual renewal card of all real estate salesmen employed by them therein or in connection therewith All licenses issued to real estate salesmen shall designate the employer of such salesmen by name Prompt notice in writing within ten (10) days shall be given to the department by the real estate salesmen of any change of employer and of the name of the new employer into whose service such salesman is about to enter or has entered and a new license shall thereupon be issued without charge by the department to such salesmen for the unexpired term of the original license Provided That such new employer shall be a duly licensed real estate broker The change of employer or employment by any licensed real estate salesman without notice to the department as aforesaid shall automatically cancel the license to him theretofore issued and it shall be the duty of the employer named in such license to notify the department promptly of any such change of employer or employment

(c) The violation of any of the provisions of this section by any licensee shall be sufficient cause for the suspension or revocation of his her or its license in the discretion of the department

Section 10 (a) The department may upon its own motion and shall promptly upon the verified complaint in writing of any person setting forth specifically the wrongful act or acts complained of investigate any action or business transaction of any licensed real estate broker or real estate salesman and shall have the power temporarily to suspend or permanently to revoke licenses theretofore issued by the department under the provisions of this act at any time when after due proceedings as hereinafter provided it shall find the holder thereof to have been guilty in the performance or attempt to perform any of the acts prohibited to others than licensed real estate brokers or real estate salesmen under the provisions of this act

(1) Of knowingly making any substantial misrepresentation or

(2) Of knowingly making any false promise of a character likely to influence persuade or induce or

(3) Of a continued or flagrant course of misrepresentation of making of false promises through agents or salesmen or

(4) When it shall be shown that the licensee within five years prior to the issuance of the license then in force has been convicted in a court of competent jurisdiction of this or any other state of forgery embezzlement obtaining money under false pretenses extortion conspiracy to defraud or other like offense or offenses

(5) Of any failure to account for or to pay over moneys belonging to others which has come into his her or its possession arising out of a real estate transaction or

(6) Of any misleading or untruthful advertising or

(7) Of any act or conduct in connection with a real estate transaction which demonstrates incompetency bad faith or dishonesty

(8) Of displaying a "for rent" or "for sale" sign on any property without an exclusive agency therefor or without the owner's consent

(d) The decision of the department in suspending or revoking any license issued under this act shall be subject to review by the Court of Common Pleas of Dauphin County The department shall maintain in its main office a public docket or other record in which it shall record from time to time as made the rulings or decisions upon all complaints filed with it and all investigations instituted by it in the first instance upon or in connection with which any such hearing shall have been had or in which the licensee charged shall have made no defense The department shall also give immediate notice in writing of such ruling or decision to the licensee affected thereby and as well where the investigation shall have been instituted by complaint filed to the party or parties by whom the complaint was made If such ruling shall be to the prejudice of or shall injuriously affect the licensee the department shall also state in said notice the date upon which the said ruling or decision shall become effective if not theretofore appealed from and such date shall be not less than thirty (30) days from and after the date of the said notice If the licensee cannot at such time be found his whereabouts being then unknown such notice may be given by the department by advertisement inserted in one issue of a newspaper of general circulation published within the county where was located the principal office of the licensee as designated in the license When any revocation or suspension shall become final the department shall publish notice thereof in one issue of one or more newspapers of general circulation published within the county in which the licensee was practicing or engaged in the real estate business at the time of such revocation or suspension

Such ruling or decision of the department shall be final when in favor of the licensee and in dismissal of the complaint filed if any If against the licensee or in any way to the licensee's injury or prejudice the licensee may at any time prior to the date fixed by the department in its said notice as the date it shall become effective appeal from such decision to the Court of Common Pleas of Dauphin County by [Serving upon the department] filing written notice of such appeal together with reasons for such appeal [Such service shall be made] in the office of the prothonotary of Dauphin County and by serving a copy thereof on the department either by filing the said notice of appeal in the office of the department or by delivering the same to the deputy whether general or special before whom the hearing in the case was had

Within thirty (30) days after the service of such notice of appeal the department shall file with the prothonotary of the said Court of Common Pleas a transcript of the records of the proceedings in its office duly certified over the seal of the department which record shall include all papers on file with the department affecting or relating to the inquiry or investigation conducted by the department and all the evidence taken in the said hearing including the stenographic notes of testimony Notice of the filing of the said transcript with the term and number to which filed shall be forthwith given by the department to the licensee and as well to the party or parties if any upon whose complaint the proceedings before the department were instituted The cost of the said transcript at twenty-five cents per folio and one dollar for certification shall be entered as part of the record costs in the cause to be paid as the said court may direct In all proceedings upon such appeal the Department of Justice shall appear for and represent the Commonwealth

The appeal shall thereupon be heard in due course by the judge or judges of the said Court of Common Pleas without a jury by whom the proceedings before the department its findings and rulings shall be given similar weight force and effect as are accorded to the findings and report of a referee selected or appointed under the provisions of the act entitled "An act to provide for the submission of civil cases by agreement of the parties to the referee learned in the law" approved the fourteenth day of May one thousand eight hundred and seventy-four and its supplements

Section 5 Section twelve of said act is hereby amended to read as follows

Section 12 (a) Any person copartnership association or corporation who shall after the first day of January nineteen hundred and thirty engage in or carry on the business or act in the capacity of a real estate broker or a real estate salesman within this Commonwealth without a license or shall carry on or continue business after the suspension or revocation of any such license to him or it issued or shall employ any person as a real estate salesman to whom a license as a real estate salesman has not been issued or whose license as such shall have been revoked or suspended shall be deemed guilty of a misdemeanor and upon conviction thereof shall be sentenced for the first offense to pay a fine of not less than fifty dollars ($50) nor more than one hundred dollars ($100) and for a second and any subsequent offense shall be sentenced to pay a fine of not less than five hundred dollars ($500) nor more than one thousand dollars ($1,000) or undergo imprisonment for a period of not more than one (1) year or both in the discretion of the court

(b) Any holder of a certificate of registration who shall fail to apply for a renewal of his or her certificate of registration on or before the renewal date in each year and who continues the practice of real estate broker or real estate salesman shall on conviction thereof be subject to a fine of not more than ten dollars ($10) to be collected by summary conviction as like fines are collected by law and in case of non-payment of fine to undergo an imprisonment for a period not to exceed ten (10) days Any such person shall have the right of appeal as in other cases of summary conviction

Section 6 Any person who has for a period of two years immediately preceding the effective date of this act engaged in any business or occupation not heretofore required to be licensed as a real estate broker and who is under the provisions of these amendments required to be so licensed shall be issued a real estate broker's license by the Department of Public Instruction without requiring him or her to submit to an examination as required by the act to which this is an amendment and its amendments provided that such person makes application for such license within ninety days after the effective date of this act and pays the fee prescribed by law for such license

Section 7 This act shall become effective immediately upon final enactment

An Act to further amend the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1216) entitled "An act to define real estate brokers and real estate salesmen and providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business" by further defining real estate brokers and real estate salesmen and further providing for the licensing regulation and supervision of resident and nonresident real estate brokers and real estate salesmen and their business

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2262, as follows:

An Act to amend the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" prohibiting employes of certain agencies after leaving employment from practicing before such agencies in certain proceedings

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" is hereby amended by adding thereto a new section to read as follows

Section 524 Certain Practice before Certain Agencies Prohibited No person employed in the work of the Department of Revenue the Public Utility Commission or the Pennsylvania Liquor Control Board shall after leaving

the service of such agency be eligible to appear before it as representing any person interested in any proceeding pending before such agency with which proceeding such person was directly concerned as an employe while in the public service

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HERBERT B. COHEN. Mr. Speaker, I move that this bill be recommitted to the Committee on State Government.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1495, as follows:

An Act to amend clause (b) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended changing the personnel of the State Veterans Commission

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause (b) of section four hundred forty-eight of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative works of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as amended by the act approved the third day of June one thousand nine hundred and thirty-three (Pamphlet Laws 1471) is hereby further amended to read as follows

(b) The State Veterans Commission shall consist of the Adjutant General ex officio and [five] seven members all of whom shall have served in the armed forces of the United States while a state of war existed between the United States of America and another sovereign power and shall be members in good and regular standing of a Pennsylvania branch post lodge or club of a recognized national veterans organization active in this Commonwealth

[Three] Five members of the commission shall constitute a quorum

The commission shall select from its number a chairman and a secretary

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1034, as follows:

An Act to amend section five hundred and twenty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as added requiring contracts for public works and improvements to stipulate minimum wages to be paid to foremen the timekeepers engineers laborers and mechanics and requiring the Commonwealth to pay minimum wages for such work where no contract is let and providing for county wage boards representing labor business and the Commonwealth to determine such minimum wages

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five hundred and twenty-two of the act approved the ninth day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 177) entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments boards commissions and officers thereof including the boards of trustees of State Normal Schools or Teachers Colleges abolishing creating reorganizing or authorizing the reorganization of certain administrative departments boards and commissions defining the powers and duties of the Governor and other executive and administrative officers and of the several administrative departments boards commissions and officers fixing the salaries of the Governor Lieutenant Governor and certain other executive and administrative officers providing for the appointment of

certain administrative officers and of all deputies and other assistants and employes in certain departments boards and commissions and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments boards and commissions shall be determined" as added by the act approved the first day of June one thousand nine hundred and thirty-one (Pamphlet Laws 350) is hereby amended to read as follows

Section 522 Wage Specifications in Contracts for Public Works and Improvements Payment of Minimum Wages by Commonwealth County Wage Boards (a) The specifications upon which contracts are entered into by the Commonwealth for the construction alteration or repair of any public work or improvement shall [as far as possible] contain the minimum wage or wages which may be paid by the contractor or his subcontractors for the work performed by foreman timekeepers engineers laborers and mechanics employed on such public work or improvement and such foremen timekeepers engineers laborers or mechanics shall be paid [not less than such] a minimum wage or wages not less than that paid by employers of labor for work of a similar nature in the county where the work is being performed where work in connection with the construction alteration or repair of any public work or improvement is being performed directly by the Commonwealth without contract foremen timekeepers engineers laborers and mechanics employed on such work or improvement by the Commonwealth shall also be paid minimum wages at least equal to those paid by employers of labor for work of a similar nature in the county where the work is being performed

Every contract entered into [upon] for the construction alteration or repair of any public work or improvement shall contain in its specifications the minimum wage or wages which shall be paid by the contractor and his subcontractors for work performed by foremen timekeepers engineers laborers and mechanics employed on such public work or improvement which shall not be less than the minimum wage or wages paid by employers of labor for work of a similar nature in the county where the work is being performed and such specifications shall stipulate a penalty of an amount equal to twice the difference between the minimum wage contained in said specifications and the wage actually paid to each such foreman timekeeper engineer laborer or mechanic for each day during which he has been employed at a wage less than that prescribed in said specifications Every officer or person designated as inspector of the work to be performed under any such contract or to aid in the enforcing of the fulfillment thereof shall upon observation or investigation report to the department board or commission which made the contract award all violations of minimum wage stipulations together with the name of each foreman timekeeper engineer laborer or mechanic who has been paid less than that prescribed by the specifications and the day or days of such violation All such penalties shall be withheld and deducted for the use of the Commonwealth from any moneys due the contractor by the officer or person whose duty it shall be to authorize the payment of moneys due such contractor whether the violation of the minimum wage stipulation of the specifications is by the contractor or by any of his subcontractors

(b) In each county of the Commonwealth a county wage board of three members is hereby created to determine the prevailing average wage paid by employers of labor in that county for work of a similar nature to that performed by foreman timekeepers engineers laborers and mechanics in the construction alteration and repair of any public work or improvement Each of such boards shall be composed of three persons two of whom shall be appointed by the Governor one as representing labor and one as representing the retail business interest in that county The organizations of labor in any county and the retail business interests in such county meeting respectively by delegates or otherwise shall each have power to nominate not less than three nor more than five persons for appointment by the Governor to any such county wage board and from the names so submitted the Governor shall select and appoint two members of such county wage boards as representing organized labor and the retail business interests of the county If organized labor and the retail business interests shall fail to make such nominations or shall be unable to agree upon such nominations within thirty days after this act takes effect the Governor shall make such appointments without regard to any nominations The third member of every county wage board shall be appointed by the Secretary of Highways The appointee of the Secretary of Highways shall be the chairman of the board All such county wage boards shall meet within fifteen days after their appointment at the call of the chairman The members of the board shall not receive any compensation for their services but shall be reimbursed from appropriations made to the Department of Highways for all expenses incurred in the performance of their duties Two members of the board shall constitute a quorum

(c) Each county wage board shall have full power after hearing and investigation to determine the prevailing average wage paid by employers of labor in that county for work of a similar nature to that performed in the construction alteration and repair of public works and improvements The prevailing average wage as determined by any county wage board shall constitute and become the minimum wage which shall be stipulated in all public work and improvement contracts of the Commonwealth to be performed in that county as hereinbefore provided and shall also constitute the minimum wage which shall be paid by the Commonwealth for work on public works and improvements in that county where the work is performed directly by the Commonwealth without contract

(d) The minimum wage determined by any county wage board shall remain in full force and effect for one year from the first day of July Each county wage board shall meet each year not later than the first day of May and shall again determine the prevailing average wage paid by employers of labor for work of a similar nature to that performed in the construction alteration and repair of public works and improvements and the prevailing average wage so determined shall become the minimum wage to be stipulated in all contracts and the minimum wage to be paid by the Commonwealth where no contract is let for the succeeding year beginning July first

Section 2 This act shall become effective immediately upon final enactment but shall apply only to contracts let or work performed directly by the Commonwealth after the first day of July one thousand nine hundred and thirty-seven

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second rading and consideration of House Bill No. 2019, as follows:

An Act fixing the minimum compensation and salary of certain employes of the Department of Highways and minimum weekly working hours

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That after June first one thousand nine hundred and thirty-seven the minimum compensation and salary of certain employes of the Department of Highways engaged in or about work on State highways and the minimum number of hours per week in certain cases shall be as follows

(a) Laborers fifty cents (50c) per hour minimum number of hours per week forty (40)

(b) Equipment operators seventy cents (70c) per hour minimum number of hours per week forty (40)

(c) Foremen and caretakers seventy-five cents (75c) per hour minimum number of hours per week forty (40)

Section 2 In the case of equipment operators compensation shall be paid from the time they leave until they return to the storage shed

Section 3 This act shall become effective on the first day of June one thousand nine hundred and thirty-seven

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 189, as follows:

An Act to provide for an additional law judge of the Court of Common Pleas in the thirty-second judicial district

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in addition to the judges provided for in the act approved the twenty-first day of May one thousand nine hundred and thirty-one (Pamphlet Laws one hundred sixty-seven) entitled "An act to designate the several judicial districts of the Commonwealth as required by the Constitution and to provide for the election and commissioning of judges learned in the law for the said districts" an additional law judge is hereby authorized and provided for the Court of Common Pleas of the thirty-second judicial district who shall possess the same qualifications which are required by the Constitution and laws for the president judge of said district and who shall hold his office for a like term and by the same tenure and shall have the same power authority and jurisdiction and shall be subject to the same duties restrictions and penalties and shall receive the same compensation provided for by law for judges learned in the law of the courts of said judicial district.

Section 2 At the next municipal election after the passage of this act the qualified electors of the said thirty-second judicial district shall elect in the same manner prescribed by law for the election of a president judge a competent person learned in the law to serve as said additional law judge of the Court of Common Pleas of said thirty-second district from the first Monday in January one thousand nine hundred and thirty-eight for a term of ten years Vacancies in the office hereby created whether caused by death resignation expiration of term or otherwise shall be filled in the same manner as is required by law in case of a similar vacancy in the office of president judge

Section 3 The Governor is hereby authorized to appoint one competent person learned in the law as such additional law judge of the Court of Common Pleas of the said thirty-second judicial district to serve until the first Monday of January succeeding the next municipal election

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1853, as follows:

An Act to amend section seven hundred three and subsection (a) of section nine hundred three of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended changing the chassis weight authorized by the act for certain classes of commercial motor vehicles and truck tractors

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section seven hundred three and subsection (a) of section nine hundred three of the act approved the first day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 905) entitled "An act for the protection of the public safety regulating the use of highways and the operation of vehicles tractors street cars trackless trolley omnibuses bicycles pedestrians and the riding of animals upon the highways of this Commonwealth providing for the titling including liens encumbrances and legal claims registration of certain vehicles and licensing the operators thereof upon payment of prescribed fees prescribing and limiting the powers of local authorities to deal with the subject matter of this act conferring powers and imposing duties upon the Department of Revenue the Department of Highways peace officers mayors burgesses magistrates aldermen justices of the peace the courts and the clerks thereof owners of vehicles and garage keepers providing that records are admissible as evidence imposing upon owners counties cities boroughs incorporated towns townships within the Commonwealth liability for damages caused by the negligent operation of their motor vehicles imposing penalties imposing certain costs upon counties providing for the disposition of fines forfeitures fees and miscellaneous receipts making an appropriation and providing for refunds" as amended by section two of the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 751) are hereby further amended to read as follows

Section 703 Commercial Motor Vehicles and Truck Tractors with Pneumatic Tires Commercial motor vehicles and truck tractors with pneumatic tires other than those electrically operated shall be divided into eight (8) classes and the fee for annual registration of such vehicles in each of the respective classes based on the gross chassis weight as given and certified to by the manufacturer shall be as follows Provided however That any commercial motor vehicle coming within the R class may at the option of the owner be registered in the S class upon the payment of the license fee for an S class license and upon being so registered shall be permitted to carry to maximum mum gross weight permitted for an S class commercial motor vehicle

Four-Wheeled

Class	Chassis Weight in Pounds	Fee
R	.....Less than [2000] 2500.....	$16.50
S	.....[2000] 2500 and over but less than 3000.	26.00
T	.....3000 and over but less than 4000.....	35.00
U	.....4000 and over but less than 5000.....	45.00
V	.....5000 and over but less than 6000.....	63.00
W	.....6000 and over but less than 7500.....	90.00
Y	.....7500 and over but less than 9000.....	110.00
Z	.....9000 and over.....	155.00

Six-Wheeled (3 Axles)

Class	Chassis Weight in Pounds	Fee
RZ	....2000 and over but less than 3000.....	$40.00
SZ	....3000 and over but less than 4000.....	50.00
TZ	....4000 and over but less than 5000.....	60.00
UZ	....5000 and over but less than 6000.....	90.00
VZ	....6000 and over but less than 7500.....	155.00
WZ	....7500 and over but less than 9000.....	175.00
YZ	....9000 and over but less than 12000.....	200.00
ZZ	...12000 and over.....	225.00

Section 903

(a) Commercial motor vehicles and truck tractors other than those electrically operated shall not be used or operated on any highway with gross weight exceeding those specified for the several classes and weights of chassis as follows

Four-Wheeled Class	Chassis Weight in Pounds	Maximum Gross Weight in Pounds
R	.....Less than [2000] 2500.....	5000
S	.....[2000] 2500 and over but less than 3000..	7000
T	.....3000 and over but less than 4000.....	11000
U	.....4000 and over but less than 5000.....	13000
V	.....5000 and over but less than 6000.....	18000
W	.....6000 and over but less than 7500.....	22000
Y	.....7500 and over but less than 9000.....	25000
Z	.....9000 and over.....	26000

Six-Wheeled (3 Axles) Class	Chassis Weight in Pounds	Maximum Gross Weight in Pounds
RZ	....2000 and over but less than 3000.....	12000
SZ	....3000 and over but less than 4000.....	14000
TZ	....4000 and over but less than 5000.....	16000
UZ	....5000 and over but less than 6000.....	22000
VZ	....6000 and over but less than 7500.....	26000
WZ	....7500 and over but less than 9000.....	30000
YZ	....9000 and over but less than 12000.....	34000
ZZ	...12000 and over.....	36000

And said bill having been read at length the second time and agreed to.

Ordered. To be transcribed for a third reading.

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1749, as follows:

An Act to further amend clause eight of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" by changing the minimum salary of county superintendents

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That clause eight of section one thousand two hundred and ten of the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administred and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" as last amended by section one of the act approved the seventh day of May one thousand nine hundred and twenty-nine (Pamphlet Laws 1587) is hereby further amended to read as follows

Eight county superintendents of counties having a population of less than [twenty thousand ($20,000) minimum annual salary three thousand dollars ($3,000) county superintendents of counties having a population of twenty thousand and more but less than] forty-five thousand ($45,000) minimum annual salary three thousand five hundred dollars ($3,500) county superintendents of counties having a population of forty-five thousand and more but less than one hundred and fifty thousand (150,000) minimum annual salary four thousand dollars ($4,000) county superintendents of counties having a population of one hundred and fifty thousand (150,000) or more minimum annual salary four thousand five hundred dollars ($4,500) all assistant county superintendents minimum annual salary three thousand dollars ($3,000)

Section 2 The provisions of this act shall become effective on the first day of July one thousand nine hundred and thirty-seven

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2109, as follows:

An Act to further amend section one of the act approved the twenty-sixth day of April one thousand eight hundred and fifty-five (P. L. 309) entitled "An act relating to damages for injuries producing death" by making an amount recovered liable for the payment of expenses of last illness and funeral expenses and authorizing executors and administrators to sue in certain cases

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one of the act approved the twenty-sixth day of April one thousand eight hundred and fifty-five (P. L. 309) entitled "An act relating to damages for injuries producing death" as amended by section one of the act approved the seventh day of June one thousand nine hundred eleven (P. L. 678) is hereby further amended to read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the persons entitled to recover damages for injuries causing death shall be the husband widow children or parents of the deceased and no other relatives and that such husband widow children or parents of the deceased shall be entitled to recover whether he she or they be citizens or residents of the Commonwealth of Pennsylvania or citizens or residents of any other state or place subect to the jurisdiction of the United States or of any foreign country or subjects of any foreign potentate and the sum recovered shall go to them in the proportion they would take his or her personal estate in case of intestacy and that without liability to creditors under the laws of his Commonwealth Provided however That any such sum shall be liable for the payment of the expenses of last illness and of funeral expenses not in excess of one hundred dollars

In the event there are none of the persons hereinbefore enumerated or the person or persons entitled to sue refuses to do so the executor or administrator may bring suit to recover for the amount of the expense of last illness and funeral expenses together with the reasonable expenses of the action or settlement and the commission of such executor or administrator the amount of which shall be fixed by the court in which the action is brought.

Section 2 This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1952, entitled:

An Act to amend section three of the act approved the tenth day of June one thousand nine hundred and thirty-one (P. L. 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" providing for the qualification of additional persons as undertakers

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section three of the act approved the tenth day of June one thousand nine hundred and thirty-one (P. L. 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" is hereby amended to read as follows

Section 3 An applicant shall not be entitled to an examination if

(a) The applicant is not a citizen of the United States

(b) The applicant is not at least twenty-one years of age

(c) The applicant is not a graduate of an approved high school of this Commonwealth or has an education equivalent thereto under the rules and regulations of the department Provided however That this clause shall not be construed to apply to any person who has been engaged in the business as an undertaker at least ten years

(d) The applicant has not had practical experience in the business or profession of undertaking for two years continuously as a student apprentice and shall have completely embalmed at least twenty-five bodies

On the question,

Will the House agree to the section?

Mr. SCANLON. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, (sec. 3) page 2, line 18, by striking out the following: "as an undertaker" and inserting in lieu thereof the following: "of undertaking"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend section three of the act approved the tenth day of June one thousand nine hundred and thirty-one (P. L. 485) entitled "An act to provide for the better protection of life and health of the citizens of this Commonwealth by requiring and regulating the examination licensure and registration of persons and registration of corporations engaging in the care preparation and disposition of the bodies of deceased persons and providing penalties" providing for the qualification of additional persons as undertakers

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1073, as follows:

An Act to amend section one thousand and one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (P. L. 359) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended providing for the payment by the Commonwealth of a bounty for each rattlesnake killed in the Commonwealth

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section one thousand and one of the act approved the twenty-fourth day of May one thousand nine hundred and twenty-three (P. L. 359) entitled "An act concerning game and other wild birds and wild animals and amending revising consolidating and changing the law relating thereto" as amended by the act approved the fourteenth day of May one thousand nine hundred and twenty-nine (P. L. 1721) is hereby further amended to read as follows

Section 1001 Bounties on Certain Animals A reward or bounty shall be paid for the killing within the Commonwealth only of the following animals For each Canada or bay lynx commonly called bobcat or wildcat fifteen dollars for each gray fox four dollars for each weasel one dollar [and] for each goshawk killed within the Commonwealth between the first day of November and the first day of May of the next following year and shipped to the office of the Board at Harrisburg within thirty-six hours after killing five dollars and for each rattlesnake killed within the Commonwealth and the rattles thereof and one inch of the tail shipped to the office of the Board at Harrisburg twenty-five cents Bounties shall be paid for only those rattlesnakes which are killed within areas defined by the Department of Forests and Waters and proof of the killing of rattlesnakes within such areas shall be furnished in such manner as the board may require

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 920, as follows:

An Act requiring operators of public swimming pools to which admission fees are charged to have an oxygen inhaler at such pools and a person in attendance competent to use the same making failure to comply a misdemeanor and prescribing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That every person copartnership association or corporation who or which operates or maintains any public swimming pool whether natural or artificial and whether indoors or outdoors for the use of which any admission fee is charged and collected shall

at all times during the season while such pool is used have at such pool an oxygen inhaler in proper working condition for use in any case of emergency and shall at all times when bathing is permitted keep in attendance a person competent to use such oxygen inhaler in case of emergency

Section 2 Any person copartnership association or corporation failing to comply with the provisions of this act shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than one thousand dollars ($1,000) or in the case of individuals the members of any partnership or association or the officers directors and manager of any corporation to undergo imprisonment for not more than three months or both

Section 3 All acts and parts of acts inconsistent herewith are hereby repealed

Section 4 This act shall become effective thirty days after final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2435, as follows:

An Act making an appropriation to the Civil Liberties Commission

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby specifically appropriated to the Civil Liberties Commission created by Concurrent Resolution House number 58 serial number 93 for the payment of the expenses of the members of the commission and the compensation of the officers and employes of the commission for postage telephone and telegraph charges for the use of automobiles for witness fees allowed by the commission for supplies and printing and for all other expenses deemed necessary and proper by the commission

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. HERBERT B. COHEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Appropriations.

The motion was agreed to.

BILLS ON SECOND READING

Agreeably to order.

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1638, as follows:

An Act to amend section five of the act approved the first day of May one thousand nine hundred and nineteen (Pamphlet Laws 103) entitled "An act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings requiring the approval of the commission of the design and location of all public monuments memorials buildings or other structures and certain private structures proposed to be erected anywhere in this Commonwealth other than in cities of the first and second classes" extending the powers of the State Art Commission to bridges and subjects and over bordering streams

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section five of the act approved the first day of May one thousand nine hundred and nineteen (Pamphlet Laws 103) entitled "An act creating a State Art Commission in the Board of Commissioners of Public Grounds and Buildings requiring the approval of the commission of the design and location of all public monuments memorials buildings or other structures and certain private structures proposed to be erected anywhere in this Commonwealth other than in cities of the first and second classes" is hereby amended to read as follows

Section 5 From and after the approval of this act no public monument memorial building bridge or other structure or subject shall become the property of the Commonwealth or any subdivision thereof by purchase gift or otherwise unless (a) the design for the same and the proposed location thereof shall have first been submitted to and approved by the State Art Commission

No construction or erection of any public monument memorial building bridge or other structure or subject within or without the Commonwealth which is to be paid for either wholly or in part by appropriation from the State Treasury or from any subdivision of the State or for which the State or any subdivision is to furnish a site shall be begun unless the design and proposed location thereof shall have been approved by such Commission

No monument memorial building bridge or other structure or subject belonging to any person or corporation shall be erected upon or extend over any highway stream lake square park or other public place within any subdivision of this State or into or over any bordering stream except the design for and the location thereof shall have been approved by such commission

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2401, as follows:

An Act validating certain sheriff's sales of real estate and the title to such real estate in the hands of purchasers their heirs grantees and assigns

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That whenever heretofore the sheriff of any county shall have advertised the sale of any real estate in two newspapers of general circulation describing the real estate to be sold and the time and place of sale as required by law then such sale so held shall be deemed good and valid notwithstanding th fact that the sheriff failed to require an upset bid sufficient to cover all taxes and notwithstanding any other irregularity in the proceedings for the sale of such real estate and the title acquired by the purchaser his heirs grantees and assigns at or through such sheriff's sale shall be deemed good and sufficient in law to the same extent as if such irregularities had not existed Provided however That this act shall not be construed to apply to any such sales and titles heretofore or now in question in any legal proceedings

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1327, as follows:

An Act providing for the construction of slack water dams in conjunction with State highway bridge and culvert improvements defining the powers and duties of the Department of Highways and the Water and Power Resources Board authorizing political subdivisions persons copartnerhips associations corporations and the Board of Fish Commissioners to contribute to the cost of the construction maintenance and repair of any such dam providing for acceptance by agencies of the Commonwealth of gifts and lease of lands and making appropriations from the Motor License Fund the Flood Control Fund and the Fish Fund

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Department of Highways is hereby authorized and empowered with the consent of the Governor and the approval of the Water and Power Resources Board in the construction of State highways bridges and culverts to construct slack water dams so as to create reservoirs dams water parks lakes or other incidental works to aid in flood control to conserve the water supply of the Commonwealth and to provide waters for public fishing and recreational purposes

Section 2 The Water and Power Resources Board in cooperation with the Department of Highways shall have power to make such surveys and to prepare such plans and estimates as may be deemed necessary for the construction of such slack water dams in conjunction with any highway bridge or culvert improvement

Section 3 Any political subdivision of the Commonwealth and any person copartnership association or corporation may petition the Department of Highways to construct any such slack water dam in connection with any highway bridge or culvert improvement and the Department may enter into any agreement whereby a political subdivision person association copartnership or corporation agrees to bear a just portion of the extra cost involved in the construction of any such slack water dam and its subsequent maintenance Such agreements shall set forth the rights of the Commonwealth and the parties to the agreement the use thereof for flood control purposes and the right of the public with respect to the use of such dams Any political subdivision shall have power to enter into such an agreement and to expend public moneys for such purposes All moneys contributed for such purposes shall be paid into the Motor License Fund

Section 4 The Water and Power Resources Board shall have supervision over such slack water dams and shall have power to make orders for the proper maintenance and repair of the same and to make use of such dams to hold back waters during periods of flood and to supervise the making of any repairs and to make a proper allocation of the cost of any such repairs against the Commonwealth and the party to any agreement for the construction of any such dam

Section 5 The Board of Fish Commissioners shall have power to contribute reasonable sums from the Fish Fund to aid in the construction maintenance and repair of any such slack water dam if public fishing therein shall be permitted and shall have power to stock any such dam with suitable species of fish All moneys in the Fish Fund are hereby appropriated for such purposes.

Section 6 The Department of Highways shall have power to expend moneys from the Motor License Fund in the construction maintenance and repair of any such slack water dam where the same is deemed a public benefit and the amount expended from such fund on the construction of such dam and its subsequent maintenance and repair from the Motor License Fund does not in the opinion of the Secretary of Highways unreasonably increase the amount which would be expended by the Department on such highway bridge or culvert improvement and its subsequent maintenance and repair without the construction of such slack water dam Any moneys in the Motor License Fund are hereby appropriated for such purposes

Section 7 The Water and Power Resources Board shall have power to contribute reasonable sums from the Flood Control Fund to aid in the construction maintenance and repair of any slack water dam suitable for flood control purposes and for such purposes any moneys in salt fund are hereby appropriated

Section 8 The Department of Highways the Water and Power Resources Board and the Board of Fish Commissioners shall have power to acquire by gift or lease suitable lands for slack water dams to be constructed under the provisions of this act to conserve the water supply of the State and to provide recreational and fishing areas

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1801, entitled:

An Act to amend the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing certain routes and adding certain new routes

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the following routes established by the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" and its amendments are hereby amended to read as follows

Route 01025 Beginning at a point in Freedom Township intersecting Route 01003 about one fourth mile north of the Maryland State line thence via Fair Play crossing Route 298 in a northwesterly direction through Freedom Township to a point [in Freedom Township about one and one half miles north of Fair Play] on Route 01052 about 1.0 mile north of the Liberty-Freedom Township line in Adams County a distance of about [3.2] 4.3 miles

Route 01037 Beginning at a point on the Abbottstown Borough line thence northwardly through Berwick [and] Hamilton and Reading Townships to a point intersecting Route [01003] 399 about 0.8 of a mile east of its intersection with Route 01008 in Adams County a distance of about [1.8] 4.7 miles

Route 01041 Beginning at a point in Menallen Township on Route 01010 at Boyd's School House thence northwestwardly through Menallen Township to a point [intersecting the State Forestry Road in Menallen Township] on the Adams-Cumberland County line about 1.7 miles east of the Franklin-Menallen Township line in Adams County a distance of about [1.8] 3.7 miles

Route 01049 Beginning at a point in Reading Township intersecting Route [342] 399 about one fourth mile south of Reading-Huntingdon Township line thence easterly to a point in Reading Township intersecting Route 01009 about one fourth mile south of the Reading-Huntingdon Township line in Adams County a distance of about [0.8 of a] 2.5 miles

Route 01050 Beginning at a point on Route [342 in Huntingdon Township about 1.25 miles southeast of York Springs Borough line] 01042 about 1.0 mile northwest of Route 399 thence in [an easterly] a general northeasterly direction through Huntingdon and Latimore [Township] Townships to an intersection with Route 01009 near Pondtown Mill in Adams County a distance of about [1.75] 4.05 miles

Route 02113 Beginning at a point on Route [02182] 330 about [.25 of a mile north] two miles northwest of Large [thence in a general northwesterly direction along Lewis Run to an intersection with the county road about .5 of a mile east of its intersection with the Millers Grove and Clairton Road] thence northeasterly through Jefferson and Mifflin Townships over the Lewis Run Road to an intersection with Route 376 at the Cross Roads at Gordons Farm in Allegheny County a distance of about [3.0 miles] one mile

Route 02182 Beginning near Coal Valley on the [Dravosburg-] Clairton [Road] City line thence in a southerly direction to the new location of Route 330 near Large in Allegheny County a distance of about 1.9 miles

Route 03063 Beginning at [an intersection with the Elderton-Sagamore Road about one mile northeast of Green Oak at McLachlans in Cowanshannock Township and] a point on the Atwood Borough line thence extending in a northwesterly direction to Sloans Crossroads in Cowanshannock Township thence northerly to an intersection with Route 189 at Meredith in Armstrong County a distance of about [3.4] 3.6 miles

Route 03067 Beginning at the end of Union Avenue at the northeast borough line of Kittanning and extending in [Rayburn] Reyburn Township [up Troy Hill to the entrance to] via St Marys Cemetery at the top of Troy Hill to a point on Route 66 about 0.3 of a mile north of Route 189 in Armstrong County a distance of about [1.2] 2.7 miles

Route 03084 Beginning at [Rimer] Cosmus on the Allegheny River and extending in a northeasterly direction in Madison Township via Rimer and Tidal to Widnoon and continuing in a general easterly direction via Kellersburg and the Ridgeview School to a point on the Madison-Mahoning Township line thence easterly in Mahoning Township to an intersection with Route 66 at Oakland in Armstrong County a distance of about [11.6] 12.5 miles

Route 04007 Beginning at a point on the West Mayfield Borough line and about 0.25 of a mile south of Wallace Run and extending in a northwesterly direction to a point near North Fork of Little Beaver Creek thence by relocation to an intersection with Route 204 [near Darlington Borough] about .05 of a mile south of North Fork of Little Beaver Creek in Beaver County a distance of about [4.5] 4.3 miles.

Route 04026 Beginning at a point on the Beaver-Butler County line about 0.1 of a mile south of Route 347 thence in a westerly direction through Franklin and Marion Townships to a point near the mouth of Pine Run in [Merion] Marion Township thence in a northwesterly direction along Connoquenessing Creek to a point near Fombell thence in a westerly direction to a point near Goehring Stop thence in a southerly direction to a point near Blinns Corner thence in a westerly direction to the end of Bennets Run improved road via Barrisville in Beaver County a distance of about [6.7] 8.3 miles

Route 04083 Beginning at a point on Route 04068 near Holt in Raccoon Township and extending northerly to an intersection with Route [115 near the Potter farm] 04064 about 1.0 mile east of the Raccoon-Potter Township line in Potter Township in Beaver County a distance of about [1.33] 1.63 miles

Route 05002 Beginning at a point on the Pennsylvania-Maryland State line approximately 1.25 miles east of the Cumberland Valley-Southampton Township line in Southampton Township Bedford County thence northeasterly through Southampton Township [to the village of] via Bean Cove [thence northeasterly to a road intersection at Bean Cove Church] to a point on Route 05003 in Bedford County a distance of about [6.4] 11.7 miles

Route 05057 Beginning at a point in the village of Cypher in Hopewell Township [Bedford County] thence northeasterly through Hopewell Township to a [road intersection at a church] point on Route 46 approximately [0.25] 0.7 of a mile southeast of the village of Eichelbergertown in Bedford County a distance of about [3.8] 4.0 miles

Route 05063 Beginning at a point on Route [46] 05057 approximately one mile west of the borough line of Hopewell in Hopewell Township [Bedford County] thence [westerly through Hopewell Township to a road intersection approximately 3.25 miles northeast of the village of Cypher thence] northwesterly to the village of Eichelbergertown thence northerly to a point on the Hopewell-Liberty Township line thence northerly through [Hopewell] Liberty Township to a point on Route 46 approximately 0.25 of a mile northwest of the junction of Routes 46 and 692 in Bedford County a distance of about [5.7] 5.6 miles

Route 05083 Beginning at a point on Route 380 approximately 1.25 miles east of the village of Weyant in King Township Bedford County thence northerly through King Township to a point on the King-Kimmel Township line thence northerly through Kimmel Township [to a point on State-aid Application 4833 in] via the village of Queen to a point on the Blair County line in Bedford County a distance of about [4.5] 5.9 miles

Route 06088 Beginning at a point in Caernarvon Township on Route 328 [near Station 207 and] about .6 of a mile east of Joanna thence northeasterly through Caernarvon Robeson and Union Townships to a point [of road intersection at Hopewell Furnace] on the Berks-Chester County line in Berks County a distance of about [5.3] 3.2 miles

Route 09083 Beginning at a point on the new location of Route 153 [near Station 1310 and] about .25 of a mile north of Rich Hill thence northeasterly through Richland Township via Paletown School to a point on Route 656 [near Station 73 and] about .6 of a mile northwest of Richland Center [said point being near the corner of the property of Frank Ache] in Bucks County a distance of about [2.6] 2.68 miles

Route 10104 Beginning at a point on [Route 10063 about 0.1 of a mile north of the bridge over a branch of the Slippery Rock Creek thence in a general northwesterly direction crossing Route 10068 through Cherry and Marion Townships to a point on Route 10070 about 1.4 miles west of Boyers Post Office (Anandale Station)] the Beaver-Butler County line near Connoqueqessing Creek thence in a general northeasterly direction through Jackson Township to a point on Route 347 in Butler County a distance of about [3.2 miles] 0.4 of a mile

Route 10107 Beginning at a point on the west borough line of Slippery Rock thence westerly to the intersection of Route 37065 at the [Mercer] Lawrence County line in Butler County a distance of about 2.3 miles

Route 12007 Beginning at a point on the Shippen Township-Emporium Borough line at the South Broad Street Bridge thence in a general southwesterly direction through Shippen Township [to a road intersection] in Cameron County a distance of about [3.6] 6.7 miles

Route 13009 Beginning at a point on [a secondary township road approximately 2.8 miles west of Packerton] Route 13008 about 1.0 mile northeast of Pleasant Corners in Mahoning Township thence northwesterly and northeasterly to a point where it intersects State Highway Route 163 at Packerton in Carbon County a distance of about [2.8] 4.7 miles

Route 14016 Beginning at a point on Route 346 about 0.75 of a mile northeast of Briarly thence in a southeasterly southwesterly and southeasterly direction in Patton Township to the Patton-College Township line

thence southeasterly in College Township for about 0.8 of a mile to a road intersection thence southerly and southwesterly to a point on the north line of State College Borough in Centre County a distance of about [1.2] 4.8 miles

Route 15022 Beginning at a point [of road intersection in Chesterville in Franklin Township] on Route 15019 about 0.1 of a mile west of the West Branch of White Clay Creek thence northwesterly and northerly through London Britain Franklin and London Grove Townships to a point on the southern boundary line of West Grove Borough in Chester County a distance of about [3] 5.1 miles

Route 15028 Beginning at a point [on the Pennsylvania Railroad tracks near Lincoln University Station in Lower Oxford Township] Route 15012 near Elkdale thence northerly northwesterly and northerly through East Nottingham Lower Oxford and Upper Oxford Townships by way of Lincoln University to a point on Route 131 [near Station 1655] in Chester County a distance of about [.9] 2.1 miles

Route 15040 Beginning at a point on the Pennsylvania-Delaware State line about 0.3 of a mile southwest of its intersection with the Pennsburg-Kennett Township line thence northwesterly about 0.9 of a mile to a road intersection thence northeasterly through Kennett and Pennsbury Townships to a point on Route [134 near Station 558 at Fairville] 15044 about 0.3 of a mile east of Route 134 in Chester County a distance of about [1.9] 2.2 miles

Route 15041 Beginning at a point of road intersection about .5 of a mile west of the Pennsylvania-Delaware State line and .5 of a mile northwest of its intersection with the Pennsburg-Kennett Township line thence westerly through Kennett Township about .3 of a mile to a point of road intersection thence northerly through Kennett Township to a point of road intersection at Rosedale Station thence northeasterly and easterly through Kennett and Pennsbury [Township] Townships to a point on Route [134 near Station 490] 15044 about 0.7 of a mile southwest of its intersection with Route 131 in Chester County a distance of about [3.2] 5.3 miles

Route 15052 Beginning at a point on Route 328 at Loag's Corner thence in a southeasterly direction through West Nantmeal and Wallace Townships to a point on Route 15148 at Fairview Presbyterian Church in Wallace Township thence southeasterly to a point of road intersection about .7 of a mile northeast of Cornog Station thence easterly and southeasterly to the Wallace-Upper Uwchlan Township line thence through Upper Uwchlan Township in a southeasterly direction to a point on Route 147 near Station 559 at Eagle in Chester County a distance of about [4.7] 8.9 miles

Route 15133 Beginning at a point on Route 372 [near Station 466 in Warwick Township] thence northerly through Warwick Township to a point of road intersection about 1.4 miles north of Warwick thence [easterly for a distance of about .1 of a mile to a point of road intersection thence northerly still] northeasterly through Warwick Township to a point on the Berks-Chester County line about [1.7 miles] 1.0 mile southwest of its intersection with the Warwick-North Coventry Township line in Chester County a distance of about [2.8] 3.4 miles

Route 15155 Beginning at a point at London Tract Baptist Church in London Britain Township thence northeasterly through London Britain and New Garden Townships via the Leon Garrett B J Owen Nevin Hoopes and N E Sharples properties to a point on [the New Garden-London Britain Township line at Buttonwood] Route 15201 about 0.1 of a mile northwest of the Pennsylvania-Delaware State line in Chester County a distance of about [1.5] 2.6 miles

Route 15176 Beginning at a point on Route 15084 about 0.7 of a mile west of an intersection with Route 134 and extending in a northerly direction through Pocopson Township to Route 15175 thence from a point on Route 15175 in a northerly and northeasterly direction through Pocopson Township to a point on Route [15083] 15084 about [1.0 mile northwest of Lenape] 0.7 of a mile south of the intersection of Route 15084 and Route 15083 in Chester County a distance of about [2.4] 1.7 miles

Route 15180 Beginning at a point on Route 273 immediately east of Broad Run and extending in a general westerly direction through West Bradford Township to a [road intersection] point on Route 15072 near Romansville in Chester County a distance of about [1.05] 2.25 miles

Route 16043 Beginning at a point of intersection with concrete road one-half mile west of Monroe and running north in Beaver Township to a point on the dividing line between Beaver and Salem Townships thence north in Salem Township to Kopp's Corners thence northwest across State Route 218 to the Crossroads Church thence east in Salem Township to a point on the dividing line between Salem and Ashland Townships thence east in Ashland Township via Ninevah to [Altman's Corners] a point on Route 65 about 0.5 of a mile west of Route 16047 in Clarion County being a distance of about [7.8] 9.1 miles

Route 16058 Beginning at the end of State Highway Spur Route 92 in Lickingville and running east in Washington Township to a point on the dividing line between Washington and Farmington Townships thence in a general easterly and northerly direction in Farmington Township across State Route 248 at Tylersburg to a point on State Route [409 about 1.5 miles northeast of Leeper] 380 about 2.0 miles southwest of Vowinckel in Clarion County being a distance of about [5.2] 6.9 miles

Route 16067 Beginning at a point on Route 16026 at Turnip Hole thence northeasterly in Licking and Beaver [Township] Townships to a [road intersection] point on Route 900 at Blair Corner in Clarion County a distance of about [1.0 miles] 2.6 miles

Route 16072 Beginning at a point on Route [16040] 16009 about 1.5 miles [north] northeast of the intersection of Route 16040 and 16009 thence in a westerly direction through Limestone Township to a point on Route 16014 about 1.5 miles north of the L E F & C Railroad crossing in Clarion County a distance of about [1.8] 2.9 miles

Route 16077 Beginning at a point on Route 16049 about 0.1 of a mile south of Haymie thence in a southeasterly direction through Elk Township to a [point about 0.4 of a mile north of a] road intersection thence westerly and southwesterly to a point on Route 65 about 0.5 of a mile southeast of its intersection with Route 16049 in Clarion County a distance of about [1.5] 3.5 miles

Route 16078 Beginning at a point on Route [409 about 1.0 mile northeast of its intersection with Route 322] 65 about 0.5 of a mile southeast of Clarion Junction thence northeasterly and northerly in Paint and Knox Townships to a point on Route 16051 near the Knox-Washington Township line in Clarion County a distance of about [4.8] 7.1 miles

Route 16080 Beginning at a point on Route 16055 at Fisher thence in a southwesterly direction through Millcreek Township to a road intersection about 1.2 miles northeast of Mill Creek in Clarion County a distance of about [1.2] 2.5 miles

Route 17031 Beginning at a point on Route 402 about one mile northeast of Sabula thence in a northerly northeasterly and southeasterly direction [in] through Sandy [Township] and Huston Townships to another point on Route 402 about 1.4 miles southwest of its intersection with Route 17041 in Clearfield County a distance of about [2.75] 8.25 miles

Route 18001 Beginning at a point on the Karthaus-Keating road about [ten and a half] 8.9 miles northeast of the Clearfield-Clinton County line thence northeast through West Keating and East Keating [Township] Townships to intersect Route 105 near Keating in Clinton County a distance of about [3.75] 5.45 miles

Route 18003 Beginning at a point about one mile south of the bridge over Beaver Dam Run thence north and northeast along Kettle Creek through Leidy Township to intersect Route 545 in Clinton County a distance of about [5.1] 6.1 miles

Route 18011 Beginning at a point on Route 359 near Lockport thence in a northwesterly direction through Woodward and Colebrook Townships to a point near Far-

randville Station thence in a northerly direction for 1.2 miles through Colebrook Township in Clinton County a total distance of about [4.9] 6.1 miles

Route 18013 Beginning at a point on the Lock Haven City-Castanea Township line northwest of Castanea thence in a southerly and northeasterly and southeasterly direction through Castanea and Wayne Townships via Castanea [and] Youngsdale and Pine to connect with the forestry road near Pine in Clinton County a distance of about [7.05] 7.55 miles

Route 18014 Beginning at a point [near the north end of Route 359] on Route 18011 about 1.5 miles northwest of Lockport thence in a northeasterly direction through Woodward Township to a point on Route 359 at the intersection of Routes 359 and 18012 near Swissdale thence east and southeast through Woodward and Dunnstable Townships to a point on State-aid Applications 98 and 183 in Clinton County a distance of about [4.35] 6.35 miles

Route 18027 Beginning at a point on Route 359 at Booneville thence in a southerly direction through Logan Township to a road intersection in the Village of Greenburr thence in an easterly direction through Logan and Greene Townships to a point on Route 18017 about 1.5 miles north of the Centre-Clinton County line in Clinton Couty a distance of about [1.1] 2.8 miles

Route 18035 Beginning at a point on Route 105 at Westport thence in a westerly and northwesterly direction through Noyes Township along the north bank of Kettle Creek in Clinton County a distance of about [1.0] 2.0 [mile] miles.

Route 20002 Beginning at a point on the Pennsylvania-Ohio State line about .5 of a mile north of the southwest corner of West Shenango Township thence east in West Shenango Township .4 of a mile to McLelland Corners thence northeasterly in West Shenango Township to Route 206 near Turner Station [Beginning again in South Shenango Township at the northeastern end of the road constructed across the Pymatuning Reservoir dam by the Water and Power Resources Board thence northwesterly and northeasterly in South Shenango Township by way of McLains Corners to a point on Route 238 at Kerrs Corners] in Crawford County a distance of about [5] 2.16 miles

Route 20115 Beginning at a point on Route 448 at Shriners Corners thence in a southerly direction through Troy Township to a [road intersection] point on the Crawford-Venango County line about 1.2 miles west of the Troy-Oil Creek Township line in Crawford County a distance of about [1.2] 2.3 miles

Route 21012 Beginning at a point in Monroe Township on the boundary line between Cumberland and York Counties near the D and M Junction thence north through Monroe Silver Spring and Middlesex Townships via Locust Grove and New Kingston intersection Routes 507 305 and 34 to a point in Middlesex Township intersecting Route [21001 about one mile west of Donnellytown] 40 at Sterrets Gap in Cumberland County a distance of about [10.6] 11.8 miles

Route 21018 Beginning at a point in Silver Spring Township intersecting Route 21012 about one mile north of Locust Point thence easterly through Silver Spring Township to a point intersecting Route 21017 thence northerly to a point on Route 34 in Cumberland County a distance of about [1.0 mile] 2.4 miles

Route 21032 Beginning at a point in North Middleton Township on the northern boundary line of Carlisle Borough thence through North Middleton Township via Caprivi to a point [intersecting Route 21001 about one-half mile east of the North Middleton-Lower Frankford Township line] on the Perry County line at Wagners Gap in Cumberland County a distance of about [5.5] 7.84 miles.

Route 21042 Beginning at a point in North Newton Township intersecting State-aid Application 7168 about one-half mile east of the North Newton-Hopewell Township line thence through North Newton and Upper Mifflin Townships intersection Route 21001 to a point in Upper Mifflin Township about one mile north of the intersection with Route 21001 thence northeasterly to a point on Route 21071 in Cumberland County a distance of about [4.2] 5.1 miles

Route 21071 Beginning at a point on Route 21001 about 0.5 of a mile east of its intersection with Route 21042 thence northerly and easterly through Upper Mifflin Township to the northern terminus of Route [21041] 21040 in Cumberland County a distance of about [2.8] 3.7 miles

Route 22042 Beginning at a point in Upper Paxton Township on Route 1 about one-fourth of a mile south of Millersburg Borough thence in an easterly and northeasterly direction in Upper Paxton Township through the village of Lenkerville to a point on Route 199 about 0.3 of a mile east of the Millersburg Borough line in Dauphin County a distance of about [0.3 of a] one mile

Route 22053 Beginning at a point on [Route 22006 near the Oak Hill School] Application 692 near Grubers School thence in a general westerly [and northwesterly] direction through East Hanover and West Hanover [Township] Townships to a point on Route 140 about 0.5 of a mile east of the Sandy Hill Church in Dauphin County a total distance of about [1.4] 6.1 miles

Route 23068 Beginning at a point on Route 130-Spur A [about Station 168] near its intersection with Route [ ] in the township of Ridley and extending in an easterly direction through Ridley Township to a point on the boundary line between Ridley and Upper Darby Townships thence continuing through Upper Darby Township in a northerly direction to a point near Secane Station on the Pennsylvania Railroad thence continuing through Upper Darby Township in an easterly direction to a point on [Route 420 about Station 172] the west line of Aldan Borough thence from a point on the east line of Aldan Borough over Providence Road in Upper Darby Township to the west line of Yeadon Borough in Delaware County a distance of about [1.85] 2.3 miles

Route 23107 Beginning at the point of intersection of Sycamore Mills Road and Route 23045 thence in a northwesterly and westerly direction through Middletown and Edgemont Townships along Sycamore Mills Road and Glen Mills Road to Route [179] 23022 in Delaware County a distance of about [2.8] 3.7 miles

Route 25010 Beginning at a point on the north line of Crawford County being the Pagerville-Crossingville Road thence northwesterly [and northerly In Elk Creek Township through Pageville and to the intersection of Routes 25011 and 25012 in Erie County a distance of about 3.3 4.7] in Elk Creek Township through Pageville and Murphys Corners to a point on Route 709 and from Murphys Corners northerly to the intersection of Routes 25011 and 25012 in Erie County a distance of about 5.5 miles

Route 25044 Beginning at [Darrows Corners] a point on Route 25042 near Hemlock School and extending east in Concord Township to Haynes School Corners thence north to Drakes Corners thence northeast to a point on Route 25076 about 0.4 of a mile south of the Corry City line in Erie County a distance of about [4.6] 6.7 miles

Route 25078 Beginning at Egley Corners in Springfield Township and running in a general westerly direction in Springfield Township to [Elmwood Home] the Ohio State line in Erie County a distance of about [1 mile] 3.0 miles

Route 25088 Beginning at a point on [Route 85 about 1.0 mile west of Knapp's Corners] the Crawford-Erie County line about 1.5 miles west of Pennside thence northerly in Conneaut Township to a point on Route 25002 in Erie County a distance of about [1.4] 4.3 miles

Route 25090 Beginning at a point on [Route 88 at] the western line of the city of Corry thence via the State Fish Hatchery [thence] westerly and northerly in Concord and Wayne [Township] Townships to a point on Route 25052 in Erie County a distance of about [0.6 of a mile] 2.1 miles

Route 26131 Beginning at a point on Route 26088 about 0.25 of a mile west of Route 117 thence in a northwesterly direction through Upper Tyrone Township to the [Everson] Scottdale (Westmoreland County) Borough line in Fayette County a distance of about [0.25] 0.13 of a mile

Route 26032 Beginning at a point on Route [288 about one mile south of Waltersburg] 26021 about 0.7 of a mile east of its intersection with Route 26030 thence extending

in [an] a northeasterly and easterly direction through Menallen Franklin and Dunbar Townships by way of Upper Middletown and Laurel Hill to [improved township road] a point on Route 26100 near White School in Fayette County a distance of about 4.3 5.5 miles

Route 26047 Beginning at the old Connellsville Road about two miles northeast of the city limits of Uniontown and extending by way of Lemont Furnace Mt Braddock and Ferguson to the borough of Dunbar thence in a general southeasterly direction by way of Dunbar Creek and Hughes School House to [the Dunbar-Stewart Township line] a point on Route 26040 about 1.0 mile northwest of its intersection with Route 26071 in Fayette County a distance of about [12.68] 15.48 miles

Route 26062 Beginning at a point on the Uniontown City-South Union Township line thence extending in a general southwesterly direction through South Union Menallen and German Townships by way of Balsinger McClellandstown and Edenborn to the Masontown Road Route 26089 about .7 of a mile north of Lardin and [extending] continuing in a west and northwesterly direction by way of Adah Antram and Sassafras School through German and Luzerne Townships to a point on Route 112 about 1.0 mile northeast of East Riverside in Fayette County for a distance of about [7.4] 15.4 miles

Route 26089 Beginning at [north end of county road on the McClellandtown-Masontown Road] a point on Application 1022 near Lardin and extending in a northerly direction through German Township about 0.3 of a mile to a second point on Application 1022 beginning again at the northern terminus of Application 1022 and continuing northerly by way of Edenborn School to Route 26006 at Dearth in Fayette County a distance of about [4] 5 miles

Route 26116 Beginning at a point on the southeast borough line of Ohiopyle thence in a general southeasterly direction in Stewart [Township] and Henry Clay Townships by way of Sugarloaf School to a [road intersection at the Henry Clay Township line] point on Route 26069 near the Johnson Memorial Chapel in Fayette County a distance of about [5.0] 8.0 miles

Route 28057 Beginning at a point on Route 28016 about 1.3 miles northeast of the intersection of Routes 28016 and 340 thence in a northwesterly and northerly direction through Letterkenny Township to a point on Route [340 about 1.3 miles north of the intersection of Routes 340 and 28016] 340 Spur about 1.25 miles east of Route 28007 in Franklin County a distance of about [1.45] 4.75 miles

Route 28060 Beginning at a point on Route 264-A about 1.6 miles northeast of Laurel Grove Church thence in a northeasterly direction through Fannett Township via the Village of Amberson to [a road] an intersection [at or near the village of Amberson Valley] with the Second Narrows Road in Franklin County a distance of about [1.2] 4.9 miles

Route 30013 Beginning at the West Virginia State line at Blacksville thence northerly along Roberts Run to [the improved road 1.5 miles south of Spraggs] Application 6571 thence from the northern terminus of Application 6571 northerly through Wayne and Franklin Townships to the southern terminus of Applications 35-165 in Greene County a distance of about [3] 10.2 miles

Route 30027 Beginning at a point on State Route 616 near Whiteley in Greene Township thence northerly through Greene and Cumberland Townships [to] intersecting State Route 112 via Bailey's School house to an intersection with [Carmichaels-Whiteley Road Route 30021 about 1.3 miles south of the Carmichaels Borough line] Route 451 about 0.8 of a mile north of Paisley in Greene County a distance of about [5.2] 6.1 miles

Route 30098 Beginning at a point on Route 30016 near Willow Tree thence in a general northerly direction through Greene and Monongahela Townships to a road intersection about 0.4 of a mile northeast of the Greene-Monongahela Township line thence southeasterly to a point on Route 451 near Sigsbee in Greene County a distance of about [1.9] 2.9 miles

Route 31010 Beginning at a [road intersection at a church approximately one and one-quarter miles west of the village of Selea in Clay Township Huntingdon County] point on Route 31008 about 2 miles north of Route 192 thence easterly and northeasterly through Clay Township to a point on the south borough line of Three Springs in Huntingdon County a distance of about [2.5] 5.07 miles

Route 31049 Beginning at a point on Route 121 approximately one-eighth mile north of the Black Log Railroad Station in Cromwell Township Huntingdon County thence northerly through Cromwell Township along Black Log Creek to a point on the Cromwell-Shirley Township line thence northerly through Shirley Township to a [road intersection in the Village of Valley Point] point on the Juniata-Huntingdon County line in Huntingdon County a distance of about [6.0] 11.6 miles

Route 33004 Beginning at a point on [Route 60 at Rathmel] Route 846 about 0.3 of a mile west of Prospect School thence north in Winslow Township via Rathmel to intersect with Route 33054 in Jefferson County a distance of about [0.5 mile] 1.2 miles

Route 33005 Beginning at east line of Timblin Borough thence east and southeast through Ringgold and Porter [Township] Townships by Ringgold Station and Dora to [fork of road at crossing of Pine Creek] a point on Route 33002 about 0.5 of a mile east of Zion M E Church in Jefferson County a distance of about [2.30] 4.2 miles

Route 33018 Beginning at Route 63 just south of Cool Spring thence southeast along Little Sandy Creek in Oliver Township [To Route 63 at] via Markton to a point on Route 33016 in Jefferson County a distance of about [5.20] 6.60 miles

Route 33048 Beginning on Route 59 at Lane's Mills thence eastwardly and northeastwardly in Snyder Township to [intersect with a township road] a point on the Elk County line in Jefferson County a distance of about [1.75] 2.25 miles

Route 34040 Beginning at a point in Spruce Hill Township intersecting Route 34039 at the mountain road and leading in a westerly direction in Spruce Hill [Township] and Tuscarora Townships to a point on Route 45 about 0.8 of a mile south of the Tuscarora-Spruce Hill Township line in Juniata County a distance of about [0.89 mile] 2.59 miles

Route 34023 Beginning at a point in Walker Township intersecting Route 31 at Center thence northerly and easterly [to a point] intersectiong Route 34007 [about one mile south of Van Wert] to a point on Route 34019 about 1 mile southeast of Route 637 in Juniata County a distance of about [3.23] 5.03 miles

Route 34017 Beginning at a point in Delaware Township intersecting Route 275 about two miles north of Thompsontown Borough thence in a southeasterly direction [to] via Goodville in Delaware [Township] and Greenwood Townships to a point on Route 34009 in Juniata County a distance of about [2.13] 4.56 miles

Route 36120 Beginning at a point on Route 36005 about 0.9 of a mile west of Habeker School and extending in a [westerly and] general northwesterly direction through Manor [Township to the Manor-West Hempfield Township line thence in a northerly westerly and northerly direction through] and West Hempfield [Township] Townships to a point on Route 128 [at Kehler's School] near the Columbia Borough line in Lancaster County a distance of about 3.6 miles

Route 38049 Beginning at a point on Route 140-E approximately 0.8 of a mile north of Lickdale thence in an easterly direction in Union Township about 0.5 of a mile to Swatara Creek thence in an easterly northerly and easterly direction in Swatara Township [approximately 1.9 miles] to a point on the Swatara-Bethel Township line thence easterly and southwesterly in Bethel Township via Monroe Valley School to a point on Route 38022 in Lebanon County a distance of about [2.4] 4.4 miles

Route 39001 Beginning at a point on the Lehigh-Bucks County line approximately .75 of a mile south of Krassdale in Lower Milford Township thence northerly through Lower Milford Township crossing Route 39002 at Hosensack thence northerly through Lower Milford Township intersection Routes 39003 and 39006 thence through Upper Milford Township [to a point where it intersects the junction of county road and Route 39007 at] via Vera Cruz to a point on the south line of Emaus Borough in Lehigh County a distance of about [6.8] 7.8 miles

Route 39017 Beginning at a point on the division line between Berks and Lehigh Counties thence northeasterly through Upper Milford Township intersecting Route 39018 to a point [where it intersects State Highway Route 153 at Shimersville] on Route 39001 at Vera Cruz in Lehigh County a distance of about [3.50] 5.4 miles

Route 39036 Beginning at a point at the intersection of Third Street and West Union Street Fullerton thence northerly through Whitehall Township to West Catasauqua in Whitehall Township thence in a southwesterly direction [to a point of intersection of State Highway Route 555 approximately one mile southeast of Mickley] to a point on Route 39038 about 0.6 of a mile southeast of Seiple in Lehigh County a distance of about [1.48] 2.58 miles

Route 39082 Beginning at a point on Route 443 near New Smithville thence northwesterly and northerly [and northeasterly] through Weisenburg Township to a point on Route 39066 about [1.0] 0.5 of a mile southeast of Stine's Corner in Lehigh County a distance of about 3.8 miles

Route 39095 Beginning at a point [on Route 39054 about 0.8 of a mile east of the intersection of Routes 39054 and 39055] at the intersection of Welshtown Road and the borough line of Slatington thence [in a] northwesterly [direction] and westerly through Washington Township to a township road thence southerly to a township road thence southwesterly and southerly to a point on [State-aid] Application 745 about [1.0] 0.2 of a mile west of [Slatedale] the intersection of Route 39096 and Application 745 in Lehigh County a distance of about [1.5] 2.6 miles

Route 40024 Beginning at [Nuangola Station in Rice Township] a point on Route 40025 about 0.1 of a mile south of Nuangola Borough thence easterly through Rice and Wright Townships via Nuangola Station to a point where it intersects Route 40023 approximately one mile west of Fairview Township line in Luzerne County a distance of about [2.5] 4.9 miles

Route 40034 Beginning at a point [at the intersection of county road near Newport-Slocum Township line approximately one mile west of] on the west line of Nuangola Borough thence northwesterly and northerly through Slocum and Newport Townships crossing Route 40031 at Alden [in Newport Township thence northwesterly through Newport Township] to a point where it intersects Route 40033 approximately .5 of a mile southwest of the city of Nanticoke in Luzerne County a distance of about [3.2] 4.6 miles

Route 40040 Beginning at a point on county road in Denison Township aproximately one mile north of White Haven Borough thence northwesterly through Dennison [and] Wright and Fairview Townships via Rita to a point [where it intersects county road near the southeast corner of Wright Township] on Route 170 at Fairview in Luzerne County a distance of about [4.3] 10.8 miles

Route 40044 Beginning at a point on [the present northerly end of county road in Jenkins Township approximately one mile southeast of Laflin Borough line] Route 169 at Llewellyn's Corners thence northeasterly and northerly through Bear Creek Plains and Jenkins [Township] Townships to an intersection with State Highway Route 515 beginning again at a point on the Yatesville Borough-Jenkins Township line at Stout Street thence northwesterly through Jenkins Township to an intersection with Route 40038 in Luzerne County a distance of about [2.6] 6.8 miles

Route 41104 Beginning at a point on Route 19 about 0.25 of a mile northeast of Tivoli thence in a northerly direction [through Shrewsbury Township] along Fox Run to a road intersection thence easterly and southeasterly through Shrewsbury Township to a point on Route 41057 about 0.6 of a mile north of its intersection with Route 19 in Lycoming County a distance of about [2.25] 4.35 miles

Route 42009 Beginning at a point on the Bradford City Line thence southwest in Bradford Township [towards] to Hazelton Mills in McKean County a distance of about [4.11] 5.01 miles

Route 42034 Beginning at a point on Route 42004 at or near Freeman thence in a southeasterly direction through Hamlin and Sergeant Townships in McKean County a distance of about [1.19] 2.42 miles

Route 43035 Beginning at [State] a point on Route 82 at crossroads about one mile north of the north borough line of Greenville and running west in West Salem Township across [State] Route 206 across the Shenango River to point of intersection with Route [43061] 43058 about two miles west of Greenville in Mercer County a distance of about [1.3] 3.4 miles

Route 43072 Beginning at [State] a point on Route 294 at Ditman Corners and running east in Sandy Lake Township via Wades Corners to a point on the dividing line between Sandy Lake and Mill Creek Townships thence northeast in Mill Creek Township to the intersection at Glenn School thence easterly to a point on the Venango County line in Mercer County a distance of about [3.4] 4.5 miles

Route 44018 Beginning at a point in Wayne Township on the Huntingdon-Mifflin County line [on the road leading to] at the Juniata River Bridge [opposite the Community Halland Store] near Kistler Borough thence leading along the northern line of Kistler Borough in a southeasterly and northeasterly direction through Wayne Township to a point on the western boundary line of Newton Hamilton Borough in Mifflin County a distance of about [2.33] 2.64 miles

Route 46018 Beginning at a point on Route 146 near Station 740 about 1.4 miles north of Limerick Square in Limerick Township thence easterly through Limerick and Lower Frederick Townships via the Fisher State Game Farm to a point on the northwest boundary line of Schwenkville Borough thence crossing Route 158 near Station 688 and thence northeasterly through Perkiomen and Upper Salford Townships to a point on [the Skippack Road about 0.3 mile southeast of Salfordville] Route 198 about 0.3 of a mile southeast of Route 46024 in Montgomery County a distance of about [8.3] 9.4 miles

Route 46122 Beginning at a point on [State Aid Applications 42 and 115 on the Cheltenham-Abington Township line] Route 197 at its intersection with Cedar Road thence northeasterly easterly and northeasterly through Cheltenham and Abington [Township] Townships on Cedar Road to the westermost corner of Rockledge Borough thence by the northwestern boundary line of said borough and through Abington Township to a point on Route 362 [near Station 46] said point being the intersection of Route 362 with Cedar Road in Montgomery County a distance of about [1.4] 1.9 miles

Route 46145 Beginning at a point [of road intersection in Upper Merion Township on Holstein Road and about .6 of a mile west of the northwestern corner of Bridgeport Borough] on Route 46136 about 0.75 of a mile east of Port Kennedy thence easterly and southerly through Upper Merion Township via Abrams and crossing Route 143 about 0.5 of a mile west of the western boundary line of Bridgeport Borough to a point on Route 201 [near Station 587 and about two miles southeast of its intersection with Route 143] about 0.3 of a mile west of Route 46137 in Montgomery County a distance of about [2.3] 5.0 miles

Route 47027 Beginning at a point on Route 240 about 0.1 of a mile northwest of its intersection with Route 47024 thence in a general westerly direction through Valley [Township] and Liberty Townships to a point on [the Valley-Liberty Township line] Route 47035 about 0.7 of a mile north of Route 259 in Montour County a distance of about [1.5] 2.1 miles

Route 48045 Beginning at a point on Route 48043 about .5 of a mile east of Point Phillip in Moore Township thence northerly through Moore Township thence easterly through Moore Township to [a point near] Benders Junction [in] thence southerly through Moore Township to a point on Route 48043 about 0.9 of a mile east of Point Phillips in Northampton County a distance of about [1.95] 2.85 miles

Route 51016 Bedinning at a point on State highway Route 8 approximately [.5 mile] 1.5 miles southwest of Matamoras Borough line thence northeasterly to a point on the [northwest] south borough line of Matamoras in Pike County a distance of about [.75 mile] 1.6 miles

Route 51031 Beginning at a point the northerly end of Route 51002 and extending in a northerly and northwesterly direction through Lehman [Township] and Porter Townships to a point [opposite the entrance to Camp Tamiment] on Route 220 about 0.8 of a mile south of its intersection with Route 51006 in Pike County a distance of about [1 mile] 10.2 miles

Route 52012 Beginning at Route 101 near Burtville thence southerly and easterly in Roulette Township for a distance of about 1.0 mile to a point near the cemetery thence continuing in a southeasterly and easterly direction for 1.7 miles to a road intersection in the village of Roulette thence northeasterly and northerly 0.2 of a mile thence easterly 0.08 of a mile thence northerly 0.3 of a mile to a point on Route 101 about 0.5 of a mile east of its intersection with Route 52009 in Potter County a distance of about [1 mile] 3.3 miles

Route 52039 Beginning at a point on Route 103 about 0.7 of a mile southeast of Elmer thence southwesterly and southeasterly through Harrison and Hector Townships to a [road intersection about 2.0 miles northwest of] point on Route 52028 at Hector in Potter County a distance of about [4.0] 5.9 miles

Route [52035] 52046 Beginning at a point on Route 266 about 0.2 of a mile south of Sweden Valley and extending in a general northwesterly direction through Sweden and Eulalia Townships to a point on Route 102 about 1.0 mile southeast of the Coudersport Borough-Eulalia Township line in Potter County a distance of about 1.3 miles

Route 53009 Beginning at a point on the eastern boundary of Schuylkill Haven Borough thence easterly through North Manheim Township [to] via Adamsdale [thence easterly through North Manheim Township and West Brunswick Township] to the intersection with Route 141 [about .75 of a mile south of the Orwigsburg Borough] near the North Manheim-West Brunswick Township line in Schuylkill County a distance of about [4.9] 3.25 miles

Route 53011 Beginning at a point on Route [53009 on] 141 near the line between North Manheim and West Brunswick Townships thence northerly [along the township line] to the southern [boundary of] Orwigsburg Borough line in Schuylkill County a distance of about [.3] .25 of a mile

Route 54048 Beginning at a point on Route 54023 about 0.5 of a mile northeast of its intersection with Route 54024 thence easterly through West Beaver [Township through the village of Lowell] and Spring Townships to a point on Route 54025 about 0.5 of a mile southeast of its intersection with Route 54027 in Snyder County a distance of about [1.0 mile] 4.6 miles

Route 55067 Beginning at a point on the north borough line of Somerset thence northerly through Somerset Township to the village of Husband thence northwesterly to a point on the Somerset-Lincoln Township line thence northwesterly through Lincoln Township to the village of Edie thence northerly to a point on Route 55072 in Somerset County a distance of about [5.4] 7.2 miles

Route 55079 Beginning at a point on the south borough line of Central City Borough [in Shade Township] thence easterly [and] northerly and southeasterly through Shade Township to a point on [the Beaver Dam Run] Route 55130 about 1.0 mile north of Daley in Somerset County a distance of about [2.7] 4.6 miles

Route 55082 Beginning at a point on Route 269 about at the north Gray Branch of the Quemahoning Creek in Jenner Township thence northeasterly through Jenner Township [to a point on Route 119 in] via the village of Jenner Crossroads to a point on the Boswell Borough line in Somerset County a distance of about [2.9] 4.2 miles

Route 58084 Beginning at a point on Route 58041 about two miles northeast of Cherry Flats thence in a southerly and easterly direction through Covington [Township to the Covington Township] and Putnam [Borough line] Townships to a point on Application 421 in Tioga County a distance of about [4.8] 4.33 miles

Route 58090 Beginning at the end of Route 58072 thence in an easterly and northerly direrction through Tioga and Jackson Townships to a point on Route 567 [approximately 0.2 of a mile] southwest of Jackson Summit in Tioga County a distance of about [5.4] 4.4 miles

Route 58091 Beginning at a point on Route 58029 approximately 0.5 of a mile north of Farmington Center near a church thence in a northerly and northeasterly direction through Farmington [and] Osceola and Elkland Townships to a point on the [Osceola-Elkland Township line] Elkland Borough line in Tioga County a distance fo about [2.2] 2.9 miles

Route 61045 Beginning at a point on the south borough line of Youngsville thence in a general southwesterly direction through Brokenstraw and Deerfield [Township] Townships by way of York Hill School to a [road intersection] point on Route 61012 about 0.75 of a mile north of Davy Hill School in Warren County a distance of about [3.8] 5.7 miles

Route 62004 Beginning at [road] an intersection with Application 5763 near [McAdam] Montour thence northeasterly to the Allegheny County line thence southeasterly [to end of county road to] through Robinson Township to the north borough line of McDonald thence from a point on the south borough line of McDonald southeasterly through Cecil Township to the northern terminus of Application 27 at Gladden Heights in Washington County a distance of about [1.7] 3.0 miles

Route 62034 Beginning at State-aid Application 4274 near G J Hanna's residence thence easterly through North Strabane [Township] Nottingham Peters and Union Township via Linden Thomas Venetia Anderson and Hackett to [county concrete road at] Thomas a point on the Finleyville Borough line in Washington County a distance of about [5.2] 9.0 miles

Route 62045 Beginning at [county concrete road near the Canonsburg borough line] a point on Application 685 about 1.3 miles northwest of Canonsburg thence northerly through Cecil Township via Muse to State Route 545 at Bishop Pa in Washington County a distance of [2.0] 3.3 miles

Route 62082 Beginning at [end of county road east of Prosperity] a point on Route 109 about 0.4 of a mile southeast of Route 62112 thence easterly through Morris Amwell and West Bethlehem Townships via Ten Mile to road intersection about one-quarter mile southeast of Franklin Schoolhouse in West Bethlehem Township in Washington County a distance of about [9.7] 10.7 miles

Route 62111 Beginning [near end of county road north of West Alexander] at a point on the north line of West Alexander Borough thence northerly through Donegal Township to Dunsfort in Washington County a distance of about [6.1] 6.7 miles

Route 62128 Beginning at Hackney thence northwesterly along the railroad through Amwell South Franklin and North Franklin Townships via Van Kirk [and Gabby to end of county road about one mile south of] to a point on Route 109 about 0.5 of a mile south of Gabby Heights in Washington County a distance of about [10.2] 11.2 miles

Route 63026 Beginning at a point on Route 63024 in Berlin Township approximately 2.5 miles southwest of Darbytown thence northwesterly through Berlin Township to a point where it intersects [the State Highway] Route [335] 962 near the division line between Berlin and Damascus Townships in Wayne County a distance of about [1.75] 2.35 miles

Route 63064 Beginning at a point on Route [171 just west of the crossing of the South Fork of the Wallenpaupack Creek] 561 about 0.25 of a mile south of Route 171 thence [in a southwesterly direction] southeasterly through Dreher Township to [an intersection with Route 561] the Pike County line in Wayne County a distance of about [0.2] 0.36 of a mile

Route 63066 Beginning at a point on Route 575 about 1.0 mile east of Hamlin thence southerly in Salem [Township] and Sterling Townships to a point on Route 171 in Wayne County a distance of about [2.0] 3.4 miles

Route 64031 Beginning at [improved county road at] a point on the south borough line of Avonmore [Crossroads] and extending in a general southwesterly direction to a point on Route [64029] 348 Spur about 0.8 of a mile south

of Perryville in Westmoreland County a distance of about [0.6 mile] 3.3 miles

Route 64058 Beginning at [end of Oak Grove-Wilpen improved county road at Ligonier Township line] a point on Route 302 at Oak Grove and extending in a northerly and northeasterly direction through Ligonier and Fairfield Townships to Route 302 intersecting same approximately 0.4 of a mile south of Ft Palmer Church in Westmoreland County a distance of about [1.2] 4.3 miles

Route 64124 Beginning at the [end of county improved road about one mile west of Scottdale Borough] west line of Scottdale Borough and extending westerly and northwesterly to Route 64172 thence southwesterly via Felgers School to Tyrone Mills to intersect with Route 64167 thence westerly to the Jacob's Creek Bridge about 0.3 of a mile west of Tyrone Mills beginning again at a point about two miles south of Macbeth thence northerly to a point near Macbeth on Route 991 in Westmoreland County a distance of about [5.1] 6.0 miles

Route 64126 Beginning at the borough line of Mount Pleasant extending [in a general] southerly [direction to improved county road thence] and southwesterly to the borough line of Scottdale at Porter Avenue in Westmoreland County a distance of about [3.2] 3.5 miles

Route 64138 Beginning at a point on the eastern borough line of South Greensburg about 150 feet north of Slate Run and extending in a general easterly direction to intersect with Route 64174 near Walton's Corner in Westmoreland County a distance of about [1 mile] 0.85 of a mile

Route 64200 Beginning at county improved road near Hursts School and extending across Route 64132 in a northeasterly direction through Mt Pleasant Township to [county road in village of United] a point on Route 64129 at the Unity Township line in Westmoreland County a distance of about [1.2] 2.4 miles

Route 65049 Beginning at a point on State Highway Route [365 approximately 0.75 of a mile northwest] 65011 about 1.0 mile north of Mill City thence in a southwesterly direction in Overfield and Falls Townships thence northwesterly through Falls Township to a point [where it intersects a secondary township road] on Route 65057 in Falls Township in Wyoming County a distance of about [2.00] 3.5 miles

Route 65052 Beginning at a point on [former State Highway Route 316 on] the northerly borough line of Meshoppen Borough thence in a northeasterly and northerly direction through Meshoppen Township [for a distance of one and one-half miles] to the Wyoming-Susquehanna County line in Wyoming County a distance of about [1.5] 1.7 miles

Route 65055 Beginning at a point on Route 65015 approximately one-quarter mile south of Factoryville thence westerly and northwesterly through Clinton Township for a distance of approximately [two miles] 3.1 miles to a point on Route 65018 about 0.3 of a mile southeast of the Tunkhannock-Clinton Township line in Wyoming County a distance of about [2.0] 3.1 miles

Route 65056 Beginning at a point on Route 65009 near Falls thence in a general southerly direction through Falls Township to a [road intersection about 0.4 of a mile northwest of] point on the Falls Township-Lackawanna County line in Wyoming County a distance of about [2.4] 2.8 miles

Route 66119 Beginning at a point on the western line of Stewartstown Borough near the cemetery thence [westerly] southwesterly through Hopewell Township to a road intersection about 300 feet south of Ebaugh School and continuing southerly through Hopewell Township [by way of Ebaugh School] to a point on the Maryland State line about 0.7 of a mile west of Route 66109 in York County a distance of about [3.0] 2.8 miles

Route 66122 Beginning at a point on Route 715 about .25 of a mile west of the intersection of Route 715 and Application 2338 thence continuing in a general southwesterly direction through Shrewsbury and Codorus Townships by way of Rockville and Bortner's School to a point on Application 2003-B about [0.25] 0.7 of a mile south of the intersection of Route 66010 and Application 2003-B in York County a distance of about 4.55 miles

Route 66142 Beginning at a point intersecting Route 216 about 2.0 miles southeast of the borough of Red Lion near Portmer's School thence in an easterly direction through Windsor and Chanceford [Windsor and Lower Windsor] Townships by way of East End Church [and the village of Rockey] to a point intersecting Route 66012 about [0.65 of a mile] 1.2 miles [north of Rockey] southwest of its intersection with Route 332 in York County a distance of about [3.5] 3.3 miles

Route 66147 Beginning at a point on Route [332 near Golden] 66019 about 0.2 of a mile south of its intersection with Route 66090 thence [in a northerly direction] westerly and northerly through Windsor and Springettsbury Township by way of Witmer's School to a point on Route 66090 beginning again at a point on Route 66090 about 0.5 of a mile north of the Windsor-Springettsbury Township line thence in a northeasterly direction through Springettsbury and Hellam Townships to a point on Route 66019 about 0.5 of a mile north of the Hellam-Windsor Township line in York County a distance of about [1.85] 2.05 miles

Route 66155 Beginning at a point on Route 66066 [about 0.4 of a mile northwest of] at the Peach Bottom-Fawn Township line thence in a northerly and northwesterly direction through Peach Bottom and Fawn Townships via Mt Olivet Church to a point on Route 66063 about 1.3 miles south of Bald Eagle in York County a distance of about [1.9] 2.0 miles

On the question.

Will the House agree to the section?

Mr. STEWART. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 23, by inserting between lines 4 and 5, the following: "Route 32125. Beginning at a point on Route 32033 at Luciusboro; thence in a northeasterly and easterly direction through Center and Brush Valley Townships to a point on Route [32019] 337, about [0.2] 0.7 of a mile [west of its intersection with Route 337] southeast of Mechanicsburg, in Indiana County, a distance of about [3.6] 4.5 miles.

On the question.

Will the House agree to the amendment?

Mr. HERBERT B. COHEN. Mr. Speaker, what I have to say will apply to all the six sets of amendments that have been introduced. I understand that the gentlemen who have introduced amendments on the Republican side have had certain representations made to them by the Highways Committee which led them to believe that their amendments were acceptable. I understand now that some difficulty has arisen. I would be only too glad to go along with the amendments of the gentlemen on the other side, but it would necessitate a reprinting of the bill, and this undoubtedly is the largest bill to be handled at this session, numbering 228 pages. The bill undoubtedly will have to be reprinted in the Senate for the amendments that will be inserted there, and I wish to assure the members who have introduced amendments that I will be only too glad to make arrangements with them whereby they can meet with the Secretary of Highways and the Deputy Secretary of Highways in order that the amendments may be considered and placed in the bill when the bill is amended and printed in the Senate. Under those circumstances, the time element that is involved, necessitates the passage of this bill on second reading at this time, otherwise there would be no bill.

And in view of the expense that would be involved in reprinting it, in view of its size, I have to object to all these amendments that have been offered by the gentlemen on the other side.

STATEMENT BY MR. STEWART

Mr. STEWART asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, before I introduced my amendments, I had a bill ready to introduce. I went to the Highway Department in Indiana, as I did two years ago and with them went over the roads in Indiana county, and we prepared the descriptions,—they have made many descriptions for me, and I brought them down here, and I presented them to Mr. Van Riper, and he made the descriptions and entered bills that would take care of the roads in Indiana county. Now, about a week ago I went into Mr. Van Riper's office, and I found that a new set of bills had been prepared, or an omnibus bill, and he showed me the map, and the roads were quite different from the ones that I had arranged with the Highway Department of Indiana.

I might say that the Senator from Indiana county and my colleague Mr. Sloan both agree with me that these should be the roads. I think I know the roads in Indiana county, and I took into consideration all the things that should be taken into consideration in selecting roads.

Having been Superintendent of Schools of the county, I knew the roads and I knew the connections. We tried to put the roads in that would benefit the greater majority of the people. We made connections, connected main highways,—we didn't run a road into a dark alley or anything of that kind, but we made the roads that would help the people in all walks of life. It was my duty to serve as State Deputy of Weights and Measures in Indiana County for seven and a half years, and I knew the roads that were necessary for the people that worked in the mines, and I knew the situation, consequently I think that we put the roads on that should be placed in Indiana county. The Democratic Chairman of Indiana county was here on Monday, and I spoke to him about these Indiana county roads, and he said that he was instrumental in doing this. I said "Do you know that one of your neighbors asked me to put a road in that would pass your old home?" and he said "I do." And I said "You took off that road that went past my old home", and I want to say to you that I did this in all fairness, and I do not believe that the members of this House will be against the roads and against the amendments that I have introduced.

On Monday evening I went into the meeting of the Committee on Highways as a member, and I explained it to the committee, and by motion of that committee by a Democratic member, it was passed unanimously that I should prepare my amendments and place my amendments before the House at this time. Gentlemen I want to be fair, and I do not want to be responsible for incurring any extra expense, and whatever is your will I shall be glad to abide by.

On the question recurring,
Will the House agree to the amendments?
They were not agreed to.
On the question recurring,
Will the House agree to the section?

Mr. TERRY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 33, by inserting between lines 21 and 22 the following: "Route 65045. Beginning at a point on [township road approximately six-tenth of a mile southwest of Kasson Brook in Forkston Township] the Sullivan-Wyoming County line, about 2.3 miles southwest of the North Branch-Forkston Township line; thence easterly, northeasterly and northerly through Forkston Township, intersecting State Highway Route 217 at Forkston; thence northwesterly through Forkston Township; thence northeasterly through Forkston and Windham Townships to a point, where it intersects Route 65045 approximately one-quarter mile southwest of Jenningsville, Windham Township, in Wyoming County, a distance of about [8.87] 14.87 miles."

Amend sec. 1, page 34, lines 1 to 7, both inclusive, by striking out all of said lines.

On the question,
Will the House agree to the amendments?
They were not agreed to.
On the question recurring,
Will the House agree to the section?

Mr. WOOD. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 24 by inserting between lines 25 and 26 the following new paragraphs:

"Route 36099 Beginning at an intersection with Route 36005 [at the Cedar Grove Schoolhouse and extending in a southwesterly and northwesterly direction through Martic Township to an intersection with the terminus of Route 344 in Lancaster County a distance of about 2.3 miles] about 0.2 of a mile north of its intersection with Route 344 thence in a northeasterly direction through Martic Township to a point on Route 36008 about 0.5 of a mile southwest of its intersection with Route 36105 in Lancaster County a distance of about 3.2 miles

Route 36105. Beginning at a point on [State-aid Application 5821 about 0.2 of a mile south of Cedar Hill School] Route 36081 at Nickel Mines and extending in a [southwesterly] westerly direction through Bart, Paradise and Eden Townships to a road intersection about 0.2 of a mile southwest of the Bart-Eden-Paradise Township line, in Lancaster County, a distance of about [1.2] 2.4 miles"

On the question,
Will the House agree to the amendments?
They were not agreed to.
On the question recurring,
Will the House agree to the section?
It was agreed to.

Mr. FRANCIS T. BAKER. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1, page 23, by inserting between lines 16 and 17 the following:

"Route 59037. Beginning at a point on Route [24] 59016 about [1.5] 1.2 miles south of Lewisburg in East Buffalo Township; thence east to the Susquehanna River; thence north along river road to the south Lewisburg Borough line, in Union County, a distance of approximately [1.3] 2.4 miles."

On the question,

Will the House agree to the amendment?

It was not agreed to.

On the question recurring,

Will the House agree to the section.

It was agreed to.

The second section was read as follows:

Section 2 That said act is hereby amended by adding thereto the following routes

ADAMS COUNTY

Route 01066 Beginning at a point on Route 01003 about 0.5 of a mile south of Centennial Hall School thence in a general easterly direction through Cumberland and Mt Joy Townships to a point on Route 375 about 0.2 of a mile north of the Pennsylvania-Maryland state line in Adams County a distance of about 2.1 miles

Route 01067 Beginning at a point on Route 126 about 0.1 of a mile west of its intersection with Route 01003 thence in a northwesterly direction through Mt Pleasant and Straban Townships to a point on Route 620 in Adams County a distance of about 3.2 miles

Route 01068 Beginning at a point on Route 01013 near Whitehall School thence in a general northeasterly direction through Mt Pleasant Township to a point on Route 01005 near Parochial School in Adams County a distance of about 3.05 miles

Route 01069 Beginning at a point on Route 01003 about 1.0 mile southwest of its intersection with Route 01005 thence in a northerly direction through Mt Pleasant Township via Kilpatrick School to a point on Route 126 about 0.2 of a mile east of the Straban-Mt Pleasant Township line in Adams County a distance of about 2.2 miles

Route 01070 Beginning at a point on Route 01031 about 0.5 of a mile north of the Pennsylvania-Maryland state line thence in a northwesterly direction through Union Township via Pine Grove School to a point on Route 01030 about 0.7 of a mile west of its intersection with Route 01031 in Adams County a distance of about 0.9 of a mile

Route 01071 Beginning at a point on Route 01018 about 2.5 miles north of its intersection with Route 43 thence in a general northerly direction through Franklin Township to a point on the western line of Arendtsville Borough in Adams County a distance of about 2.8 miles

Route 01072 Beginning at a point on Route 01052 about 0.3 of a mile east of its intersection with Route 01001 thence in a general northwesterly direction through Liberty and Hamiltonban Townships to a point on the east line of Fairfield Borough in Adams County a distance of about 3.0 miles

Route 01073 Beginning at a point on Route 01009 about 0.2 of a mile south of Deardorffs Mill thence in an easterly direction through Latimore Township Adams County and Washington Township York County to a point on Route 01008 near Bermudian in Adams and York Counties a distance of about 2.5 miles

Route 01074 Beginning at a point on Route 01010 about 1.0 mile northwest of Bendersville thence northwesterly through Menallen Township to a point on the Cumberland County line in Adams County a distance of about 1.7 miles

Route 01075 Beginning at a point on Route 01001 about 1.0 mile northeast of Hilltown thence northeasterly through Franklin Township to a point on Route 01071 in Adams County a distance of about 2.2 miles

ALLEGHENY COUNTY

Route 02226 Beginning at a point on Route 639 about 0.3 of a mile north of Turtle Creek thence easterly through Patton Township to a point on the Trafford Borough line Allegheny County a distance of about 0.3 of a mile

Route 02227 Beginning at a point on Route 02213 near its intersection with Route 745 in the village of Universal thence northeasterly through Penn Township on School Street to a point on Route 02199 in Allegheny County a distance of about 0.34 of a mile

Route 02228 Beginning at a point on the north line of Wilkinsburg Borough at Montier Street thence northerly through Penn Township to a point on Route 288 in Allegheny County a distance of about 0.25 of a mile

Route 02229 Beginning at a point on Route 330 near Millers Grove thence northeasterly through Baldwin and Mifflin Townships over Streets Run Road to a point on the Pittsburgh City line in Allegheny County a distance of about 3.0 miles

Route 02230 Beginning at a point on Route 02103 near the east boundary line of the borough of Edgewood thence in a general northerly direction through Braddock Township to a point on Route 120 near the Braddock Township-Wilkinsburg Borough line in Allegheny County a distance of about 0.4 of a mile

Route 02231 Beginning at a point on the Lebanon Church Road near its intersection with Route 376 thence northwesterly through Mifflin Township to a point on Route 02229 in Allegheny County a distance of about 1.1 miles

Route 02232 Beginning at a point on the White Oak Level Road about 0.2 of a mile east of Route 02180 thence northeasterly through Versailles Township to the Westmoreland County line in Allegheny County a distance of about 0.9 of a mile

Route 02233 Beginning at a point on Route 744 about 0.5 of a mile south of Route 187 thence in a general easterly direction through Patton Township to a point on the Turtle Creek-Monroeville Road in Allegheny County a distance of about 1.3 miles

ARMSTRONG COUNTY

Route 03122 Beginning at a point on Route 03058 at McKee School thence in an easterly direction through Plum Creek Township to a point on Route 03054 near Mt Union Church in Armstrong County a distance of about 1.8 miles

Route 03123 Beginning at a point on Route 03084 at Rimer thence easterly and northerly through Madison Township to a road intersection at Rimer Hill School in Armstrong County a distance of about 2.4 miles

Route 03124 Beginning at a point on Route 705 about 0.5 of a mile north of the village of Dime thence in a general easterly direction through Parks and Burrell Townships via the State Point School to a point on Route 03051 about 0.2 of a mile northwest of its intersection with Route 03050 in Armstrong County a distance of about 3.2 miles

Route 03125 Beginning at a point on Route 03097 about 0.5 of a mile northwest of Route 188 thence in a general northwesterly direction through Kiskiminetas and Parks Townships via Moore School to a point on Route 03126 about 0.5 of a mile south of Route 705 in Armstrong County a distance of about 2.2 miles

Route 03126 Beginning at a point on Route 69 at the Kiskiminetas-Parks Township line thence northerly and westerly through Parks Township intersecting Route 705 about 0.1 of a mile south of Route 03040 to a point on Route 03038 about 0.5 of a mile south of Hill School in Armstrong County a distance of about 2.4 miles

Route 03127 Beginning at a point on Route 03090 near Duff School thence in a northeasterly direction through Mahoning and Redbank Townships via Mt Zion Church and Oak Ridge to a point on Route 03089 in Armstrong County a distance of about 1.6 miles

Route 03128 Beginning at a point on Route 03076 about 0.5 of a mile north of the Cowanshannock Township line thence in an easterly northerly and easterly direction through Wayne Township intersecting Route 03110 to a point on Route 534 about 0.1 of a mile north of Borland School in Armstrong County a distance of about 2.8 miles

Route 03129 Beginning at a point on Route 139 in the village of Yatesboro thence in a northerly westerly and southwesterly direction through Cowanshannock Wayne and Boggs Townships via the villages of Lumstead and Echo to a point on Route 03071 near the Boggs-Valley Township line in Armstrong County a distance of about 7.7 miles

Route 03130 Beginning at a point on the Butler-Armstrong County line near the West Franklin-Sugar Creek Township line thence extending in a southeasterly and northeasterly direction through Sugar Creek and West

Franklin Townships to a point on Route 03014 about 0.3 of a mile west of its intersection with Route 03015 in Armstrong County a distance of about 1.1 miles

Route 03131 Beginning at a point on Route 379 near Wilson School thence in a northeasterly direction through Kiskiminetas and South Bend Townships to a point on Route 188 about 2.0 miles west of Route 03048 in Armstrong County a distance of about 2.35 miles

Route 03132 Beginning at a point on Route 203 about 0.3 of a mile south of its intersection with Route 03062 thence in a northwesterly and northerly direction through Manor Township to a point on Route 03096 about 0.2 of a mile northwest of its intersection with Routes 203 and 03062 in Armstrong County a distance of about 0.6 of a mile

Route 03133 Beginning at a point on the Freeport Borough line near the Allegheny River thence in a general northeasterly direction along the Allegheny River through South Buffalo and Cadogan Townships via the village of Clinton to a point on Route 378 near the village of Cadogan in Armstrong County a distance of about 9.1 miles

Route 03134 Beginning at a point on Route 378 in the village of West Ford City thence in a northerly direction through North Buffalo Township to a point on the south line of Applewold Borough in Armstrong County a distance of about 3.95 miles

Route 03135 Beginning at a point on Route 378 in the village of Cadogan thence in a westerly direction through Cadogan and South Buffalo Townships to a point on Route 03009 in Armstrong County a distance of about 0.95 of a mile

Route 03136 Beginning at a point on Route 03003 about 1.0 mile east of the village of Kerr thence in a northwesterly direction through South Buffalo Township to a point on Route 69 about 1.0 mile south of Slate School in Armstrong County a distance of about 1.35 miles

Route 03137 Beginning at a point on Route 67 about 1.0 mile west of the Kittanning Township line thence in an easterly direction through Manor and Kittanning Townships via the village of McNees to a point on Route 03091 near Simpson Church in Armstrong County a distance of about 4.3 miles

Route 03138 Beginning at a point on Route 69 about 0.5 of a mile west of Kittanning Borough thence in a westerly direction through East Franklin Township to a road intersection in Armstrong County a distance of about 1.5 miles

Route 03139 Beginning at a point on Route 03039 about 0.5 of a mile west of the village of Mateer thence in a northwesterly direction through Burrell Township to a road intersection at Riggle's Cross roads in Armstrong County a distance of about 0.9 of a mile

BEAVER COUNTY

Route 04105 Beginning at a point on Route 04032 about 0.4 of a mile north of the intersection of Routes 04032 and 204 thence northerly through Chippewa and Big Beaver Townships to a point on Route 04057 about 0.5 of a mile south of the intersection of Route 04012 and 04099 in Beaver County a distance of about 2.2 miles

Route 04106 Beginning at a point on State-aid Application 892 approximately 0.25 of a mile west of the intersection of State-aid Application 892 and Route 04092 thence northerly through Brighton Township to a point on Route 04004 near the Brighton Township-Patterson Township line beginning again on Route 04004 in Patterson Township line near the Paterson Township-Brighton Township line at a point approximately 0.2 of a mile northerly from the intersection of the proposed Route 04106 and Route 04004 thence extending in a northerly and easterly direction to a point on Route 204 at the intersection of Route 204 and Fifth Street in Beaver County a distance of about 2.3 miles

Route 04107 Beginning at a point on Route 243 at Industry thence in a general northerly direction through Industry Township to a point on Route 04013 about 1.4 miles southeast of the intersection of Routes 04080 and 04013 in Beaver County a distance of about 1.7 miles

Route 04108 Beginning at a road intersection approximatey 0.4 of a mile northwest of Industry thence in a westerly direction to a point on Route 04080 about 1.0 mile north of its intersection with the Midland Borough line beginning again on Route 04080 about 0.20 of a mile southwest of the last described point of intersection thence continuing in a westerly direction to the Industry-Ohio Township line thence continuing in a general westerly direction through Ohio Township to a point on Route 278 near Upper Dry Run in Beaver County a distance of about 4.4 miles

Route 04109 Beginning at a point of intersection with Routes 04035 and 04039 thence extending in a northeasterly direction through New Sewickley Township to a point on the Beaver-Butler County line near the New Sewickley-Marion Township line in Beaver County a distance of about 1.0 mile

Route 04110 Beginning at a point on Route 04095 near the Marion-New Sewickley Township line thence in a westerly and northwesterly direction through New Sewickley and Marion Townships to a point on Route 04026 about 0.5 of a mile northeast of its intersection with Route 04062 in Beaver County a distance of about 2.1 miles

Route 04111 Beginning at a point on the Ohio-Pennsylvania State line thence extending in a northeasterly direction through Ohio Township to a point on Route 04002 about 0.2 of a mile northwest of its intersection with Route 04001 in Beaver County a distance of about 1.9 miles

Route 04112 Beginning at a point on Route 115 Spur near Murdockville thence northerly through Hanover and Independence Township to a point on Route 538 near its intersection with Route 04054 in Beaver County a distance of about 2.7 miles

Route 04113 Beginning at a point on Route 538 about 0.3 of a mile southeast of Route 04048 thence in a southeasterly direction through Greene and Raccoon Townships to a point on Route 115 near Service in Beaver County a distance of about 2.5 miles

Route 04114 Beginning at a point on Route 641 about 0.2 of a mile south of Baden Borough thence easterly through Harmony and Economy Townships to a point on Route 04011 about 0.5 of a mile south of Route 04060 in Beaver County a distance of about 2.1 miles

Route 04115 Beginning at a point on Route 04026 about 0.7 of a mile northwest of Barrisville thence northerly through North Sewickley Township to a point on Route 04078 about 0.5 of a mile south of Route 04087 in Beaver County a distance of about 1.3 miles

Route 04116 Beginning at point on Route 04095 near the Marion-New Sewickley Township line thence northerly and northeasterly through Marion Township to a point on Route 04026 in Beaver County a distance of about 2.0 miles

BEDFORD COUNTY

Route 05104 Beginning at a point on State-aid Application 4833 about 0.3 of a mile west of Queen Station thence in a northwesterly direction through Kimmel Township to a point on Route 05083 in Bedford County a distance of about 0.7 of a mile

Route 05105 Beginning at a point on Route 380 in the village of Weyant thence in a southwesterly direction through King and Lincoln Townships to a road intersection in Bedford County a distance of about 1.0 mile

Route 05106 Beginning at a point on Route 47 about 0.5 of a mile south of the village of King thence in a general southwesterly direction through Kimmel Township to a point on the King Township line in Bedford County a distance of about 3.1 miles

Route 05107 Beginning at a point on the north line of Coaldale Borough thence in a northerly northwesterly and northeasterly direction via the village of Hickory Hill through Broad Top Township to a point on the Huntingdon County line in Bedford County a distance of about 4.1 miles

Route 05108 Beginning at a point on Route 46 about 0.2 of a mile east of its intersection with Route 46-A thence in a northerly northwesterly and southwesterly direction through Hopewell Township to a point on Route

46-A about 0.5 of a mile east of the South Woodbury Township line in Bedford County a distance of about 3.5 miles

Route 05109 Beginning at the intersection of Route 05052 and Route 05042 in the village of Oppenheimer thence in a southeasterly and eastery direction through Bedford Township to a point on Route 05052 about 0.1 of a mile north of Dunning Creek in Bedford County a distance of about 3.1 miles

Route 05110 Beginning at a point on Route 05060 about 1.0 mile southeast of Reynoldsdale thence in a northeasterly direction through East St Clair Township to a point on Route 47 about 0.2 of a mile south of St Clairsville Borough in Bedford County a distance of about 2.4 miles

Route 05111 Beginning at a point on Route 222 near Fishertown Station thence in a northerly and northeasterly direction through East St Clair Township to a point on Route 05060 about 2.0 miles south of Reynoldsdale in Bedford County a distance of about 1.0 mile

Route 05112 Beginning at a point on Route 39 about 1.5 miles east of Breezewood thence in a northerly direction through East Providence Township in Bedford County for a distance of about 3.0 miles.

Route 05113 Beginning at a point on Route 05033 about 0.6 of a mile east of its intersection with Route 286 thence in a northerly northeasterly southeasterly and southerly direction through West Providence Township to another point on Route 05033 about 0.5 of a mile east of Route 05114 in Bedford County a distance of about 3.8 miles.

Route 05114 Beginning at a point on Route 05033 about 0.5 of a mile west of its intersection with Route 05113 thence in an easterly and southeasterly direction through West Providence and East Providence Townships to a point on Route 05021 about 0.5 of a mile north of Brush Creek in Bedford County a distance of about 3.7 miles.

Route 05115 Beginning at a point on Route 267 at Grapeville thence in a northerly direction through East Providence Township to another point on Route 267 in Bedford County a distance of about 1.8 miles.

Route 05116 Beginning at a point on Route 05011 about 0.5 of a mile northeast of the Mann Township line thence in a general northwesterly direction through Monroe Township to a point on Route 286 at Five Forks in Bedford County a distance of about 3.5 miles.

Route 05117 Beginning at a point on Route 05005 about 2.0 miles north of Artemas thence in a general northerly direction through Mann Township to a point on Route 286 at Piney Creek in Bedford County a distance of about 2.2 miles.

Route 05118 Beginning at a point on Route 692 about 0.5 of a mile east of the Raystown Branch of the Juniata River thence southeasterly through Liberty Township to at road intersection at the Liberty Central Grade School thence northeasterly and northwesterly to a point on Route 692 in Bedford County a distance of about 0.56 of a mile.

BERKS COUNTY

Route 06177 Beginning at a point on Route 06149 about 0.5 of a mile north of Tulpehocken Creek thence northerly through Bern Township to a point on Route 310 in Berks County a distance of about 1.6 miles.

Route 06178 Beginning at a point on Route 06017 about 0.3 of a mile east of Route 06018 thence in a general easterly direction through Upper Tulpehocken Penn and Center Townships to a point on Route 02193 in Berks County a distance of about 3.5 miles.

Route 06179 Beginning at a point on Route 146 near its intersection with Route 06059 thence southeasterly through Amity Township to Monocacy thence northeasterly to a second point on Route 146 in Berks County a distance of about 1.8 miles.

Route 06180 Beginning at a point on Route 146 near Douglassville thence easterly through Amity Township to a point on State-aid Application 1049 in Berks County a distance of about 0.1 of a mile.

Route 06181 Beginning at a point on the Mohnton Borough line at Church Street thence easterly southeasterly and northeasterly through Cumru Township to a point on Route 274 about 1.0 mile north of its intersection with Route 06078 in Berks County a distance of about 3.7 miles.

Route 06182 Beginning at a point on Route 06062 about 0.2 of a mile southwest of Montello thence northwesterly and northeasterly through Spring and South Heidelberg Townships to a point on Route 06063 in Berks County a distance of about 0.8 of a mile.

Route 06183 Beginning at a point on Route 06071 at the Cumru-Spring Township line thence northwesterly through Spring Township to the south line of West Lawn Borough in Berks County a distance of about 1.2 miles.

Route 06184 Beginning at a point on Route 06073 about 0.2 of a mile southeast of Montello thence easterly through Spring Township to a point on Route 06072 about 0.5 of a mile northwest of the Cumru Township line in Berks County a distance of about 1.7 miles.

Route 06187 Beginning at a point on Route 146 about 1.0 mile east of its intersection with Route 622 thence in a general southeasterly direction through Exeter Township to a point on Route 381 near Birdsboro Station in Berks County a distance of about 2.7 miles.

Route 06186 Beginning at a point on Route 244 near Scarlets Mill thence southeasterly through Robeson and Union Townships to a point on Route 06096 in Berks County a distance of about 1.5 miles.

Route 06187 Beginning at a point on Route 146 about 1.0 mile west of Douglassville thence northerly through Amity Township to a point on State-aid Application 954 at Amityville in Berks County a distance of about 2.6 miles.

Route 06188 Beginning at a point on State-aid Application 954 near its intersection with Route 06059 thence northerly through Amity Township to a point on Route 06110 in Berks County a distance of about 1.0 mile.

Route 06189 Beginning at a point on Route 160 about 0.3 of a mile south of Hamburg Borough line thence easterly southeasterly and northeasterly via the residences of Calvin Saul and Joseph Kershner through Windsor and Perry Townships to a point on Route 06125 thence northeasterly through Windsor Township about 1.0 mile thence southeasterly about 0.3 of a mile thence northeasterly and easterly to a point on Route 06168 about 0.4 of a mile south of the Greenwich Township line in Berks County a distance of about 5.8 miles.

Route 06190 Beginning at a point on Route 06002 about 0.6 of a mile southeast of the Shoemakersville Borough line thence northeasterly through Perry Township to a point on Route 06123 about 0.4 of a mile northwest of the Maiden Creek Township line in Berks County a distance of about 2.6 miles

Route 06191 Beginning at the intersection of Routes 197 and 664 thence northwesterly through Oley and Rockland Townships to a point on Route 06113 about 1.5 miles west of New Jerusalem in Berks County a distance of about 3.5 miles

Route 06192 Beginning at a point on Route 06055 about 1.0 mile south of New Jerusalem thence easterly through Rockland Township about 1.6 miles to a road intersection thence northwesterly to a point on Route 06140 about 0.5 of a mile east of Stony Point in Berks County a distance of about 4.0 miles

Route 06193 Beginning at a point on Route 06019 about 0.6 of a mile east of the Penn Township line thence northerly and northeasterly through Center Township to a point on Route 06164 in Berks County a distance of about 3.3 miles

Route 06194 Beginning at a point on Route 06165 about 1.0 mile south of Upper Bern thence easterly through Tilden Township to a point on Route 06164 in Berks County a distance of about 1.7 miles

Route 06195 Beginning at a point on the east line of Bechtelsville Borough at Mill Street thence easterly through Washington Township to a point on Route 06026 in Berks County a distance of about 0.1 of a mile

Route 06196 Beginning at a point on Route 285 at Klinesville thence northerly through Greenwich and Albany Townships via the residence of George Zettlemoyer Daniel Feterolf Howard Greenawalt and Levi Clauss to

a point on Route 06132 at Dietrichs Mill in Berks County a distance of about 2.5 miles

Route 06197 Beginning at a point on Route 506 about 0.4 of a mile northwest of Maiden Creek thence northwesterly through Maiden Creek Township to Maiden Creek Station thence northeasterly to a point on Route 06122 near Molltown thence from Route 06122 at Molltown northeasterly through Maiden Creek and Richmond Townships to the intersection of Routes 06124 and 06125 in Berks County a distance of about 4.6 miles

Route 06198 Beginning at a point on Route 06124 about 0.6 of a mile east of Moselem thence southeasterly through Richmond Township to a point on Route 06197 in Berks County a distance of about 0.7 of a mile

Route 06199 Beginning at a point on Route 06113 about 0.1 of a mile east of the intersection of Routes 06175 and 06113 thence northeasterly through Rockland Township to a point on Route 06008 at Stony Point in Berks County a distance of about 2.0 miles

Route 06200 Beginning at a point on Route 506 about 0.8 of a mile northeast of Leesport thence northeasterly northerly and easterly through Ontelaunee Township to a point on Route 06002 about 0.8 of a mile southeast of the intersection of Routes 06002 and 06115 in Berks County a distance of about 1.4 miles

Route 06201 Beginning at a point on the west line of Temple Borough at Leesport Avenue thence northwesterly through Muhlenberg and Ontelaunee Townships to a point on Route 06100 near East Berkley in Berks County a distance of about 1.2 miles

Route 06202 Beginning at a point on Route 06095 about 0.3 of a mile east of the intersection of Routes 06144 and 06095 thence northeasterly through District Township to a point on Route 06140 about 1.4 miles northwest of Huff Church in Berks County a distance of about 1.8 miles

Route 06203 Beginning at a point on Route 06134 about 0.6 of a mile northwest of Kutztown Borough thence northeasterly through Maxatawny Township to a point on Route 06136 about 0.3 of a mile south of the intersection of Routes 06136 and 06137 in Berks County a distance of about 2.6 miles

Route 06204 Beginning at a point on Route 146 at the Amity-Douglass Township line thence northerly and westerly through Douglass and Amity Townships to a point on State-aid Application 1049 in Berks County a distance of about 1.1 miles

Route 06205 Beginning at a point on Route 06083 about 0.4 of a mile from the Lancaster County line thence in a general northerly direction through Brecknock Township to a point on Route 06082 about 0.8 of a mile southeast of Alleghenyville in Berks County a distance of about 1.7 miles

Route 06206 Beginning at a point on Route 06078 at Grill thence northwesterly through Cumru Township to a point on Route 06181 in Berks County a distance of about 0.3 of a mile

Route 06207 Beginning at a point on Route 06157 about 0.5 of a mile south of Landis Store thence easterly through District Township to a point on the District-Washington Township line in Berks County a distance of about 2.0 miles

BLAIR COUNTY

Route 07042 Beginning at a point on State-aid Application 5732 approximately one-half mile southwest of the village of Sproul thence northwesterly and northerly through Greenfield Township via the villages of Cottontown and Klahr to a point on State Highway Route 07002 approximately one-quarter of a mile east of the village of Fredericksburg in Blair County a distance of about 4.8 miles

Route 07043 Beginning at a point on Route 07035 approximately one-half mile northwest of the village of Puzzletown thence northerly through Juniata township via Dry Run Church and school house to a point on Route 53 approximately two and one-half miles west of the Borough of Duncansville in Blair County a distance of about 3.4 miles

Route 07044 Beginning at a point on the Southern Borough line of Hollidaysburg at Plank Road Street thence southeasterly through Blair Township to a point on Route 07012 at the south end of bridge over the Pennsylvania Railroad in Blair County a distance of about 0.1 of a mile

Route 07045 Beginning at a point on Route 07015 approximately three quarters of a mile north east of the borough of Hollidaysburg thence northerly through Frankstown Allegheny and Logan Townships to a point on Route 07017 approximately 0.10 of a mile east of its intersection with Route 55 in Blair County a distance of about 1.0 mile

Route 07046 Beginning at a point on Route 07026 approximately one mile north of the Antis-Logan Township line thence easterly and southeasterly in Antis Township to a point on Route 07027 in the village of Pine Croft in Blair County a distance of about 1.7 miles

Route 07047 Beginning at a point on Route 07026 approximately one-half mile south of Root thence easterly through Antis Township to a point on the western Bellwood Borough line in Blair County a distance of about 1.5 miles

Route 07048 Beginning at a point on Route 07042 at Cottontown thence southwesterly in Greenfield Township to the Bedford County line in Blair County a distance of about 0.7 of a mile

BRADFORD COUNTY

Route 08158 Beginning at a point on Route 08013 about 0.2 of a mile southwest of Cumiskey thence in a northwesterly direction through Wilmot and Albany Townships to a point on Route 08010 about 0.5 of a mile northeast of its intersection with Route 08011 in Bradford County a distance of about 3.4 miles

Route 08159 Beginning at a point on Route 08054 about 1.5 miles northeast of East Smithfield thence in a northwesterly direction through Smithfield Athens and Ridgebury Townships to a point on Route 08065 about 0.2 of a mile west of the Athens Township line in Bradford County a distance of about 3.7 miles

Route 08160 Beginning at a point on Route 08019 about 1.0 mile southwest of its intersection with Route 08020 thence in a general southeasterly direction through Asylum Township to a point on Route 08020 about 1.0 mile south of its intersection with Route 08019 in Bradford County a distance of about 1.1 miles

Route 08161 Beginning at a point on Route 08132 about 0.2 of a mile east of the Towanda Township line thence in an easterly direction through Asylum Township to a point on Route 13 about 0.5 of a mile northwest of its intersection with Application 5787 in Bradford County a distance of about 2.7 miles

Route 08162 Beginning at a point on Route 08132 at Uhdey thence in a northwesterly direction through Asylum Township to a point on Route 08161 about 0.8 of a mile east of its intersection with Route 08132 in Bradford County a distance of about 0.3 of a mile

Route 08163 Beginning at a point on Route 08093 about 0.7 of a mile north of Burlington thence in a northerly and westerly direction through Burlington and Smithfield Townships to a point on Route 08074 about 1.6 miles south of its intersection with Route 08073 in Bradford County a distance of about 3.7 miles

Route 08164 Beginning at a point on Route 08093 near the Burlington Township line thence in an easterly southeasterly and northeasterly direction through Smithfield Burlington and Ulster Townships to a point on Route 02975 at Saco in Bradford County a distance of about 3.4 miles

Route 08165 Beginning at a point on Route 08047 about 0.8 of a mile north of Sylvania thence in a northeasterly direction through Columbia Township to a point on Route 08046 about 0.4 of a mile west of Columbia Cross Roads in Bradford County to a distance of about 3.6 miles

Route 08166 Beginning at a point on Route 08049 about 0.2 of a mile northwest of its intersection with Route 08140 thence in a northerly and easterly direction through Columbia Township to a point on Route 08140 about 1.2 miles north of its intersection with Route 08049 in Bradford County a distance of about 1.6 miles

Route 08167 Beginning at a point on Route 20 about 0.1 of a mile north of the Troy Township line thence in a northeasterly and southeasterly direction through Columbia and Springfield Townships to a point on Route 08055 about 0.5 of a mile northwest of Leona in Bradford County a distance of about 3.2 miles

Route 08168 Beginning at a point on Route 08030 about one mile northeast of Lime Hill thence in a general northeasterly direction through Wyalusing and Herrick Townships to a point on Route 08035 about 0.4 of a mile west of Route 08025 in Bradford County a distance of about 3.8 miles

Route 08169 Beginning at a point on Route 08019 about 1.2 miles northwest of the Asylum Township line thence in a northerly direction through Monroe Township to a point on Route 08022 about 1.0 mile northwest of the Asylum Township line in Bradford County a distance of about 0.8 of a mile

Route 08170 Beginning at a point on Route 241 about 1.0 mile northwest of its intersection with Route 08026 thence in a northeasterly direction through Standing Stone Township to a point on Route 08026 about 0.7 of a mile south of its intersection with Route 08106 in Bradford County a distance of about 1.0 mile

Route 08171 Beginning at a point on Route 08023 at Standing Stone thence in a northwesterly and northeasterly direction through Standing Stone Township to a point on Route 241 at its intersection with Route 08106 in Bradford County a distance of about 1.8 miles

Route 08172 Beginning at a point on Route 14 about 0.3 of a mile east of the Wyalusing Township line thence in a northerly and northeasterly direction through Stevens Township to a point on Route 343 about 0.2 of a mile south of the Pike Township line in Bradford County a distance of about 4.2 miles

Route 08173 Beginning at a point on Route 08021 about 0.5 of a mile southeast of its intersection with Route 08020 thence in an easterly and northerly direction through Terry Township to a point on Route 13 at Viall Hill in Bradford County a distance of about 2.7 miles

Route 08174 Beginning at a point on Route 08132 about 0.2 of a mile west of the Asylum Township line thence in a northwesterly direction through Towanda Township to a point on Route 08022 about 0.5 of a mile north of the Monroe Township line in Bradford County a distance of about 1.1 miles

Route 08175 Beginning at a point on Route 08032 about 1.0 mile north of the Wyoming County line thence in a northeasterly direction through Tuscarora Township to a point on Route 08031 about 0.3 of a mile west of Silvara in Bradford County a distance of about 2.7 miles

Route 08176 Beginning at a point on Route 08116 about 1.5 miles east of the Tioga County line thence in a northwesterly direction through Wells Township to a point on Route 308 at Masherville in Bradford County a distance of about 5.4 miles

Route 08177 Beginning at a point on Route 699 about 0.7 of a mile northwest of Windham thence in a northeasterly direction through Windham Township to a point on the New York State line about 1.2 miles west of Route 08098 in Bradford County a distance of about 1.8 miles

Route 08178 Beginning at a point on Route 08028 about 0.5 of a mile east of Hamets Ferry thence in a northwesterly and northeasterly direction through Wyalusing Township to a point on Route 241 about 0.3 of a mile northwest of its intersection with Route 08028 in Bradford County a distance of about 3.3 miles

Route 08179 Beginning at a point on Route 14 about 1.0 mile north of Merryall thence in a northeasterly direction through Wyalusing Township to a point on Route 08102 about 0.3 of a mile southwest of the Tuscarora Township line in Bradford County a distance of about 1.6 mile

Route 08180 Beginning at a point on Route 14 at Camptown thence in a southeasterly and northeasterly direction through Wyalusing Township to a point on Route 14 about 0.5 of a mile southwest of the Stevens Township line in Bradford County a distance of about 1.6 miles

Route 08181 Beginning at a point on Route 385 about 0.5 of a mile southeast of Granville Summit thence in an easterly and northeasterly direction through Granville and Troy Townships to a point on Route 08044 about 0.7 of a mile south of East Troy in Bradford County a distance of about 4.5 miles

Route 08182 Beginning at a point on Route 08003 at Leroy thence in a southerly and southeasterly direction through Leroy Township to a point on the Barclay Township line in Bradford County a distance of about 3.7 miles

Route 08183 Beginning at a point on Route 08112 about 0.7 of a mile north of its intersection with Route 15 thence in a northwesterly direction through Wysox and Shesequin Townships to a point on Route 08080 about 0.1 of a mile southeast of its intersection with Route 08112 in Bradford County a distance of about 3.3 miles

Route 08184 Beginning at a point on the Bradford-Lycoming County line about 0.8 of a mile west of Route 08002 thence in a northerly direction through Canton Township to a point on Route 08002 about 0.5 of a mile southeast of its intersection with Route 08001 in Bradford County a distance of about 1.1 miles

BUCKS COUNTY

Route 09141 Beginning at a point on Route 09109 about 1.0 mile west of its intersection with Route 09105 thence in a southeasterly direction through Milford Township to a point on Route 09111 about 2.0 miles southwest of the Borough of Trumbauersville in Bucks County a distance of about 2.0 miles

Route 09142 Beginning at a point on Route 09097 near Licking Creek and about 1.5 miles southwest of Steinsburg thence in an easterly direction through Milford Township to a point on a county road about 1.5 miles southeast of Steinsburg in Bucks County a distance of about 1.3 miles

Route 09143 Beginning at a point on Application 356 about 0.5 of a mile northeast of Telford Borough thence in a general northwesterly direction through West Rockhill Township to a point on Route 386 about 1.0 miles east of its intersection with Route 09011 in Bucks County a distance of about 2.9 miles

Route 09144 Beginning at a point on Application 356 about 0.5 of a mile south of Sellersville Borough thence in an easterly direction through West Rockhill Township to a point on the West Rockhill-Hilltown Township line about 0.1 of a mile east of Route 153 in Bucks County a distance of about 0.4 of a mile

Route 09145 Beginning at a point on Route 153 about 0.5 of a mile southeast of its intersection with Route 09112 thence in a northeasterly direction through Hilltown Township to a point on Route 919 about 0.5 of a mile north of the Hilltown-New Britain Township line in Bucks County a distance of about 0.9 of a mile

Route 09146 Beginning at a point on Route 658 about 0.3 of a mile northeast of its intersection with Route 919 thence in a general northeasterly direction through Hilltown Township to a point on Route 09078 at its intersection with Route 09119 in Bucks County a distance of about 1.0 mile

Route 09147 Beginning at a point on Route 09118 near its intersection with Route 154 thence in a northeasterly direction through Hilltown Township to a point on Route 09088 about 0.2 of a mile south of its intersection with Route 656 in Bucks County a distance of about 1.5 miles

Route 09148 Beginning at a point on Route 658 at the Chalfont Borough line thence in a northwesterly direction through New Britain Township to a point on Route 09074 about 1.0 mile northeast of its intersection with Route 09073 in Bucks County a distance of about 0.6 of a mile

Route 09149 Beginning at a point on Route 09074 at New Galena thence in a general southeasterly direction through New Britain and Doylestown Townships to a point on Route 09070 about 0.2 of a mile northwest of its intersection with Route 09069 in Bucks County a distance of about 1.8 miles

Route 09150 Beginning at a point on Route 150 Spur about 0.3 of a mile southwest of its intersection with Route 09006 thence in a southeasterly direction through Bensalem Township to a point on the Bensalem-Bristol

Township line in Bucks County a distance of about 0.3 of a mile

Route 09151 Beginning at a point on Route 09152 about 0.2 of a mile southeast of its intersection with Route 150 Spur thence in a northerly direction through Bensalem Township to a point on Route 150 Spur about 0.1 of a mile southwest of its intersection with Route 09006 in Bucks County a distance of about 0.2 of a mile

Route 09152 Beginning at a point on Route 152 about 1.5 miles north of Bristol Borough thence in a southeasterly and southerly direction through Bristol Township to a point on the Bristol Township-Bristol Borough line in Bucks County a distance of about 1.0 miles

Route 09153 Beginning at a point on Route 09068 about 0.5 of a mile southeast of its intersection with Route 09127 thence in a general northerly direction through Haycock and Springfield Townships to a point on Route 09137 about 2.0 miles east of Route 386 in Bucks County a distance of about 3.2 miles

Route 09154 Beginning at a point on Route 09082 about 0.8 of a mile northeast of Route 09085 thence in a general northerly direction through Haycock Township to a point on Route 09128 about 1.0 mile east of the Haycock-Richland Township line in Bucks County a distance of about 0.9 of a mile

Route 09155 Beginning at a point on Route 09089 about 0.3 of a mile east of Route 153 thence in a southeasterly direction through Richland Township to a point on Route 09086 about 0.3 of a mile southwest of Route 09089 in Bucks County a distance of about 1.1 miles

Route 09157 Beginning at a point on Route 09039 line of Richlandtown Borough about 0.1 of a mile south of Route 386 thence in an easterly direction to a road intersection thence in a general northerly direction through Richland Townships to a point on Route 09127 in Bucks County a distance of about 2.2 miles

Route 09156 Beginning at a point on the east borough about 0.5 of a mile east of its intersection with Route 156 thence in a southeasterly direction through Nockamixon Bridgeton and Tinicum Townships to a road intersection in Tinicum Township about 0.1 of a mile from the point common to the Nockamixon Bridgeton and Tinicum Township lines in Bucks County a distance of about 3.8 miles

Route 09158 Beginning at a point on Route 386 about 0.2 of a mile east of Route 09061 thence in a southeasterly direction through Durham Township to a point on Route 09057 about 0.1 of a mile west of Route 156 in Bucks County a distance of about 1.7 miles

Route 09159 Beginning at a point on Route 09039 about 0.5 of a mile south of its intersection with Route 326 thence in a southeasterly direction through Bridgeton Township to a point on Route 09037 about 1.25 miles southwest of Route 326 in Bucks County a distance of about 1.0 mile

Route 09160 Beginning at a point on Route 656 about 1.5 miles north of its intersection with Route 09090 thence in a general northeasterly direction through Bedminster and Tinicum Townships to a point on Route 156 at its intersection with Route 09138 in Bucks County a distance of about 4.7 miles

Route 09161 Beginning at a point on Route 09138 about 2.5 miles northeast of intersection with Route 156 thence in a northwesterly direction through Tinicum Township to a point on the Tinicum-Nockamixon Township line in Bucks County a distance of about 0.8 of a mile

Route 09162 Beginning at a point on Route 09098 about 1.5 miles northeast of Sundale thence in a northwesterly direction through Tinicum Township to a point on Route 09138 about 1.5 miles northwest of its intersection with Route 09098 in Bucks County a distance of about 1.2 miles

Route 09163 Beginning at a point on Route 09169 about 0.5 of a mile north of its intersection with Route 09098 thence in a northeasterly direction through Tinicum Township to a point on Route 09138 about 0.7 of a mile northwest of its intersection with Route 09098 in Bucks County a distance of about 0.6 of a mile

Route 09164 Beginning at a point on Route 09098 at Sundale thence in a southeasterly direction through Tinicum Township to a point on Route 326 about 1.3 miles south of its intersection with Route 09099 in Bucks County a distance of about 2.6 miles

Route 09165 Beginning at a point on Route 09099 at its intersection with Route 09139 thence in a general southeasterly direction through Tinicum and Plumstead Townships to a point on Route 09077 about 1.0 mile northwest of its intersection with Route 920 in Bucks County a distance of about 2.8 miles

Route 09166 Beginning at a point on Route 09077 at Smith's Corners thence in a northeasterly direction through Plumstead Township to a point on Route 09172 about 1.3 miles northwest of its intersection with Route 09077 in Bucks County a distance of about 0.9 of a mile

Route 09167 Beginning at a point on the northern line of Sellersville borough thence through East Rockhill West Rockhill and Richland Townships to a point on the southern line of Quakertown Borough in Bucks County a distance of about 4.25 miles

Route 09168 Beginning at the intersection of Routes 153 and 153 Spur thence easterly through Richland Township to a point on the Quakertown Borough line in Bucks County a distance of about 0.13 of a mile

Route 09169 Beginning at a point on Route 09056 about 0.6 of a mile northwest of the intersection of the Buckingham Upper Makefield and Lower Makefield Township lines thence in a northwesterly direction along the Buckingham-Solebury Township line to a point on Route 09066 at Cottageville in Bucks County a distance of about 6.1 miles

Route 09170 Beginning at a point on Route 09083 about 0.4 of a mile southwest of its intersection with Route 09114 thence in an easterly direction through Richland Township to a point on Route 09114 about 0.3 of a mile south of its intersection with Route 09083 in Bucks County a distance of about 0.3 of a mile

Route 09171 Beginning at a point on Route 326 near Point Pleasant thence southeasterly through Tinicum Township to the bridge over the Delaware River leading to Byram New Jersey in Bucks County a distance of about 0.1 of a mile

BUTLER COUNTY

Route 10108 Beginning at a point on Route 10015 at Renfrew thence in an easterly direction through Penn Township to a point on Route 10011 about 0.4 of a mile west of its intersection with Route 72 in Butler County a distance of about 1.8 miles

Route 10109 Beginning at a point on Route 10077 about 0.9 of a mile east of Petrolia Borough thence in a northerly direction through Fairview and Parker Townships to a point on Route 10080 about 0.5 of a mile east of Bruin Borough in Butler County a distance of about 2.1 miles

Route 10110 Beginning at a point on Route 10022 about 0.8 of a mile east of Route 72 thence northerly through Penn and Butler Townships to a point on Route 10047 in Butler County a distance of about 3.1 miles

Route 10111 Beginning at a point on Route 72 in Bredinville thence northerly through Butler Township across the Baltimore and Ohio Railroad and the Bessemer and Lake Erie Railroad to a point on Hansen Avenue thence on Hansen Avenue to a point on Route 10046 in Butler County a distance of about 0.3 of a mile

Route 10112 Beginning at a point on the Beaver-Butler County line thence extending in a northerly direction through Jackson Township to a point on Route 78 in Butler County a distance of about 0.8 of a mile

Route 10113 Beginning at a point on Route 978 about 0.5 of a mile east of Herman thence northeasterly through Summit and Clearfield Townships to a point on Route 71 at its intersection with Route 10100 about 1.0 mile west of Humes School in Butler County a distance of about 3.5 miles

Route 10114 Beginning at a point on Route 10059 about 1.9 mile south of its intersection with Route 10057 thence eastwardly through Oakland Township to a point on Route 10060 about 0.3 of a mile north of its intersection

with Route 214 in Butler County a distance of about 2.7 miles

Route 10115 Beginning at a point on the Saxonburg Borough-Jefferson Township line about 0.7 of a mile west of Hannahstown No 2 School thence northerly through Jefferson Township to a point on Route 10030 about 0.5 of a mile southeast of its intersection with Route 10033 in Butler County a distance of about 2.8 miles

Route 10116 Beginning at a point on Route 10072 about 1.0 mile west of Kohlmeyer Corners thence northeasterly through Venango Township to a point on the Butler-Venango County line about 2.0 miles east of Route 10063 in Butler County a distance of about 2.5 miles

Route 10117 Beginning at a point on Route 10070 about 0.8 of a mile northeast of Ferris School thence northerly through Venango Township to a point on Route 10072 about 0.9 of a mile southeast of Venango-Marion Township line in Butler County a distance of about 2.3 miles

Route 10118 Beginning at a point on Route 10074 at Ivell School thence extending in a northeasterly direction through Marion Township to the Butler-Venango County line in Butler County a distance of about 0.4 of a mile

Route 10119 Beginning at a point on Route 73 about 0.1 of a mile north of the Butler-Center Township line thence extending in a general northeasterly direction through Center Township via Elliot School to a point on Route 75 about 0.2 of a mile east of the Lake Erie Railroad in Butler County a distance of about 1.8 miles

Route 10120 Beginning at a point on Route 10045 about 1.0 mile south of Route 79 thence westerly through Franklin Township to a point on the Prospect Borough line in Butler County a distance of about 0.5 of a mile

Route 10121 Beginning at a point on Route 10007 about 2.0 miles north of its intersection with Route 10001 thence extending in a northerly direction through Adams Township to a point on Route 10102 about 0.3 of a mile southwest of the Adams Township-Callery Borough line in Butler County a listance of about 1.3 miles.

Route 10122 Beginning at a point on Route 10008 near the Hope Luthern Church about 0.7 of a mile northeast of its intersection with Route 10088 thence in an easterly direction through Cranberry and Adams Townships via Hope Lutheran Church and Plains Church and cemetery to a point on Route 10121 about 0.4 of a mile north of its intersection with Route 10007 in Butler County a distance of about 1.5 miles.

Route 10123 Beginning at a point on Route 10124 about 0.6 of a mile north of its intersection with Route 10070 thence in an easterly direction through Marian Township to a point on Route 10063 about 0.6 of a mile north of the Village of Boyers in Butler County a distance of about 1.3 miles.

Route 10124 Beginning at a point on Route 10070 about 1.4 miles west of Anandale Station thence in a northerly direction through Marion Township to a point on Route 10072 about 2.0 miles west of the Village of Murrinsville in Butler County a distance of about 2.2 miles.

Route 10125 Beginning at a point on Route 10033 about 1.0 mile south of Woodbine thence in a general southeasterly direction through Oakland Summit and Clearfield Townships via Carbon Center to a point on Route 71 about 1.0 mile west of Coylesville in Butler County a distance of about 5.5 miles.

Route 10126 Beginning at a point on Route 10020 about 1.0 mile east of its intersection with Route 10021 thence in an easterly direction through Penn and Jefferson Townships via Fraziers Mill to a point on Route 10019 about 1.0 mile west of the Saxonburg Borough line in Butler County a distance of about 2.7 miles.

Route 10127 Beginning at a point on Route 10038 at Rattigan thence easterly through Donegal Township to a point on the Butler-Armstrong County line in Butler County a distance of about 1.0 mile.

Route 10128 Beginning at a point on Route 10072 about 0.2 of a mile east of the Harrisville Borough line thence in a northeasterly direction through Mercer and Marion Townships to a point on Route 10073 about 0.6 of a mile southwest of the Van Dyke School in Butler County a distance of about 3.2 miles.

Route 10129 Beginning at a point on Route 10043 about 1.0 mile north of the Little Creek School thence in a southeasterly direction through Connoquenessing Township to a point on Route 78 about 0.5 of a mile southwest of White Oak Spring Church in Butler County a distance of about 2.1 miles.

Route 10130 Beginning at a point on Route 214 near North Oakland Station thence northeasterly through Donegal Township to a point on Route 214 at the Millerstown Borough line in Butler County a distance of about 2.2 miles.

Route 10131 Beginning at the north end of State-aid Application 4046 thence in a northeasterly direction through Clinton Township to State-aid Application 417 in Butler County a distance of about 2.2 miles.

Route 10132 Beginning at the Butler-Allegheny County line near Cunningham thence in a northwesterly direction through Clinton Township to the southern end of State-aid Application 4046 in Butler County a distance of about 2.2 miles.

Route 10133 Beginning at a point on Route 246 near Ogle thence northwesterly through Cranberry Township to a point on Route 10003 about 2.0 miles southwest of its intersection with Route 246 in Butler County a distance of about 2.4 miles.

Route 10134 Beginning at a point on Route 10068 about 0.5 of a mile east of Ridgeville thence southerly and easterly through Washington Township to a point on Route 10068 about 0.7 of a mile northwest of its intersection with Route 75 in Butler County a distance of about 1.8 miles.

Route 10135 Beginning at a point on the Beaver-Butler County line near Connoquenessing Creek thence in a general northeasterly direction through Jackson Township to a point on Route 347 in Butler County a distance of about 0.4 of a mile.

CAMBRIA COUNTY

Route 11081 Beginning at a point on Route 11019 about one-mile south of Spring Hill thence southeasterly in Portage Township to a road intersection in Cambria County a distance of about 2.2 miles.

Route 11082 Beginning at a point on Route 53 about .5 of a mile west of Syberton thence northerly through Allegheny Township to a point on the southeastern line of Chest Springs Borough in Cambria County a distance of about 5.4 miles.

Route 11083 Beginning at a point on State Highway Route 276 just east of the Portage Borough line thence northerly through Portage Township via Itell School House to a point on the Portage-Munster Township line thence northerly through Munster Township via McHugh School to a point on Route 854 in the village of Munster in Cambria County a distance of about 6.5 miles.

Route 11084 Beginning at a point on Route 11050 about one quarter of a mile east of Route 11073 thence northeasterly through Clearfield Chest and White Townships to a point on Route 11053 about one quarter mile south of Route 11055 in Cambria County a distance of about 2.0 miles.

Route 11085 Beginning at a point on the eastern Johnstown City line thence northeasterly through Stonycreek Township to a point on the Stonycreek-Conemaugh Township line thence northeasterly through Conemaugh Township to a point on Route 276 in the Village of Parkstown in Cambria County a distance of about 1.2 miles.

Route 11086 Beginning at a point on Route 11075 about 0.1 of a mile south of State Highway Route 11049 thence northeasterly through East Carroll Township to a point on the Western Patton Borough line just south of Route 221 in Cambria County a distance of about 2.2 miles.

Route 11087 Beginning at a point on the northeast line of Barnesboro Borough thence northeasterly through Susquehanna Township to a point on Route 11062 abut 0.5 of a mile west of Plattsville in Cambria County a distance of about 2.0 miles.

Route 11088 Beginning at a point on Route 234 at Dean thence easterly through Dean Township to a point on

Route 860 in Cambria County a distance of about 2.2 miles.

Route 11089 Beginning at a point on Route 221 near Swedetown thence easterly through Elder Township to a point on Route 11095 in Cambria County a distance of about 1.6 miles.

Route 11090 Beginning at a point on Route 11034 near the Cambria Township line thence northeasterly and easterly through East Carroll and Allegheny Townships to a road intersection in the village of Bradley Junction in Cambria County a distance of about 3.25 miles.

CAMERON COUNTY

Route 12008 Beginning at a Point on Route 105 about 0.3 of a mile east of the Village of Susquehanna thence in a southwesterly westerly and northerly direction through Grove and Gibson Townships to a point near the village of Sinnemahoning about 600 feet north of Route 105 in Cameron County a distance of about 0.5 of a mile.

CARBON COUNTY

Route 13037 Beginning at a point on Route 13002 about 1.5 miles southwest of Route 13003 thence in a northwesterly direction through East Penn and Mahoning Townships to a point on Route 13031 about 1.0 mile south of Normal in Carbon County a distance of abut 1.6 miles.

Route 13038 Beginning at a point on Route 13035 about 0.6 of a mile southeast of Little Gap thence southwesterly through Lower Towamencing Township to the Northampton-Carbon County line in Carbon County a distance of about 2.0 miles.

Route 13039 Beginning at a point on Route 550 near Grass Lake thence in a general northwesterly direction through Kidder Township in Carbon County for distance of about 1.4 miles.

Route 13040 Beginning at the east end of the Luzerne-Carbon bridge over the Lehigh River at Lehigh Tannery thence in an easterly direction through Kidder Township to a point on Route 13018 thence beginning again on Route 13018 and continuing in a northeasterly and northerly direction to a point on the East Side Borough line in Carbon County a distance of about 1.7 miles.

Route 13041 Beginning at a point on Route 13012 about 1.5 miles northeast of Pohopoco Creek thence northeasterly through Towamensing Township to a point on Route 13015 in Carbon County a distance of about 0.4 of a mile.

Route 13042 Beginning at a point on Route 13010 about 1.0 mile west of Waltzville thence in a northwesterly direction through Franklin and Penn Forest Townships to a point on Route 550 about 1.0 mile northeast of East Mauch Chunk Borough in Carbon County a distance of about 3.0 miles.

Route 13043 Beginning at a point on Route 13033 about 0.5 of a mile west of Route 13034 thence easterly through Mauch Chunk Township to a point on Route 13034 about 0.1 of a mile north of Route 13033 in Carbon County distance of about 0.5 of a mile.

Route 13044 Beginning at the end of Route 13023 thence in a southerly and southwesterly direction through Lehigh Township in Carbon County for a distance of about 1.34 miles.

Route 13045 Beginning at a point on Route 185 at Audenried thence in a southwesterly direction through Banks Township to a point on the Schuylkill-Carbon County line in Carbon County a distance of about 0.4 of a mile

CENTRE COUNTY

Route 14047 Beginning at a point on Route 14013 near the Huntingdon-Centre County line thence in a northeasterly direction through Ferguson Township to the village of Fairbrook thence continuing through Ferguson Township in a southeasterly direction across Route 14014 to a point on Route 56 about 2.5 miles east of Rockspring in Centre County a distance of about 6.7 miles.

Route 14048 Beginning at a point on Route 871 about 0.5 of a mile southeast of the Benner-Spring Township line thence in a general northwesterly direction through Benner Township to a point on Route 14040 near Fishermans Paradise in Centre County a distance of about 0.8 of a mile.

Route 14049 Beginning at a point on Route 219 about 1.4 miles northeast of the Liberty-Howard Township line thence in a northwesterly northerly northeasterly and southeasterly direction through Liberty Township to a point on Route 219 about 0.75 of a mile southwest of its intersection with Route 14009 in Centre County a distance of about 3.7 miles.

Route 14050 Beginning at a point on Route 56 about 0.3 of a mile north of Lemont thence in a northwesterly direction through College Township to a point on Route 14039 about 0.5 of a mile southeast of Houserville in Centre County a distance of about 0.8 of a mile.

Route 14051 Beginning at a point on Route 14018 about 0.2 of a mile northeast of Shingletown thence in a northwesterly direction through Harris and College Townships to a point on Route 14019 about 0.75 of a mile south of its intersection with Route 307 in Centre County a distance of about 0.7 of a mile.

Route 14052 Beginning at a point on Route 14010 about 0.1 of a mile northwest of Curtin thence in a northeasterly direction through Boggs and Howard Townships to a point on Route 14012 about 0.2 of a mile northwest of the Howard Borough line in Centre County a distance of about 5.3 miles.

Route 14053 Beginning at a point on Route 307 about 0.7 of a mile west of its intersection with Route 14019 thence in a northwesterly direction through College Township to a point on the State College Borough line in Centre County a distance of about 0.2 of a mile.

Route 14054 Beginning at a point on Route 14023 near Spring Mills thence southwesterly and northeasterly through Gregg Township to a point on Route 14031 about 0.7 of a mile north of its intersection with Route 14030 in Centre County a distance of about 0.6 of a mile.

Route 14055 Beginning at a point on Route 346 about 1.0 mile northeast of Hunters Park thence southeasterly through Benner Township to a road intersection in Centre County a distance of about 1.3 miles.

CHESTER COUNTY

Route 15198 Beginning at a point on Route 15087 about 1.0 mile northwest of Route 134 thence northwesterly through East Bradford Township to a point on Application 30 about 0.2 of a mile east of Route 15103 in Chester County a distance of about 0.45 of a mile.

Route 15199 Beginning at a point on Route 131 about 1.2 miles east of Route 15082 thence in a northeasterly northwesterly and northeasterly direction through Pennsbury and Birmingham Townships via Brinton Bridge to a point on Route 135 at Dilworthtown in Chester County a distance of about 3.7 miles.

Route 15200 Beginning at a point on Route 15008 at its intersection with Route 15164 thence in a northeasterly direction through New London Penn and London Grove Townships to a point on Route 15022 about 0.1 of a mile south of West Grove Borough in Chester County a distance of about 2.8 miles.

Route 15201 Beginning at a point on Route 15017 about 0.5 of a mile south of Route 15036 thence in a southeasterly direction through New Garden Township to a point on the Pennsylvania-Delaware State line in Chester County a distance of about 1.1 miles.

Route 15202 Beginning at a point on Route 15155 about 0.2 of a mile east of the London Britain-New Garden Township line thence northeasterly through New Garden Township to a point on Route 15201 about 0.3 of a mile south of Route 15017 in Chester County a distance of about 0.7 of a mile

Route 15203 Beginning at a point on Route 15018 at Milford Mills thence northwesterly and northeasterly through Upper Uwchlan Township to a point on Route 147 about 0.4 of a mile southeast of the West Vincent-Upper Uwchlan Township line in Chester County a distance of about 3.25 miles.

Route 15204 Beginning at a point on Route 15186 at Reeceville thence easterly through West Brandywine and East Brandywine Townships to a point on Route 15124 about 0.1 of a mile south of Route 137 in Chester County a distance of about 2.1 miles.

Route 15205 Beginning at a point on Route 372 near Elverson Borough thence northerly through West Nantmeal Township to a point on the Berks County line near Route 328 in Chester County a distance of about 0.7 of a mile.

Route 15206 Beginning at a point on the Lancaster-Chester County line near the West Fallowfield-West Sadsbury Township line thence northeasterly through West Sadsbury Township to a point on the west line of Atglen Borough in Chester County a distance of about 0.4 of a mile.

Route 15207 Beginning at a point on Route 15017 at the London Britain-Franklin Township line thence northerly through Franklin London Britain and London Grove Townships to a point on Route 131 near Avondale Borough in Chester County a distance of about 3.7 miles.

Route 15208 Beginning at a point on Route 201 near its intersection with Route 15101 Spur E thence in a southeasterly direction through East Vincent Township to a road intersection at the Spring City Borough line in Chester County a distance of about 0.8 of a mile.

Route 15209 Beginning at a point on Route 201 about 1.0 mile northwest of Application 96 thence in northeasterly direction through East Vincent Township to a point on the Pennhurst State School grounds in Chester County a distance of about 0.1 of a mile.

Route 15210 Beginning at a point on Route 15133 near its intersectinon with Route 15129 thence westerly through Warwick Township to the Chester-Berks County line in Chester County a distance of about 0.7 of a mile.

Route 15211 Beginning at a point on Route 137 near the west borough line of Downingtown Borough thence northerly through Caln and East Brandywine Townships to a point on Route 15187 about 0.5 of a mile southeast of Route 15124 in Chester County a distance of about 2.55 miles

Route 15212 Beginning at a point on Route 142 about 0.5 of a mile west of Thorndale thence northerly through Caln Township to a point on Route 15119 about 0.8 of a mile southwest of its intersection with State-aid Application 1431 beginning again on Route 15119 about 0.1 of a mile southwest of the point of last intersection and continuing in a northerly direction through Caln and East Brandywine Townships to a point on Route 15124 and Application 4117 in Chester County a distance of about 2.1 miles

Route 15213 Beginning at a point on Route 274 near Cochranville thence in a northwesterly direction through West Fallowfield Township to a point on Route 215 in Chester County a distance of about 0.2 of a mile

Route 15214 Beginning at a point on Route 15033 about 0.2 of a mile northeast of the Londonderry-Penn Township Line thence southeasterly easterly and northerly through Londonderry and Penn Townships to a point on Route 15032 about 0.3 of a mile southeast of its intersection with Route 215 in Chester County a distance of about 2.0 miles

Route 15215 Beginning at a point on Route 15108 about 0.2 of a mile north of Route 142 thence westerly and northwesterly through Tredyffrin and Willistown Townships to a point on Route 15132 about 1.0 mile southwest of Route 15018 in Chester County a distance of about 1.5 miles

Route 15216 Beginning at a point on Route 15139 about 0.6 of a mile southeast of Route 15079 thence northeasterly and southeasterly through West Vincent and West Pikeland Townships to a point on Route 270 near Chester Springs in Chester County a distance of about 2.8 miles

Route 15217 Beginning at a point on Route 15093 near Route 15092 thence easterly through East Bradford Township to a point on Route 15183 about 0.2 of a mile west of the West Goshen-East Bradford Township line in Chester County a distance of about 1.0 mile

Route 15218 Beginning at a point on Route 15183 about 0.2 of a mile west of the West Goshen-East Bradford Township line thence northerly and northwesterly through East Bradford and West Whiteland Townships to a point on Route 15095 about 0.1 of a mile southeast of the East Bradford-West Whiteland Township line in Chester County a distance of about 1.2 miles

Route 15219 Beginning at a point on Route 147 about 0.5 of a mile southeast of Route 15189 thence southeasterly and northeasterly through Uwchlan and West Pikeland Townships to a point on Route 15189 about 0.4 of a mile southwest of Route 15139 in Chester County a distance of about 1.25 miles

Route 15220 Beginning at a point on Application 150 near its intersection with Route 15031 thence easterly and southerly through Penn and London Grove Townships to a point on the West Grove Borough line in Chester County a distance of about 3.2 miles

Route 15221 Beginning at a point on Route 282 about 1.0 mile southeast of Route 15086 thence northeasterly through Birmingham Township to a point on Route 15087 about 0.5 of a mile southeast of Route 15086 in Chester County a distance of about 1.6 miles

Route 15222 Beginning at a point on Route 143 about 0.8 of a mile southwest of its intersection with Route 142 thence northerly through Willistown Township to a point on Route 142 in Chester County a distance of about 0.6 of a mile

Route 15223 Beginning at a point on Route 15038 at its intersection with Route 15039 near Five Points Corner extending in a northeasterly direction through Kennett Township to a point on State-aid Application 245 about 0.3 of a mile southeast of Kennett Square Borough in Chester County a distance of about 0.7 of a mile

Route 15224 Beginning at a point on Route 15041 about 0.7 of a mile south of Eagle Post Office thence in an easterly and southerly direction through Kennett Township to a point on Route 15040 about 1.0 mile southwest of the Kennett-Pennsbury Township line in Chester County a distance of about 0.6 of a mile

Route 15225 Beginning at a point on Route 626 about 0.5 of a mile northeast of its intersection with State-aid Application 62 thence in a northwesterly and northerly direction through Westtown and West Goshen Townships to a point on Route 133 about 0.9 of a mile east of its intersection with Routes 143 and 15090 in Chester County a distance of about 2.85 miles.

Route 15226 Beginning at a point on Route 133 about 0.1 of a mile southeast of its intersection with Route 15159 thence in a general northwesterly direction through Willistown Township to a point on Route 15093 about 0.2 of a mile southwest of Route 15106 in Chester County a distance of about 1.4 miles

Route 15227 Beginning at a point on Route 15106 about 0.2 of a mile northwest of Route 15107 thence extending in a northeasterly direction through Willistown Township to a point on Route 15228 about 1.1 miles southeast of the Malvern Borough-Willistown Township line in Chester County a distance of about 1.2 miles

Route 15228 Beginning at a point on Route 15093 about 0.5 of a mile northwest of Route 15107 thence in a general northwesterly direction through Willistown Township to a point on Route 143 at the Willistown Township-Malvern Borough line about 1.0 mile northwest of Route 15106 in Chester County a distance of about 3.05 miles

Route 15229 Beginning at a point on Route 15119 at the intersection of Route 15119 and Application 1431 thence in a northeasterly direction through Caln and East Brandywine Townships to a point on Route 137 near the Caln-East Brandywine Township line in Chester County a distance of about 1.03 miles

CLARION COUNTY

Route 16084 Beginning at a point on Route 128 about 0.1 of a mile northeast of Salem thence in a general northerly direction through Salem Township to a point on the Clarion-Venango County line in Clarion County a distance of about 2.4 miles

Route 16085 Beginning at a point on Route 16066 about 0.7 of a mile west of St Petersburg Borough thence in a northwesterly direction through Richland Township to a point on Route 75 about 1.0 mile east of Emlenton Borough in Clarion County a distance of about 1.7 miles

Route 16086 Beginning at a point on Route 16017 near Black Fox School thence northerly and northwesterly

through Perry Township to a point on Route 16015 about 0.1 of a mile southwest of Route 16063 in Clarion County a distance of about 2.1 miles

Route 16087 Beginning at a point on Route 60029 about 0.2 of a mile north of the Elk-Washington Township line thence in a northeasterly direction through Washington Township to a point on Route 91 about 1.0 mile southeast of Venus in Clarion County a distance of about 1.4 miles

Route 16088 Beginning at a point on Route 16057 about 1.0 mile north of Route 92 thence in an easterly direction through Washington Township to a point on Route 92 at Frills Corners in Clarion County a distance of about 1.0 mile

Route 16089 Beginning at a point on Route 16058 about 0.3 of a mile south of Route 380 thence in a northeasterly direction through Farmington Township via Crown in Clarion County for a distance of about 0.3 of a mile

Route 16090 Beginning at a point on Route 16054 about 0.5 of a mile south of Helen Furnace thence westerly and northwesterly through Highland and Knox Townships to a point on Route 409 where it intersects Route 16052 in Clarion County a distance of about 4.1 miles

Route 16091 Beginning at a point on Route 64 about 1.0 mile southeast of Strattonville Borough thence in a northerly direction through Clarion Township to a point on Route 16055 about 1.2 miles northeast of Strattonville Borough in Clarion County a distance of about 1.3 miles

Route 16092 Beginning at a point on Route 311 near its intersection with Route 16026 thence southerly through Licking Township via Patterson School to a road intersection about 0.3 of a mile southeast of Patterson School in Clarion County a distance of about 1.5 miles

Route 16093 Beginning at a point on Route 214 about 0.6 of a mile east of Sligo Borough thence in a northerly direction through Piney Township to a point on Route 16032 about 0.1 of a mile south of Route 16069 in Clarion County a distance of about 1.9 miles

Route 16094 Beginning at a point on Route 214 about 0.2 of a mile north of Reidsburg School thence in a northeasterly direction through Monroe and Clarion Townships to a point on Route 16074 about 1.0 mile south of Route 66 in Clarion County a distance of about 2.1 miles

Route 16095 Beginning at a point on Route 16009 about 1.5 miles southwest of Holden Station thence easterly through Limestone Township to a point on Route 16041 near Ore Hill School in Clarion County a distance of about 0.8 of a mile

Route 16096 Beginning at a point on Route 16014 near Shannondale thence southwesterly through Redbank Township 0.5 of a mile to a road intersection thence northwesterly 1.9 miles to a road intersection in Clarion County a distance of about 2.4 miles

Route 16097 Beginning at a point on Route 16005 near Wildcat School thence northeasterly easterly southeasterly and northeasterly through Madison Toby and Porter Townships to a point on Route 16006 at Squirrel Hill in Clarion County a distance of about 4.8 miles

Route 16098 Beginning at a point on Route 16003 at its intersection with Route 16005 thence westerly through Madison Township to a road intersection in Clarion County for a distance of about 2.2 miles

CLEARFIELD COUNTY

Route 17093 Beginning at a point on Route 17056 near Center School about 1.9 miles northwest of its intersection with Route 17057 thence in a northeasterly direction through Decatur Township to a point on Route 17057 about 0.3 of a mile northwest of Drane in Clearfield County a distance of about 0.4 of a mile

Route 17094 Beginning at a point on Route 17037 about 0.4 of a mile east of its intersection with State-aid Application 6303 thence extending in a northerly direction through Pike Township to the point of intersection of Route 62-C and State-aid Application 6303 near Bloomington in Clearfield County a distance of about 0.4 of a mile

Route 17095 Beginning at a point on the New Washington Borough-Burnside Township line thence extending in a northwesterly direction through Burnside Township to a point on Route 17002 about 0.5 of a mile south of the Bell-Burnside Township line in Clearfield County a distance of about 0.3 of a mile

Route 17096 Beginning at a point on Route 17073 about 0.5 of a mile northwest of its intersection with Route 362 thence extending in a westerly and northwesterly direction through Union Brady and Sandy Townships to a point on Route 17030 about 1.2 miles southwest of its intersection with Route 17091 in Clearfield County a distance of about 4.1 miles

Route 17097 Beginning at a point on Route 17040 about 0.4 of a mile northwest of its intersection with Route 59 thence in a northwesterly direction through Lawrence and Pike Townships to another point on Route 17040 about 0.6 of a mile southwest of the Lawrence-Pike Township line in Clearfield County a distance of about 1.3 miles

Route 17098 Beginning at a point on Route 17097 about 0.2 of a mile northwest of its intersection with Route 17040 thence extending in a general easterly direction through Lawrence Township to a point on Route 59 about 0.4 of a mile south of its intersection with Route 17089 in Clearfield County a distance of about 1.1 miles

Route 17099 Beginning at a point on Route 59 about 0.3 of a mile north of its intersection with Route 17089 thence in a northeasterly direction through Lawrence Township along the Susquehanna River to a point on Route 17040 about 0.4 of a mile southwest of the Clearfield Borough line in Clearfield County a distance of about 1.0 mile

Route 17100 Beginning at a point on Route 59 about 1.4 miles north of the Penn-Bloom Township line thence extending in a southwesterly and northwesterly direction by way of Goffe School through Bloom Township to a point on Route 861 about 0.2 of a mile southeast of its intersection with Route 59 in Clearfield County a distance of about 2.45 miles

Route 17101 Beginning at a point on Route 338 Spur near Stanley thence extending in a northerly direction through Brady and Sandy Townships to a point on Route 338 about 0.4 of a mile southwest of its intersection with Route 861 in Clearfield County a distance of about 1.4 miles

Route 17102 Beginning at a point on Route 857 about 1.0 mile east of the Glen Hope Borough line thence in a northerly and easterly direction through Beccaria Township to a point on the Beccaria-Bigler Township line in Clearfield County a distance of about 1.0 mile

Route 17103 Beginning at a point on Route 17061 about 0.1 of a mile east of Route 313 thence northeasterly through Morris Township to a point on Route 17079 about 0.4 of a mile northwest of Route 17061 in Clearfield County a distance of about 0.7 of a mile

Route 17104 Beginning at a point on Route 219 about 0.7 of a mile northeast of its intersection with Route 17065 thence in an easterly direction through Cooper Township to a point on Route 17066 about 0.8 of a mile north of Knox Run School in Clearfield County a distance of about 0.6 of a mile

Route 17105 Beginning at a point on Route 17066 about 0.9 of a mile east of its intersection with Route 219 thence in a northerly and easterly direction through Cooper Township in the village of Grassflat to a road intersection east of the New York Central Railroad tracks in Clearfield County a distance of about 0.8 of a mile

Route 17106 Beginning at a point on Route 17058 about 0.2 of a mile west of the Chester Hill Borough-Decatur Township line thence extending in a westerly and northerly direction through Decatur Township to a point on Route 17057 about 1.2 miles southwest of Pleasant Hill at its intersection with Route 57 in Clearfield County a distance of about 1.5 miles

Route 17107 Beginning at a point on Route 17052 about 1.4 miles east of Frenchville thence extending in a northerly direction through Covington Township to a point on Route 865 about 1.2 miles northeast of its intersection with Route 17052 in Clearfield County a distance of about 0.8 of a mile

Route 17108 Beginning at a point on Route 869 about 0.4 of a mile southeast of the Village of Susquehanna Bridge thence extending in a northwesterly and northeasterly direction by way of Driftwood School through Lawrence Township to a point on Route 59 near the Village of Riverview in Clearfield County a distance of about 3.5 miles

Route 17109 Beginning at a point on the Jefferson-Clearfield County line thence in an easterly and northeasterly direction along Clover Run through Bell Township to a point on Route 17008 at Clover Run School in Clearfield County a distance of about 1.6 miles

Route 17110 Beginning at a point on Route 17090 about 1.2 miles south of its intersection with Route 59 thence in an easterly and northerly direction through Brady Township to a point on Route 59 about 0.7 of a mile northwest of the Brady-Bloom Township line in Clearfield County a distance of about 2.4 miles

Route 17111 Beginning at a point on Route 17019 about 1.0 mile southwest of Irvona Borough thence in a general easterly direction by way of Rosebud through Beccaria Township to a point on Route 234 in the village of Blain City in Clearfield County a distance of about 1.3 miles

Route 17112 Beginning at a point on Route 17111 in the Village of Rosebud thence in a southerly and easterly direction through Beccaria Township to a point on the Beccaria Township-Coalport Borough line in Clearfield County a distance of about 0.5 of a mile

Route 17113 Beginning at a point on Route 668 about 0.2 of a mile east of its intersection with Route 17055 thence in a general southeasterly direction by way of Center Hill and Hope School through Bradford Graham and Morris Townships to a point on Route 313 in the Village of Allport in Clearfield County a distance of about 5.3 miles

Route 17114 Beginning at a point on State-aid Application 6303 in the Village of Olanta thence in a general northeasterly direction by way of Keystone School through Pike and Lawrence Townships to a point on Route 17038 about 0.4 of a mile southwest of Mitchell in Clearfield County a distance of about 2.9 miles

Route 17115 Beginning at a point on Route 17039 near Chestnut Ridge School thence extending in a northwesterly direction through Pike Township in Clearfield County for a distance of about 2.0 miles

Route 17116 Beginning at a point on Route 17060 about 2.0 miles west of Morrisdale thence northerly through Morris and Graham Townships to a point on Route 17113 about 1.0 mile east of Sington in Clearfield County a distance of about 1.3 miles

Route 17117 Beginning at a point on Route 17085 about 0.2 of a mile north of its intersection with Route 17051 thence northerly on Guinea Hill Road to an intersection with Moose Street thence southerly on Moose Street to an intersection with Poplar Avenue thence northerly on Poplar Avenue to an intersection with Linnwood Street thence easterly on Linnwood Street to Route 17051 in Lawrence Township Clearfield County a distance of about 0.2 of a mile

CLINTON COUNTY

Route 18024 Beginning at a point on Route 18007 about 0.3 of a mile north of Cedar Springs thence in a northwesterly direction through Lamar Township to a point on Route 18008 in Clinton County a distance of about 0.1 of a mile

Route 18036 Beginning at a point on Route 359 about 0.3 of a mile north of the Centre-Clinton County line thence in a westerly direction through Beech Creek Township Clinton County a distance of about 1.0 mile

Route 18037 Beginning at a point on Route 58 at its intersection with Second Avenue thence southerly on Second Avenue to Maple Street thence westerly on Maple Street about 0.1 of a mile thence southerly to a road intersection and by spur from Third Avenue and Maple Street northerly on Third Avenue to Route 58 in Allison Township Clinton County a distance of about 0.75 of a mile

Route 18038 Beginning at a point on Route 18013 about 0.1 of a mile south of the Pennsylvania Railroad tracks thence in a southeasterly and northeasterly direction in the Village of Castanea Castanea Township Clinton County a distance of about 0.15 of a mile

Route 18039 Beginning at a point on Route 18014 about 0.3 a mile northwest of the intersection of Route 18014 and Route 18031 thence in a northeasterly direction through Dunstable Township to a point on Route 18021 about 0.6 of a mile south of the intersection of Route 18021 and Route 18034 in Clinton County a distance of about 1.7 miles

Route 18040 Beginning at a point on Route 105 at Hyner thence in a northeasterly direction through Chapman Township Clinton County for a distance of about 1.0 mile

Route 18041 Beginning at a point on Route 18006 about 0.4 of a mile southeast of the intersection of Routes 18006 and 58 thence in a northeasterly direction through Porter Township to a point on Route 18007 near Clintondale beginning again on Route 18007 near Clintondale thence in a northwesterly direction through Porter Township to a point on Route 58 about 0.6 of a mile northeast of the intersection of Routes 58 and 18007 in Clinton County a distance of about 1.5 miles

COLUMBIA COUNTY

Route 19100 Beginning at a point on Route 3 about 0.1 of a mile northeast of its intersection with Route 183 thence in a northerly and easterly direction through Montour and Hemlock Townships to a point on Route 609 thence in a southeasterly direction through Hemlock Township to a point on the Hemlock Township-Bloomsburg town line about 200 feet east of the Montour-Hemlock Township line in Columbia County a distance of about 0.7 of a mile

Route 19101 Beginning at a point on Route 4 about 0.5 of a mile southwest of Lime Ridge thence in a general northwesterly direction through South Center and North Center Townships to a point on Route 19034 about 0.8 of a mile east of the Scott Township line in Columbia County a distance of about 3.3 miles

Route 19102 Beginning at a point on Route 4 at the Scott Township line thence in a northwesterly and northeasterly and northerly direction through South Center and North Center Townships to a point on Route 19101 about 0.3 of a mile north of the North Center-South Center Township line in Columbia County a distance of about 2.5 miles

Route 19103 Beginning at a point on Route 4 at Willow Grove thence in a southeasterly direction through South Center and Mifflin Townships to a point on Route 19023 in Mifflinville in Columbia County a distance of about 0.6 of a mile

Route 19104 Beginning at a point on Route 19035 about 0.4 of a mile north of the North Center Township line thence in a northeasterly southerly and easterly direction through Orange and North Center Townships to a point on Route 19038 about 0.5 of a mile southeast of its intersection with Route 673 in Columbia County a distance of about 2.8 miles

Route 19105 Beginning at a point on Route 19026 about 0.5 of a mile west of Fishing Creek thence in a general northerly direction through Mt. Pleasant Township to a point on Route 19030 about 0.4 of a mile southwest of the Orange Township line in Columbia County a distance of about 2.9 miles

Route 19106 Beginning at a point on Route 609 about 0.1 of a mile northwest of its intersection with Route 19023 thence in a northerly and northwesterly direction through Hemlock and Madison Townships to a point on Route 609 at its intersection with Route 19051 in Columbia County a distance of about 4.3 miles

Route 19107 Beginning at a point on Route 239 about 1.0 mile southeast of the Madison Township line thence in a westerly northerly and westerly direction through Hemlock and Madison Townships to a point on Route 19106 about 0.6 of a mile northwest of the Hemlock Township line in Columbia County a distance of about 2.6 miles

Route 19108 Beginning at a point on Route 19068 about 0.6 of a mile southeast of Asbury thence in a north-

westerly direction through Fishing Creek Township to a point on Route 19067 about 0.5 of a mile northeast of Zaners in Columbia County a distance of about 1.6 miles

Route 19109 Beginning at a point on Route 19070 about 0.3 of a mile north of its intersection with Route 19099 thence in a westerly and southwesterly direction through Benton Township to a point on Route 16 about 0.1 of a mile northeast of its intersection with Route 249 in Columbia County a distance of about 2.0 miles.

Route 19110 Beginning at a point on Route 19061 about 0.5 of a mile southwest of Fishing Creek thence in a northerly direction through Pine Township to a point on Route 19065 about 0.6 of a mile east of its intersection with Route 41076 in Columbia County a distance of about 3.3 miles

Route 19111 Beginning at a point on Route 321 about 0.1 of a mile northwest of the Benton Township line thence in a northerly direction through Sugarloaf Township to a point on Route 16 about 0.3 of a mile south of its intersection with Route 19074 in Columbia County a distance of about 2.5 miles

Route 19112 Beginning at a point on Route 19045 at its intersection with Sixth Avenue thence west on Sixth Avenue to Arch Street thence north on Arch Street to Seventh Avenue thence east on Seventh Avenue to its intersection with Route 19045 in Briar Creek Township Columbia County a distance of about 0.7 of a mile

Route 19113 Beginning at a point on Route 19091 about 0.1 of a mile west of the South Center Township line thence in an easterly direction through Scott and South Center Townships to a point on Route 19102 about 0.1 of a mile east of Scott Township line in Columbia County a distance of about 0.2 of a mile

Route 19114 Beginning at a point on Route 19004 at its intersection with Route 19084 thence in a northeasterly direction through Cleveland and Locust Townships to a point on Route 183 about 0.4 of a mile southeast of its intersection with Route 19086 in Columbia County a distance of about 1.7 miles

Route 19115 Beginning at a point on Route 19073 about 1.5 miles southwest of the Locust Township line thence in a northerly direction through Cleveland Township to a point on Route 19002 about 0.1 of a mile southwest of its intersection with Route 19084 in Columbia County a distance of about 1.6 miles

CRAWFORD COUNTY

Route 20126 Beginning at a point on Route 20093 near the Mount Pleasant Cemetery thence in a northerly direction through Bloomfield Township to a point on Route 25085 at the Crawford-Erie County line in Crawford County a distance of about 1.3 miles

Route 20127 Beginning at a point on Route 20060 at Mosiers Corners thence in a northerly direction through Venango Township to a point on Route 20056 at Blystone Mills beginning again on Route 20056 about 0.2 of a mile north of Blystone Mills and continuing through Venango Township in a northerly direction to a point on Route 258 at Leuellens Corners in Crawford County a distance of about 3.4 miles

Route 20128 Beginning at a point on Route 258 at Leuellens Corners thence in an easterly direction through Venango and Cambridge Townships to a point on Route 20129 about 0.9 of a mile north of its intersection with Route 258 in Crawford County a distance of about 1.7 miles

Route 20129 Beginning at a point on Route 258 near Drakes Mills thence northwesterly through Cambridge Township to a point on the Crawford-Erie County line in Crawford County a distance of about 1.5 miles

Route 20130 Beginning at a point on Route 20028 about 0.8 of a mile southeast of Route 294 thence in an easterly and northeasterly direction by way of Kiters School through Wayne Township to a point on Route 20035 near Deckards in Crawford County a distance of about 2.7 miles

Route 20131 Beginning at a point on Route 43088 about 1.0 mile east of the Greenwood-Fairfield Township line thence westerly along the Mercer-Crawford County line 0.4 of a mile thence northerly through Fairfield Township to a point on Route 20011 at Randalls Corners in Crawford County a distance of about 3.2 miles

Route 20132 Beginning at a point on Route 89 about 0.8 of a mile west of Titusville thence northeasterly through Oil Creek Township to a point on Route 271 about 0.3 of a mile west of the City of Titusville in Crawford County a distance of about 0.6 of a mile

Route 20133 Beginning at a point on Route 89 about 0.2 of a mile northeast of Route 20101 near Gresham thence northerly westerly and northeasterly through Oil Creek Township to a point on the Oil Creek Township-Hydetown Borough line in Crawford County a distance of about 1.9 miles

Route 20134 Beginning at a point on Route 448 about 0.2 of a mile east of its intersection with Route 20095 thence in a general northeasterly direction through Troy Township to a point on Route 20116 about 0.3 of a mile northwest of the Troy-Oil Creek Township line in Crawford County a distance of about 2.2 miles

Route 20135 Beginning at a point on the Titusville City-Oil Creek Township line thence in a general northerly direction through Oil Creek Township to a point on Route 20105 near Thompsons Mills in Crawford County a distance of about 2.8 miles

Route 20136 Beginning at a point on Route 82 at the intersection of Pennsylvania Avenue and Henderson Avenue thence in an easterly direction through Vernon Township over Henderson Avenue to an intersection of Henderson Avenue and Clay Street in Crawford County a distance of about 0.1 of a mile

Route 20137 Beginning at a point on Route 89 about 0.4 of a mile southeast of the City of Meadville thence in a general southeasterly direction by way of Ponce-de-leon through West Mead and East Mead Townships to a point on Route 20033 at Warner Corners in Crawford County a distance of about 5.1 miles

Route 20138 Beginning at a point on the Jamestown Borough-South Shenango Township line thence northerly northwesterly and northeasterly through South Shenango Township by way of McLains Corners to a point on Route 238 at Kerrs Corners in Crawford County a distance of about 4.3 miles

Route 20139 Beginning at a point on Route 20083 near Kings Corners about 0.5 of a mile north of Route 20031 thence in a northerly and northeasterly direction through Bloomfield Township by way of Nicholson Corners to a point on Route 271 at its intersection with Route 20093 near Tillotson in Crawford County a distance of about 3.0 miles

Route 20140 Beginning at a point on Route 20077 near Green Corners about 0.8 of a mile northwest of Route 20078 thence northeasterly through Rockdale Township to a point on Route 20078 near Thomas Corners in Crawford County a distance of about 1.0 mile

Route 20141 Beginning at a point on the Meadville City West Mead Township line thence in a northeasterly and northerly direction through West Mead and Woodcock Townships to a point on the Woodcock Township-Saegertown Borough line in Crawford County a distance of about 3.9 miles

Route 20142 Beginning at a point on the Pennsylvania-Ohio State line about 2.1 miles south of the Erie-Crawford County line thence extending in an easterly direction through Beaver and Spring Townships to a point on Route 85 at Shadeland about 0.8 of a mile north of the north Spring Borough Line in Crawford County a distance of about 7.8 miles

Route 20143 Beginning at a point on the Erie County line about 0.5 of a mile east of the Bloomfield-Sparta Township line thence southeasterly through Sparta Township about 0.7 of a mile to a road intersection thence northeasterly to the Erie County line thence from the Erie County line about 0.2 of a mile east of the last named point southeasterly to a point on Route 20059 at Stranahans Corners in Crawford County a distance of about 3.1 miles

Route 20144 Beginning at a point on Route 20114 at Hickory Corners thence extending in a northeasterly direction through Randolph and Richmond Townships to a point on Route 20088 about 0.8 of a mile west of Route 20118 in Crawford County a distance of about 1.7 miles

Route 20145 Beginning at a point on the Centerville Borough-Rome Township line thence in a northeasterly and northerly direction through Rome and Sparta Townships to a point on Route 200 at Britton Run in Crawford County a distance of about 3.9 miles

Route 20146 Beginning at a point on Route 20093 about 2.25 miles east of Tillotston thence in a northerly direction in Bloomfield Township to a point on the Crawford-Erie County line in Crawford County a distance of about 1.3 miles

Route 20147 Beginning at a point on Route 20016 about one mile southeast of Porters Corners thence in a northerly direction through Greenwood Township to a point on the Greenwood Township-Geneva Borough line in Crawford County a distance of about 4.50 miles

Route 20148 Beginning at a point on Route 295 about 1.6 miles north of Harmonsburg thence in an easterly and southerly direction through Summit and Hayfield Townships via Smith School to a point on Route 85 near Denney's Corners in Crawford County a distance of about 5.4 miles

Route 20149 Beginning at a point on Route 20081 at Crab's Corners thence in a northwesterly direction through Rockdale Township to a point on Route 20077 at Brown Hill in Crawford County a distance of about 1.8 miles

Route 20150 Beginning at a point on Route 20005 about one half mile north of Campbell Corners thence northerly in North Shenango Township to a point on Route 20007 at Fenkel Corners in Crawford County a distance of about 0.6 of a mile

CUMBERLAND COUNTY

Route 21075 Beginning at a point on Route 21008 at Huntsdale thence in a general southerly direction through Penn Township to a point on Route 21004 about 1.3 miles south of its intersection with Route 21008 in Cumberland County a distance of about 1.15 miles

Route 21076 Beginning at a point on Route 123 at Shepherdstown thence in a northwesterly direction through Upper Allen Township vial Kahlertown to a point on the Mechanicsburg Borough line in Cumberland County a distance of about 2.2 miles

Route 21077 Beginning at a point on Route 21009 about 2.0 miles southeast of Mooredale thence northerly through Dickinson Township to a point on Route 35 in Cumberland County a distance of about 1.3 miles

Route 21078 Beginning at a point on Route 21015 about 1.5 miles north of Route 708 thence easterly and northerly along the Conodoguinet Creek through East Pennsboro Township to a point on Application 231 in Cumberland County a distance of about 1.6 miles

Route 21079 Beginning at a point on Route 123 about 0.5 of a mile southwest of Route 570 thence northwesterly through Lower Allen and Hampden Townships to a point on Route 34 about 0.6 of a mile east of Route 21016 in Cumberland County a distance of about 1.35 miles

Route 21080 Beginning at a point on Route 264-A about 0.5 of a mile southeast of Newburg Borough thence northeasterly through Hopewell Township to a point on Route 21045 about 0.5 of a mile east of Newburg Borough in Cumberland County a distance of about 0.7 of a mile

Route 21081 Beginning at a point on Route 21004 about 0.7 of a mile south of Route 21001 thence northeasterly through Lower Frankford Township to a point on Route 21001 about 1.0 mile east of Route 21004 in Cumberland County a distance of about 1.2 miles

Route 21082 Beginning at a point on Route 191 about 0.5 of a mile north of McCrea thence southeasterly through Lower Mifflin Township to a point on Route 21001 in Cumberland County a distance of about 1.0 mile

Route 21083 Beginning at a point on Route 34 about 0.5 of a mile southwest of the Middlesex-North Middleton Township line thence northwesterly through North Middleton Township to a point on Route 40 in Cumberland County a distance of about 0.9 of a mile

Route 21084 Beginning at a point on Route 21022 about 1.5 miles southwest of Newville thence northwesterly through North Newton Township to a point on Application 5750 about 0.2 of a mile southwest of Route 21054 in Cumberland County a distance of about 1.3 miles

Route 21085 Beginning at a point on Route 21008 at Hays Grove thence northerly through Penn Township to a point on Route 35 in Cumberland County a distance of about 0.5 of a mile

Route 21086 Beginning at a point on Route 21049 about 0.2 of a mile northwest of the Shippensburg Borough line thence northwesterly over North Prince Street Extended through Shippensburg Township in Cumberland County for a distance of about 0.2 of a mile

Route 21087 Beginning at a point on Route 21006 about 1.0 mile south of Route 21046 thence northeasterly through Southampton Township to a point on Route 21063 about 0.5 of a mile southeast of Route 21046 in Cumberland County a distance of about 1.0 mile

Route 21088 Beginning at a point on Route 21050 at Cleversburg Junction thence in an easterly direction through Southampton Township to a point on Route 21006 near Cross Roads School in Cumberland County a distance of about 1.2 miles

Route 21089 Beginning at a point on Route 35 at Walnut Bottom thence northwesterly through South Newton Township to a point on Route 21038 in Cumberland County a distance of about 0.3 of a mile

Route 21090 Beginning at a point on Route 21055 about 1.0 mile southeast of Route 21001 thence northeasterly through Upper Frankford Township to a point on Route 21001 about 0.5 of a mile southwest of Bloserville in Cumberland County a distance of about 1.1 miles

Route 21091 Beginning at a point on Route 21003 at the Newville Borough-West Pennsboro Township line thence easterly through West Pennsboro Township via West Hill to road intersection in the village of Plainfield in Cumberland County a distance of about 6.5 miles

DAUPHIN COUNTY

Route 22065 Beginning at a point on Route 22037 about 0.2 of a mile north of Route 22064 thence in a northeasterly direction through Washington Township to a point on Route 22022 about 0.1 of a mile north of Route 22035 in Dauphin County a distance of about 1.4 miles

Route 22066 Beginning at a point on Route 22035 about 0.5 of a mile south of Route 22001 thence in an easterly and southerly direction through Lykens Township to a point on Route 22067 about 0.6 of a mile northeast of Route 22035 in Dauphin County a distance of about 0.65 of a mile

Route 22067 Beginning at a point on Route 22035 about 0.5 of a mile north of Route 339 thence in a general easterly direction through Lykens Township intersecting Route 22036 and Route 22063 to a point on Route 22034 about 0.5 of a mile northeast of the Gratz Borough line in Dauphin County a distance of about 4.35 miles

Route 22068 Beginning at a point on Route 1 at its intersection with Route 22042 thence in a southerly direction through Upper Paxton Township in Dauphin County for a distance of about 0.3 of a mile

Route 22069 Beginning at a point on Route 140 Spur about 0.8 of a mile south of Linglestown thence in an easterly direction through Lower Paxton and West Hanover Townships to a point on Route 140 about 0.3 of a mile west of Route 22015 in Dauphin County a distance of about 2.2 miles

Route 22070 Beginning at a point on Route 22069 about 0.4 of a mile northwest of Route 140 thence in a northerly direction through West Hanover and Lower Paxton Townships to a point on Route 140 Spur about 0.1 of a mile west of the West Hanover-Lower Paxton Township line in Dauphin County a distance of about 1.5 miles

Route 22071 Beginning at a point on Route 22021 about 0.75 of a mile south of Route 140 thence in an easterly direction through Lower Paxton Township to a point on Route 22018 about 0.4 of a mile north of its intersection with Route 22008 in Dauphin County a distance of about 2.25 miles

Route 22072 Beginning at a point on Route 624 about 1.5 miles east of Route 22015 thence in a general northwesterly direction through Londonderry Township to a point at the intersection of Route 22016 and 22017 in Dauphin County a distance of about 3.8 miles

Route 22073 Beginning at a point on Route 22029 about 0.75 of a mile southeast of the village of Fisherville thence in a general easterly direction through Jackson Township via Millers School to a point on Route 22030 in Dauphin County a distance of about 4.4 miles

Route 22074 Beginning at a point on Route 22028 near the Jackson-Wayne Township line thence in a northeasterly direction through Wayne and Jackson Townships via Small Valley School and Schoops School to a point on Route 22030 in Dauphin County a distance of about 3.0 miles

Route 22075 Beginning at a point on Route 139 Spur thence in a northerly direction over Twenty-ninth Street through Swatara Township to the Harrisburg City-Paxtang Borough-Swatara Township line in Dauphin County a distance of about 0.19 of a mile

DELAWARE COUNTY

Route 23114 Beginning at a point on Route 729 where it intersects Amosland Road thence over Amosland Road through Ridley Township to the line dividing the Boroughs of Prospect Park and Norwood in Delaware County a distance of about 0.15 of a mile

Route 23115 Beginning at a point on Route 131 Spur A about 0.2 of a mile north of its intersection with Route 23001 thence easterly through Concord and Aston Townships intersecting Route 23016 at Logtown to a point on Route 131 near the Chester Creek in Delaware County a distance of about 3.0 miles

Route 23116 Beginning at a point on Route 23026 near the west branch of Chester Creek thence northeasterly through Aston Township to a point on State-aid Application 6254 in Delaware County a distance of about 0.8 of a mile

Route 23117 Beginning at a point on Route 577 where it intersects Ithan Avenue thence easterly on Ithan Avenue in Radnor Township to a point on Route 142 in Delaware County a distance of about 0.9 of a mile

Route 23118 Begining at a point on Route 23040 where it intersects Godfrey Road thence over Godfrey Road in Radnor Township to a point on Route 225 in Delaware County a distance of about 0.9 of a mile

Route 23119 Beginning at a point on Route 135 Spur near the Delaware State line thence northeasterly through Concord Township on Pyle Road to a point on Route 135 thence from Route 135 northeasterly and southeasterly through Concord Bethel and Upper Chichester Townships over Garnet Mine Road to a point on Route 23011 in Delaware County a distance of about 5.3 miles

Route 23120 Beginning at a point on Route 135 near Hance thence northeasterly through Upper Chichester Township to a point on Route 23010 in Delaware County a distance of about 0.65 of a mile

Route 23121 Beginning at a point on Route 131 near Chadds Ford thence northeasterly through Birmingham Township on Chadds Ford Road to a point on Route 135 in Delaware County a distance of about 1.9 miles

Route 23122 Beginning at a point on Route 23088 near its intersection with Route 23045 thence northeasterly through Newtown and Marple Townships to a point on Route 23033 in Delaware County a distance of about 1.4 miles

ELK COUNTY

Route 24023 Beginning at a point on Route 24009 at Kylers Corners thence southeasterly through Fox Township Elk County for a distance of 1.5 miles

Route 24024 Beginning at a point on Route 24009 about 1.0 mile northeast of Kylers Corners thence northeasterly through Fox Township via Toby Mines to a point on Route 24009 near Dagus Mines in Elk County a distance of about 2.4 miles

Route 24025 Beginning at a point on Route 59 at Brandy Camp thence northeasterly through Horton and Fox Townships to a point on State-aid Application 3655 about 1.5 miles west of Kersey in Elk County a distance of about 4.9 miles

Route 24026 Beginning at a point on the north line of St. Marys Borough at St. Marys Street thence northerly through Benzinger Township to a point on Route 24013 in Elk County a distance of about 2.3 miles

Route 24027 Beginning at a point on the north line of St. Marys Borough at Theresia Street thence northeasterly easterly and southwesterly in Benzinger Township to a second point on the north line of St. Marys Borough in Elk County a distance of about 1.1 miles

Route 24028 Beginning at the northern terminus of State-aid Application 4327 near the village of Rolfe thence northerly through Ridgway and Jones Townships to a point on Route 24007 in Elk County a distance of about 2.6 miles.

ERIE COUNTY

Route 25102 Beginning at a point on Route 25009 near Pont thence northeasterly and easterly in Elk Creek Township on the Sherrod Hill Road to a point on Route 272 in Erie County a distance of about 4.3 miles

Route 25103 Beginning at a point on Route 25011 near Fay School thence northerly in Franklin Township to a point on Route 25013 near Silverthorn School in Erie County a distance of about 2.1 miles.

Route 25104 Beginning at a point on the Crawford-Erie County line thence northeasterly in Washington Township to the intersection of Routes 25031 and 25032 thence northeasterly through Washington LeBoeuf and Waterford Townships to a point on Route 25013 at Taylor Farm in Erie County a distance of about 6.3 miles

Route 25105 Beginning at a point on Route 709 near its intersection with Route 84 thence in a general northeasterly direction in LeBoeuf Township to a point on Route 25039 near Oak Grove School in Erie County a distance of about 2.4 miles

Route 25106 Beginning at a point on Route 271 near Thompsons School thence northerly in Union Township to a point on Route 987 near the Union City Borough line in Erie County a distance of about 1.5 miles

Route 25107 Beginning at a point on Route 25041 near Bentley School thence southerly in Union Township to a point on the Crawford County line in Erie County a distance of about 1.4 miles

Route 25108 Beginning at a point on Route 25087 near the Ox Bow School thence southerly in Concord Township to the Crawford County line in Erie County a distance of about 0.9 of a mile

Route 25109 Beginning at a point on the Erie-Crawford County line about 0.5 of a mile west of Route 25041 thence westerly in Concord Township to a second point on the above boundary line in Erie County a distance of about 0.15 of a mile

Route 25110 Beginning at a point on Route 25052 about 1.0 mile east of Beaver Dam thence northerly in Wayne Township to a point on Route 25053 in Erie County a distance of about 2.8 miles

Route 25111 Beginning at a point on Route 88 at Hammett thence northerly through Greene and Harbor Creek Townships to a point on Route 25067 in Erie County a distance of about 3.9 miles

Route 25112 Beginning at a point on Route 25067 about 1.0 mile southwest of Wesleyville thence in a general northeasterly direction in Harbor Creek Township to a point on Route 87 in Erie County a distance of about 1.6 miles

Route 25113 Beginning at a point on Route 25068 about 0.5 of a mile southeast of Harbor Creek Township line thence easterly through Greene and Greenfield Townships over the Widman Road to a point on Route 25100 in Erie County a distance of about 2.2 miles

Route 25114 Beginning at a point on Route 25069 about 0.8 of a mile east of Sheridans Corners thence northerly in Northeast Township to a point on Route 87 in Erie County a distance of about 2.0 miles

Route 25115 Beginning at a point on Route 272 Spur about 0.2 of a mile northeast of Love Corners thence southerly and easterly through Mill Creek Township to a point on Route 258 about 0.4 of a mile northeast of Kearsarge in Erie County a distance of about 3.8 miles

Route 25116 Beginning at a point on Application 6520 about 0.5 of a mile north of North East Borough thence northeasterly and northerly through North East Township to a point on Route 25075 at Ingleside in Erie County a distance of about 4.1 miles

FAYETTE COUNTY

Route 26133 Beginning at a point on Route 26042 about 0.2 of a mile southwest of Elliottsville thence in a northwesterly northerly and northeasterly direction by way of Mill Run School and the Kirby Place through Wharton Georges and South Union Townships to a point on Route 50 at the South Union-Wharton Township line near the Summit Hotel in Fayette County a distance of about 8.7 miles

Route 26134 Beginning at a road intersection about 0.6 of a mile southeast of Haydentown thence extending in a general northwesterly direction through Georges Township to the intersection of Routes 116 and 26010 in Fayette County a distance of about 3.9 miles

Route 26135 Beginning at a point on the West Virginia State line near the Maryland State line thence northeasterly through Henry Clay Township to a point on the Markleysburg Borough line in Fayette County a distance of about 1.2 miles

Route 26136 Beginning at a point on Route 247 at Fairhope thence southeasterly in Washington Township to a road intersection at Arnold City in Fayette County a distance of about 1.2 miles

Route 26137 Beginning at a point on Route 26012 about 0.1 of a mile southeast of the Jefferson-Perry Township line thence in a northeasterly direction through Perry Township to a point on Route 288 at Perryopolis in Fayette County a distance of about 2.4 miles

Route 26138 Beginning at a point on Route 26060 about 0.3 of a mile east of its intersection with Route 578 thence in a northeasterly direction through Saltlick Township to a point on Route 64074 about 1.0 mile southeast of its intersection with Route 578 in Fayette County a distance of about 4.3 miles

Route 26139 Beginning at a point on Route 26015 about 0.4 of a mile southeast of Quay School thence in a northeasterly and easterly direction through Lower Tyrone Township by way of the village of Florence to a point on Route 26086 about 0.6 of a mile southwest of the village of Chinatown beginning again at a point on Route 26086 about 1.1 miles northeast of the Village of Stickel thence in a southeasterly and northeasterly direction through Lower Tyrone Township to a point on Application 3656 about 0.5 of a mile southwest of its intersection with Route 26104 in Fayette County a distance of about 4.2 miles

Route 26140 Beginning at a point on Route 26121 about 0.5 of a mile southeast of its intersection with Route 26028 thence in a southeasterly direction through Franklin Township to a point on Route 26122 about 0.3 of a mile west of the Dunbar-Franklin Township line in Fayette County a distance of about 0.7 of a mile

Route 26141 Beginning at a point on Route 247 about 0.7 of a mile northeast of its intersection with Route 26028 thence in a northeasterly direction through Franklin Township to a point on Route 26123 in Fayette County a distance of about 0.3 of a mile

Route 26142 Beginning at a point on a county road about 1.0 mile southwest of its intersection with Route 26023 thence in a southeasterly direction through Dunbar Township to a point on Route 117 about 0.2 of a mile south of its intersection with Route 26119 in Fayette County a distance of about 1.7 miles.

Route 26143 Beginning at a point on Route 26044 about 0.1 of a mile southwest of the Connellsville-Bullskin Township line thence northwesterly through Connellsville and Bullskin Townships to a point on Route 117 about 0.2 of a mile southwest of its intersection with Route 26126 in Fayette County a distance of about 1.2 miles

Route 26144 Beginning at a point on Route 26051 near the Saltlick-Bullskin Township line thence in a northwesterly direction through Bullskin Township to a point on Route 26051 about 0.4 of a mile west of the Bear Rock School beginning again on Route 26051 about 1.0 mile northwest of the Bear Rock School thence in a northerly direction through Bullskin Township to a point on Route 186 at Southerwood in Fayette County a distance of about 2.7 miles

Route 26145 Beginning at a point on Route 26119 about 0.4 of a mile west of its intersection with Route 26047 thence in a northeasterly direction through Dunbar Township to a point on Route 26047 at the Pechin Store in Fayette County a distance of about 0.7 of a mile

Route 26146 Beginning at a point on Route 26047 at its intersection with Route 26119 thence in a southeasterly direction through Dunbar Township in Fayette County for a distance of about 0.2 of a mile

Route 26147 Beginning at a point on Route 26055 about 0.1 of a mile north of its intersection with Route 26046 thence in a northeasterly direction through Saltlick Township to a point on Route 64074 about 1.0 mile northwest of its intersection with Route 26046 in Fayette County a distance of about 1.0 mile

Route 26148 Beginning at a point on the Uniontown City-North Union Township line at Kerr Street thence westerly through North Union Township to the Baltimore and Ohio Railroad in Fayette County a distance of about 0.06 of a mile.

Route 26149 Beginning at a point on Route 117 about 0.1 of a mile north of the Connellsville Township line thence in an easterly direction through Bullskin Township to a point on Route 26143 in Fayette County a distance of about 0.5 of a mile

FOREST COUNTY

Route 27020 Beginning at a point on Route 600 at Clarington thence in a general easterly direction through Barnett Township along the Clarion River to the Elk County line in Forest County a distance of about 2.8 miles

Route 27021 Beginning at a point on Route 27013 near Brookston thence southwesterly through Howe Township to a road intersection in Forest County a distance of about 4.1 miles

Route 27022 Beginning at a point on Route 598 about 0.1 of a mile south of Route 27006 thence in a southeasterly direction through Harmony Township to the village of Trunkeyville in Forest County a distance of about 1.6 miles

Route 27023 Beginning at a point on Route 93 near the Tionesta Borough line thence easterly through Tionesta Township Forest County a distance of one mile

FRANKLIN COUNTY

Route 28061 Beginning at a point in Washington Township on the Pennsylvania-Maryland State line about one-eighth mile southeast of the Village of Blue Ridge Summit thence northwesterly through Washington Township to a point intersecting Route 28027 in the Village of Blue Ridge Summit in Franklin County a distance of about 0.14 of a mile.

Route 28062 Beginning at a point on Route 224 about 0.1 of a mile west of its intersection with Route 28029 in the Village of Zullinger thence northwesterly through Washington and Antrim Townships to the Village of Waynecastle thence southerly along the east side of the Western Maryland Railroad to an intersection with Route 224 adjacent to the concrete underpass under the Western Maryland Railroad in Franklin County a distance of about 1.2 miles

Route 28063 Beginning at a point on Route 28037 about 0.3 of a mile south of Mercersburg Borough thence in a westerly direction through Montgomery Township to a road intersection near Mt. Pleasant School in Franklin County a distance of about 1.7 miles

Route 28064 Beginning at a point on Route 28036 at Clay Lick thence in a southeasterly and northeasterly direction through Montgomery Township to a point on Route 2802 at Welch Run in Franklin County a distance of about 2.8 miles

Route 28065 Beginning at a point on Route 28037 at

Church Hill thence in an easterly and northeasterly direction through Peters and St. Thomas Townships to a point on Route 400 at Williamson in Franklin County a distance of about 3.95 miles

Route 28066 Beginning at a point on Route 28004 about 1.5 miles southeast of Route 28033 thence northerly through Antrim Township to a point on Route 28033 about 1.0 mile northeast of Route 28004 in Franklin County a distance of about 1.8 miles

Route 28067 Beginning at a point on Route 36 at State Line thence northeasterly and easterly through Antrim Township to a point on Route 28003 about 0.6 of a mile south of Route 28004 in Franklin County a distance of about 2.8 miles

Route 28068 Beginning at an intersection with Route 44 near the intersection of Routes 44 and 28024 thence southeasterly and northeasterly via the Village of Routzerville through Washington Township to a point on Route 44 in the Village of Monterey in Franklin County a distance of 3.1 miles

Route 28069 Beginning at a point on Application 585 about 0.1 of a mile south of its intersection with Route 28029 thence in a northeasterly direction through Quincy Township via Slabtown to a point on the Mont Alto Borough Line in Franklin County a distance of about 2.1 miles

Route 28070 Beginning at a point on Route 28005 about 1.0 mile northwest of Route 37 thence northwesterly through St. Thomas Township to a point on Route 28006 in Franklin County a distance of about 0.8 of a mile

Route 28071 Beginning at a point on Route 37 about 0.1 of a mile east of Chambersburg Borough thence in a northwesterly direction through Hamilton Township to a point on Route 28006 about 0.8 of a mile west of Route 28007 in Franklin County a distance of about 2.85 miles

Route 28072 Beginning at a point on Application 228 about 1.2 miles northeast of Chembersburg Borough thence in a northerly direction through Green Township to a point on Route 35 near Clarks School in Franklin County a distance of about 1.6 miles

Route 28073 Beginning at a point on Route 28008 about 0.3 of a mile northeast of the Hamilton-Letterkenny Township Line thence in a northeasterly direction through Letterkenny and Green Townships to a point on Route 340 near its intersection with Route 28017 in Franklin County a distance of about 1.6 miles

Route 28074 Beginning at a point on Application 263 east of Orrstown Borough thence in a northerly direction through Southampton and Lurgan Townships to a point on Route 28009 near Mongul in Franklin County a distance of about 1.65 miles

Route 28075 Beginning at a point on Route 264-B about 1.0 mile southeast of Route 340 thence northeasterly through Lurgan Township to a point on Route 28009 near Donavin School in Franklin County a distance of about 1.2 miles

Route 28076 Beginning at a point on Route 36 about 0.1 of a mile south of Route 28033 thence in a southeasterly direction through Guilford Township to a point on Route 28020 about 1.0 mile northeast of Application 230 in Franklin County a distance of about 1.1 miles

FULTON COUNTY

Route 29042 Beginning at a point on Route 29009 about 0.1 of a mile northwest of its intersection with Route 29003 thence in a general northerly direction through Thompson and Belfast Townships to a point on Route 38 about 0.4 of a mile northeast of its intersection with Route 29004 in Fulton County a distance of about 7.5 miles

Route 29043 Beginning at a point on Route 29015 at its intersection with Route 29016 thence in a northwesterly and northeasterly direction through Belfast and Licking Creek Townships to a point on Route 39 about 0.1 of a mile northwest of its intersection with Route 29022 in Fulton County a distance of about 8.0 miles

GREENE COUNTY

Route 30100 Beginning at a point on Route 30033 about 0.5 of a mile west of Route [illegible] northwesterly through Washington Township to a point on Route 30024 about 2.0 miles west of Route 30019 in Greene County a distance of about 1.6 miles

Route 30101 Beginning at a point on Route 451 about 0.5 of a mile north of Paisley thence northeasterly and northerly through Cumberland Township to a point on Route 30064 about 1.6 miles east of Route 451 in Greene County a distance of about 1.5 miles

Route 30102 Beginning at a point on Route 30044 about 0.1 of a mile northwest of Muddy Creek thence northerly through Jefferson and Cumberland Townships to a point on Route 112 about 1.6 miles east of Route 30059 in Greene County a distance of about 1.4 miles

Route 30103 Beginning at a point on Route 30055 about 1.0 mile north of Ten Mile Creek thence northeasterly and northerly through Morgan Township to a point on Route 30050 near the Morgan-Jefferson Township line in Greene County a distance of about 1.4 miles

Route 30104 Beginning at a point on Route 110 about 0.3 of a mile west of Route 268 thence southwesterly through Franklin Township to a point on Route 30017 about 0.4 of a mile southeast of Route 110 in Greene County a distance of about 0.4 of a mile

Route 30105 Beginning at a point on Route 30090 near the Center-Franklin Township line thence southeasterly and northeasterly through Franklin Township to a point on Route 109 about 0.1 of a mile west of Waynesburg Borough in Greene County a distance of about 2.6 miles

Route 30106 Beginning at a point on Route 110 about 0.2 of a mile southeast of Mount Morris Borough thence easterly and northerly through Perry Township to a point on Route 30107 about 0.2 of a mile southeast of Route 30099 In Greene County a distance of about 0.41 of a mile

Route 30107 Beginning at a point on Route 30099 about 0.1 of a mile northeast of Mount Morris Borough thence easterly through Perry and Dunkard Townships to a point on Route 30074 about 0.3 of a mile west of Route 30022 in Greene County a distance of about 3.0 miles

Route 30108 Beginning at a point on Route 30040 near Time thence northeasterly through Morris Township to a point on Route 109 about 0.7 of a mile southeast of Route 30070 in Greene County a distance of about 2.5 miles.

Route 30109 Beginning at a point on Route 110 about 1.5 miles southeast of Route 30091 thence southeasterly and northeasterly through Whiteley Township to a point on Route 30026 about 2.0 miles northwest of Route 30014 in Greene County a distance of about 1.8 miles

Route 30110 Beginning at a point on Route 30001 about 0.3 of a mile northwest of Windy Gap thence northwesterly and northeasterly through Aleppo Township to a point on Route 30060 about 0.2 of a mile west of Aleppo in Greene County a distance of about 1.6 miles

Route 30111 Beginning at a point on Route 30008 Spur E about 1.0 mile west of New Freeport thence northeasterly through Freeport Springhill and Aleppo Townships to a point on Route 30004 about 0.1 of a mile southeast of Route 30065 in Greene County a distance of about 3.5 miles

Route 30112 Beginning at a point on Route 111 about 0.05 of a mile southeast of Route 30008 Spur E thence southwesterly and northwesterly through Freeport Township to a point on Route 30008 Spur E about 0.05 of a mile west of Route 111 in Greene County a distance of about 0.1 of a mile

Route 30113 Beginning at a point on Route 30004 about 0.6 of a mile northwest of Nettle Hill thence northeasterly through Jackson Township to a point on Route 30003 about 1.0 mile north of Route 111 in Greene County a distance of 1.7 miles

Route 30114 Beginning at a point on Route 256 about 0.1 of a mile southwest of Route 30007 thence northwesterly through Gray Township to a point on Route 30007 about 0.1 of a mile west of Route 256 in Greene County a distance of about 0.1 of a mile

Route 30115 Beginning at a point on Route 30010 about 1.2 miles southeast of Pine Bank thence northerly and

southeasterly through Gilmore and Wayne Townships to a point on Route 30116 near Kuhntown in Greene County a distance of about 3.4 miles

Route 30116 Beginning at a point on Route 30009 at Kuhntown thence northwesterly through Wayne Township to a point on Route 30112 at Bluff in Greene County a distance of about 2.8 miles

Route 30117 Beginning at a point on Route 30003 near the Richhill-Center Township line thence northeasterly and southeasterly through Center Township to another point on Route 30003 near Rutan in Greene County a distance of about 2.1 miles

Route 30118 Beginning at a point on Route 30001 at Durbin thence northwesterly and northeasterly through Richhill Township to another point on Route 30001 about 0.2 of a mile south of Route 30034 in Greene County a distance of about 2.2 miles

Route 30119 Beginning at a point on Route 30054 about 1.0 mile southeast of Route 256 thence northerly through Richhill Township to a point on Route 30053 about 0.5 of a mile south of Route 256 in Greene County a distance of about 0.4 of a mile

HUNTINGDON COUNTY

Route 31091 Beginning at a point on Route 56 about 1.0 mile southwest of the Centre County line thence in a northwesterly direction through Franklin Township to a point on the Centre County line in Huntingdon County a distance of about 1.0 mile

Route 31092 Beginning at a point on Route 31087 about 0.2 of a mile northwest of its intersection with Route 352 thence in a northwesterly direction through Logan Township to a point on Route 31088 in Huntingdon County a distance of about 0.4 of a mile

Route 31093 Beginning at a point on Route 33 about 1.0 mile southeast of Ardenheim thence northeasterly and northwesterly through Henderson Township to a point on Route 31042 about 0.7 of a mile southwest of Union Church in Huntingdon County a distance of about 5.7 miles

Route 31094 Beginning at a point on Route 738 about 0.7 of a mile east of Todd thence in a general southerly direction through Tod Township to a point on Route 31013 about 0.25 of a mile northwest of its intersection with Route 31081 in Huntingdon County a distance of about 4.3 miles

Route 31095 Beginning at a point on Route 31022 about 1.5 miles north of Route 192 thence in a northwesterly direction through Cass Township to a point on Route 192 at its intersection with Route 31027 in Huntingdon County a distance of about 1.3 miles

Route 31096 Beginning at a point on the Bedford County Line thence northerly through Carbon Township to a point on the Southern line of Coalmont Borough in Huntingdon County a distance of about 0.4 of a mile

Route 31097 Beginning at a point on Route 31049 about 2.2 miles northeast of Valley Point thence in a general northwesterly direction through Shirley Township to a point on Route 31030 about 0.2 of a mile south of Route 31035 in Huntingdon County a distance of about 4.4 miles

Route 31098 Beginning at a point on Route 55 about 1 mile southeast of Alexandria thence easterly and northerly through Porter Township to a point on Route 352 near the Juniata River in Huntingdon County a distance of about 3.1 miles

Route 31099 Beginning at a point on Route 31011 near Wood thence easterly through Wood Township to a point on Application 4279 in Huntingdon County a distance of about 1.1 miles

Route 31100 Beginning at a point on Route 121 about 1 mile southeast of Mt. Union Borough thence easterly and southeasterly through Shirley Township to a point on Route 31035 Spur E in Huntingdon County a distance of about 0.31 of a mile

INDIANA CONTY

Route 32145 Beginning at the terminus of Application 527-B at the B & O R R crossing about 0.8 mile north of White Township-Indiana Borough Line thence in a northerly direction through White and Rayne Townships to intersection with Route 63 Spur in Indiana County a distance of about 3.5 miles

Route 32146 Beginning at a point on Route 32100 about 0.8 mile east of its intersection with Route 32105 thence in a general southeasterly direction through Canoe Banks and Montgomery Townships to an intersection with Route 32086 in the Village of Gypsy in Indiana County a distance of about 4.4 miles

Route 32147 Beginning at a point on Route 32032 near Nesbit Run Junction thence in a northerly direction through Young Township via Reed Junction to an intersection with Route 188 and Route 32047 in the Village of West Lebanon in Indiana County a distance of about 4.0 miles

Route 32148 Beginning at a point on Route 32054 about 0.9 mile northeast of its intersection with Route 32058 thence in a southeasterly direction through Cherryhill Township via Grace Church to Application 4597 in the Village of Penn Run in Indiana County a distance of about 3.4 miles

Route 32149 Beginning at a point on Route 262 about 1.1 miles east of Purchase Line thence in an easterly northeasterly and southeasterly direction through Green and Montgomery Townships to a point on Route 631 about 0.5 of a mile west of Uniontown in Indiana County a distance of about 5.0 miles

Route 32150 Beginning at a point on Route 32101 about 0.2 of a mile southeast of Smicksburg Boro thence in a northerly easterly and northeasterly direction through West Mahoning Township to a point on Route 32111 about 0.2 of a mile south of its intersection with Route 32143 in Indiana County a distance of about 4.8 miles

Route 32151 Beginning at the intersection of Route 189 and Route 540 in the Village of Trade City thence north through North Mahoning Township to the Jefferson-Indiana County line in Indiana County a distance of 2.5 miles

Route 32152 Beginning at a point on Route 32081 near Georgeville thence in a general southeasterly direction through East Mahoning Township via Gilgal Church to Route 32096 near its intersection Route 63 in Indiana County a distance of about 3.4 miles.

Route 32153 Beginning at a point on Route 337 about 0.8 of a mile south east of Mechanicsburg thence in an easterly and southeasterly direction through Brushvalley and Buffington Townships via McFarland School to a point on Route 32020 about 1.4 of a mile south of Croft in Indiana County a distance of about 4.7 miles.

Route 32154 Beginning at a point on Route 54 about 0.2 of a mile southwest of its intersection with Route 32045 thence in a northwesterly and northeasterly direction through Pine Township to a point on Route 54 about 0.2 of a mile south of the Village of Pineton in Indiana County a distance of about 3.0 miles.

Route 32155 Beginning at the intersection of Route 901 and 32011 about 1.1 miles south of Germany School thence easterly through West Wheatfield Township via Gambol School to a point on Route 32012 about 1.9 miles north of Centerville in Indiana County a distance of about 2.3 miles.

Route 32156 Beginning at a point on Route 228 in the villege of Aultman thence in a westerly direction through Center Township to a road intersection in Indiana County a distance of about 0.9 of a mile.

Route 32157 Beginning at a point on Route 32072 about 0.3 of a mile east of the intersection with Route 32069 thence in a northerly direction through Washington and South Mahoning Townships to the South Mahoning Township-Plumville Borough Line in Indiana County a distance of about 4.8 miles.

Route 32158 Beginning at a point on Route 32004 in the village of Lewisville thence in a northeasterly and easterly direction through Conemaugh Young and Blacklick Townships to a point on Route 902 about 1.6 miles north of its intersection with Route 434 in Indiana County a distance of about 3.6 miles.

Route 32159 Beginning at a point on Route 32033 about 0.6 of a mile North of Jacksonville Borough-Young Township Line thence in a northerly direction through Young and Armstrong Townships via Uncapher School to a point on Route 188 near Laney School in Indiana County a distance of about 3.7 miles.

Route 32160 Beginning at a point on Route 32089 about 1.0 mile southwest of its intersection with Route 32093 thence in a general northwesterly direction through East Mahoning Township to a point on Route 32090 about 0.1 of a mile south of its intersection with Route 63 in Indiana County a distance of about 2.8 miles.

JEFFERSON COUNTY

Route 33068 Beginning at a point on Route 33015 about 0.8 of a mile south of its intersection with Route 357 thence in a southeasterly direction through Perry Township to a point on Route 33024 about 0.4 of a mile north of its intersection with Route 33056 in Jefferson County a distance of about 2.5 miles.

Route 33069 Beginning at a point on Route 33024 about 1.3 mile southwest of the Young Township-Punxsutawney Borough Line thence in a southeasterly and easterly direction through Young Township to a point on Route 63 about 0.1 of a mile south of its intersection with Route 521 in Jefferson County a distance of about 2.2 miles.

Route 33070 Beginning at a point on Route 436 near its intersection with Route 33036 thence in a northwesterly direction through Bell Township to a point on Route 189 about 0.7 of a mile east of the Bell Township-Young Township line in Jefferson County a distance of about 1.9 miles.

Route 33071 Beginning at a point on Route 33003 about 0.2 of a mile south of its intersection with Route 33010 thence in a northeasterly direction through Ringgold Township to the Ringgold Township-Worthville Borough line in Jefferson County a distance of about 2.1 miles.

Route 33072 Beginning at a point on Route 63 about 0.3 of a mile north of Route 33018 thence in a northeasterly and northwesterly direction through Oliver and Knox Townships to a point on Route 33020 about 0.3 of a mile west of Ramsaytown in Jefferson County a distance of about 3.4 miles.

Route 33073 Beginning at a point on Route 33036 in the village of Desire thence in a northwesterly direction through Henderson and McCalmont Townships to a road intersection near Eleanor Mines in Jefferson County a distance of about 1.4 miles.

Route 32074 Beginning at a point on Route 33036 about 0.6 of a mile northeast of its intersection with Route 33061 thence in a southeasterly northeasterly and easterly direction through McCalmont and Henderson Townships to a point on Route 33051 about 0.2 of a mile north of Zufall School in Jefferson County a distance of abut 1.7 miles.

Route 33075 Beginning at a point on Route 33051 about 0.5 of a mile north of its intersection with Route 33040 thence in an easterly and southeasterly direction through Winslow Township to the Winslow Township-Sykesville Borough line in Jefferson County a distance of about 1.6 of a mile.

Route 33076 Beginning at a point on Route 358 near Jenks School thence in a westerly direction through Winslow and Knox Townships to a road intersection about 0.20 of a mile west of the Knox-Winslow Township line in Jefferson County a distance of about 2.6 miles.

Route 33077 Beginning at a point on Route 33042 about 0.1 of a mile north of Horntown thence in a northeasterly and southeasterly direction through Washington and Winslow Townships via Horntown School to a point on Route 33029 near Sandy Valley School in Jefferson County a distance of about 3.2 miles.

Route 33078 Beginning at a point on Route 33062 about 0.9 of a mile east of its intersection with Route 33003 at Thomas School thence in an easterly direction through Beaver Township to a point on Route 33010 about 0.5 of a mile south of the Beaver Township-Rose Township Line in Jefferson County a distance of about 0.9 of a mile.

Route 33079 Beginning at a point on Route 33010 about 1.2 miles north of the Village of Baxter thence in a northwesterly direction through Clover and Union Townships to a point on Route 64 about 0.1 of a mile west of Hazel Dell School in Jefferson County a distance of about 2.4 miles.

Route 33080 Beginning at a point on Route 237 about 0.2 of a mile north of Coder thence in a northerly direction through Rose Township to a point on Route 64 about 0.5 of a mile east of the Union Township-Rose line in Jefferson County a distance of about 1.9 miles.

Route 33081 Beginning at a point on Route 33064 about 0.3 of a mile east of Rockdale School thence in an easterly direction through Washington Township to a point on Route 33038 about 1.0 mile south of its intersection with Route 33064 in Jefferson County a distance of about 0.6 of a mile.

Route 33082 Beginning at a point on Route 248 in the Village of Howe thence in an easterly direction through Eldred Township to a road intersection in Jefferson County a distance of about 1.4 miles.

Route 33083 Beginning at a point on Route 33008 about 0.2 of a mile south of St. Dominic's Catholic Church thence in a northwesterly direction through Eldred Township to a point on Route 33009 near Stone School in Jefferson County a distance of about 1.6 miles.

Route 33084 Beginning at a point on Route 33046 in the Village of Beechton thence in a northwesterly direction through Snyder Township to a point on Route 61 near Sugar Hill School in Jefferson County a distance of about 1.1 miles.

JUNIATA COUNTY

Route 34054 Beginning at a point on Route 193 about 1 mile east of Peru Mills thence northerly and easterly through Lack Township to another point on Route 193 about 0.4 of a mile west of the Lack-Tuscarora Township line in Juniata County a distance of about 3.1 miles.

Route 34055 Beginning at a point on Route 34045 about 0.5 of a mile west of the Tuscarora-Spruce Hill Township line thence southerly and northeasterly through Tuscarora and Spruce Hill Townships to a point on Route 34005 about 0.7 of a mile northwest of Route 45 in Juniata County a distance of about 2.6 miles.

Route 34056 Beginning at a point on Route 193 about 0.3 of a mile west of Route 34024 thence northerly and northeasterly through Milford Township to a point on Route 34004 about 1 mile west of Mifflin in Juniata County a distance of about 1.3 miles.

Route 34057 Beginning at a point on Route 34046 about 1 mile west of Route 34029 thence northerly through Turbett Township to a point on Route 34006 in Juniata County a distance of about 0.6 of a mile.

Route 34058 Beginning at a point on Route 637 about 0.2 of a mile west of Route 34030 thence northerly through Fermanagh Township to a point on Route 194 in Juniata County a distance of about 0.5 of a mile.

Route 34059 Beginning at a point on Route 34010 about 0.2 of a mile north of the Monroe-Greenwood Township line thence easterly and northeasterly through Monroe Township to a point on Route 34009 at Knousetown in Juniata County a distance of about 2.15 miles.

Route 34060 Beginning at a point on Route 34012 about 0.3 of a mile south of Oriental thence easterly through Susquehanna Township to a point on Route 195 about 0.1 of a mile north of Route 229 in Juniata County a distance of about 3.1 miles.

Route 34061 Beginning at a point on Route 34012 about 0.5 of a mile south of Route 34060 thence southeasterly and southerly through Susquehanna Township to a point on the Juniata-Perry County line in Juniata County a distance of about 1.4 miles.

LACKAWANNA COUNTY

Route 35057 Beginning at the terminus of Route 63001 on the Lackawanna-Wayne County line thence in a northerly direction through Clifton and Covington Townships to a road intersection in the Village of Lehigh in Lackawanna County a distance of about 1.5 miles.

Route 35058 Beginning at a point on Route 33056 about 0.2 of a mile east of the West Abington Township line

thence in a southeasterly direction through LaPlume Township to a point on the Dalton Borough line in Lackawanna County a distance of about 0.5 of a mile.

Route 35059 Beginning at a point on Route 363 Spur about 0.3 of a mile north of Clarks Green Borough thence in a general northerly direction through Abington and North Abington Townships to a point on Route 35032 about 0.75 of a mile northeast of its intersection with Route 365 Spur in Lackawanna County a distance of about 2.4 miles

Route 35060 Beginning at a point on Route 35026 about 0.4 of a mile southeast of Crystal Lake thence in a southeasterly and southerly direction through Fell Township to a point on Fell Township-Carbondale City line in Lackawanna County a distance of about 3.95 miles.

LANCASTER COUNTY

Route 36133 Beginning at a point on Route 36103 at Mt. Pleasant School thence in a northwesterly direction through Bart Eden Paradise and Strasburg Townships to a point on Application 5821 about 0.1 of a mile west of the Paradise-Strasburg Township line in Lancaster County a distance of about 3.5 miles.

Route 36134 Beginning at a point on Route 36081 about 0.1 mile southeast of Nine Points thence in an easterly direction through Bart and Sadesbury Townships to a point on Route 36098 near the Chester County line in Lancaster County a distance of about 2.0 miles.

Route 36135 Beginning at a point on Route 36011 about 0.1 of a mile northwest of the Eden-Strasburg Township line thence in an easterly and northeasterly direction through Strasburg and Eden Townships to a point on Route 36133 at its intersection with Route 36105 in Lancaster County a distance of about 1.3 miles.

Route 36136 Beginning at a point on Route 36005 at its intersection with Route 36100 thence in a northeasterly direction through Martic Township to a point on Route 36008 about 0.4 of a mile southwest of its intersection with Route 36015 in Lancaster County a distance of about 3.2 miles.

Route 36137 Beginning at a point on Route 36005 about 1.25 miles west of Chestnut Level thence in a northerly and northeasterly direction through Drumore Township to a point on Route 36007 about 0.2 of a mile northwest if its intersection with Route 36080 in Lancaster County a distance of about 2.0 miles.

Route 36138 Beginning at a point on Route 36080 about 0.2 of a mile northeast of its intersection with Route 36010 thence in an easterly direction through Drumore Township to a point on Route 36007 about 0.3 of a mile southeast of its intersection with Route 36010 in Lancaster County a distance of about 0.7 of a mile.

Route 36139 Beginning at a point on Route 36007 about 0.2 of a mile north of Pleasant Grove thence in a northeasterly direction through Fulton Township to a point on Route 136 at its intersection with Route 36077 in Lancaster County a distance of about 2.0 miles.

Route 36140 Beginning at a point on Route 608 at Oak Run thence in a northerly direction through Little Britain Township to a point on Route 36093 about 1.25 miles northwest of its intersection with Route 345 in Lancaster County a distance of about 1.4 miles.

Route 36141 Beginning at a point on Route 36018 about 0.3 of a mile northwest of its intersection with Route 36019 thence in a northeasterly direction through Little Britain and Colerain Townships to a point on Route 527 about 0.7 of a mile northwest of Octoraro Creek in Lancaster County a distance of about 2.4 miles.

Route 36142 Beginning at a point on Route 527 at Kirkwood thence in a northeasterly direction through Colerain Township to a point on Route 36022 at its intersection with Route 36097 in Lancaster County a distance of about 2.8 miles.

Route 36143 Beginning at a point on Route 148 about 1.0 mile south of the West Earl-Ephrata Township line thence in a general northerly direction through West Earl and Epharta Townships to the Epharta Township-Akron Borough line at Ninth Street beginning again at the eastern boundary line of Akron Borough on Ninth Street and extending in a northwesterly direction through Ephrata Township to a point on Route 148 about 0.1 of a mile east of the Akron Borough-Ephrata Township line in Lancaster County a distance of about 1.4 miles

Route 36144 Beginning at a point on Route 36034 about 0.6 of a mile north of its intersection with Route 136 thence in an easterly direction through West Lampeter Township to a point on Route 36027 about 0.25 of a mile north of its intersection with Route 36035 in Lancaster County a distance of about 1.0 mile.

Route 36145 Beginning at a point on Route 36027 about 0.75 of a mile west of its intersection with Route 136 thence in a northwesterly direction through West Lampeter Township to a point on Route 136 about 0.4 of a mile of its intersection with Route 36034 in Lancaster County a distance of about 1.3 miles.

Route 36146 Beginning at a point on Route 36008 near Red Hill School thence in a northerly direction through Manor Township to a point on Route 36008 about 0.7 of a mile west of Conestoga Creek thence beginning again on Route 36008 about 0.9 of a mile west of Conestoga Creek and continuing in a northeasterly direction through Manor Township to a point on Route 128 at Weaver in Lancaster County a distance of about 3.9 miles.

Route 36147 Beginning at a point on Route 36065 about 0.2 of a mile northeast of Columbia Borough line thence in a northerly direction through West Hempfield Township to a point on Route 36003 at is intersection with Route 36067 in Lancaster County a distance of about 1.6 miles.

Route 36148 Beginnings on the southeast line of Elizabethtown Borough thence in a nohteasterly direction through Mt. Joy Township to a point on Route 36004 about 0.5 of a mile northwest of Milton Grove in Lancaster County a distance of about 3.8 miles.

Route 36149 Beginning at a point on Route 36124 36069 thence in a southeasterly direction through Mt Joy Township to a road intersection about 0.5 of a mile south of Route 36069 in Lancaster County a distance of about 1.1 miles

Route 36150 Beginning at a point on Route 36066 about 0.2 of a mile southeast of Old Line thence in an easterly direction through Rapho Township to a point on Route 812 at Pleasant Valley School in Lancaster County a distance of about 2.0 miles.

Route 36151 Beginning at a point on Route 26001 about 0.75 of a mile northeast of its intersection with Route 36066 thence in a southeasterly direction through Rapho Township to a point on Route 812 about 0.5 of a mile east of Pleasant View School in Lancaster County a distance of about 2.7 miles

Route 36152 Beginning at a point on Route 36002 about 0.2 of a mile east of Chickies Creek thence in a northerly direction through Penn Township to a point on Route 36001 at White Oak in Lancaster County a distance of about 2.6 miles

Route 36153 Beginning at a point on Route 36011 about 0.1 of a mile north of the Warwick Township line thence in a northwesterly and northerly direction through Elizabeth Township to a point on Route 36063 about 0.5 of a mile east of its intersection with Route 36001 in Lancaster County a distance of about 1.3 miles

Route 36154 Beginning at a point on Route 129 about 0.6 of a mile southeast of Chickies Creek thence in a northeasterly direction through East Hempfield Township to a point on Route 36005 about 1.0 mile north of Landisville in Lancaster County a distance of about 1.1 miles

Route 36155 Beginning at a point on Route 36045 at Halfville thence in an easterly direction through Warwick and Elizabeth Townships to a point on Route 442 about 0.2 of a mile southwest of its intersection with Route 36046 in Lancaster County a distance of about 1.0 mile

Route 36156 Beginning at a point on Route 36011 about 0.5 of a mile southeast of Lititz Borough thence in a northeasterly direction through Warwick Township to a point on Application 83 at its intersection with Route 36062 in Lancaster County a distance of about 1.0 mile

Route 36157 Beginning at a point on Application 50

about 0.1 of a mile southwest of its intersection with Route 36009 thence in a northwesterly direction through Manheim and Warwick Townships to a point on Route 36011 at Disston in Lancaster County a distance of about 1.6 mile

Route 36158 Beginning at a point on Route 568 about 0.1 of a mile southwest of Conestoga Creek thence in a northwesterly direction through Manheim Township to a point on Route 36041 at its intersection with Route 36042 in Lancaster County a distance of about 1.6 miles

Route 36159 Beginning at a point on Application 390 at its intersection with Route 36009 thence in a northeasterly and northerly direction through Upper Leacock Township a point on Route 244 about 0.7 of a mile east of its intersection with Route 36114 in Lancaster County a distance of about 1.8 miles

Route 36160 Beginning at a point on Route 215 about 0.3 of a mile southeast of Route 36024 thence in a northeasterly direction through East Lampeter Township to a point on Route 142 about 0.1 of a mile west of its intersection with Route 36011 in Lancaster County a distance of about 1.8 miles

Route 36161 Beginning at a point on Route 36162 about 0.8 of a mile northeast of its intersection with Route 215 thence in a northerly direction through East Lampeter Township to a point on Route 142 about 0.7 of a mile east of its intersection with Route 148 in Lancaster County a distance of 0.4 of a mile

Route 36162 Beginning at a point on Route 36030 about 0.2 of a mile northwest of Pequea Creek thence in a northeasterly direction through Leacock Township to a point on Route 36009 about 0.2 of a mile southwest of Hatville in Lancaster County a distance of about 1.3 miles

Route 36163 Beginning at a point on Route 36012 about 1.0 mile north of its intersection with Route 36013 thence in a general northeasterly direction through Salisbury Township to a point on Route 36014 about 0.1 of a mile north of its intersection with Route 36057 in Lancaster County a distance of about 4.8 miles

Route 36164 Beginning at a point on Route 36012 at the Salisbury-East Earl Township line thence in a northwesterly direction through East Earl and Earl Townships to a point on Route 244 about 0.5 of a mile northeast of New Holland Borough line in Lancaster County a distance of about 4.1 miles

Route 36165 Beginning at a point on Route 36013 about 0.7 of a mile southwest of its intersection with Route 36115 thence in a northerly direction through Earl Township to a point on Route 36030 about 0.2 of a mile northeast of the West Earl-Earl Township line in Lancaster County a distance of about 0.8 of a mile

Route 36166 Beginning at a point on Route 36013 at Five Points thence in a northerly direction through West Earl Township to a point on Route 36030 at its intersection with Route 36122 in Lancaster County a distance of about 1.7 miles

Route 36167 Beginning at a point on Route 36168 about 0.7 of a mile south of its intersection with Route 36030 thence in an easterly direction through West Earl and Earl Township to a point on Route 36013 about 0.7 of a mile southwest of its intersection with Route 36115 in Lancaster County a distance of about 0.7 of a mile

Route 36168 Beginning at a point on Route 36013 at its intersection with Route 36029 thence in a northeasterly and northerly direction through Earl Township to a point on Route 244 about 0.3 of a mile west of New Holland in Lancaster County a distance of about 1.0 mile

Route 36169 Beginning at a point on Route 36012 about 1.0 mile north of Five Pointville thence in an easterly direction through Brecknock Township to a point on Route 36050 about 0.6 of a mile west of Bowmansville in Lancaster County a distance of about 1.3 miles

Route 36170 Beginning at a point in Route 148 about 0.5 of a mile southwest of its intersection with Route 36012 thence in a general southerly direction through East Cocalico Township to a road intersection near Leist Creek in Lancaster County a distance of about 1.9 miles

Route 36171 Beginning at a point on Route 36001 about 1.1 miles east of its intersection with Route 36011 thence in a northwesterly direction through Clay Township to a point on Route 36011 about 0.8 of a mile north of its intersection with Route 36001 in Lancaster County a distance of about 1.4 miles

Route 36172 Beginning at a point on Route 36050 at Hahnstown thence in northwesterly westerly and northwesterly direction through Ephrata Township to a point on Route 148 about 0.2 of a mile of the East Cocalico Township line in Lancaster County a distance of about 2.5 miles

Route 36173 Beginning at a point on Route 36102 about 0.5 of a mile southeast of its intersection with Route 36017 thence in a northeasterly direction through East Drumore Township to a point on Route 136 about 1.0 mile southeast of its intersection with Route 36016 in Lancaster County a distance of about 1.2 miles

Route 36174 Beginning at a point on Route 36015 about 0.5 of a mile south of the Pennsylvania Railroad thence northeasterly southeasterly and northeasterly through Providence Township to a point on Route 136 at Pleasant Valley School in Lancaster County a distance of about 2.0 miles

Route 36175 Beginning at a point on Route 137 near the Salisbury-Caernarvon Township line thence in a general northerly direction through Caernarvon Township to a point on Route 244 at Churchtown in Lancaster County a distance of about 2.2 miles

Route 36176 Beginning at a point on Route 36048 about 0.2 of a mile northeast of Route 36012 thence easterly through Brecknock Township to a point on the Lancaster-Berks County line about 0.7 of a mile northwest of Route 518 in Lancaster County a distance of about 2.5 miles

Route 36177 Beginning at a point on Route 36129 about 1.3 miles north of its intersection with Route 36046 thence in a general easterly direction through East Cocalico Township to a point on Route 36012 about 0.9 of a mile north of its intersection with Route 148 in Lancaster County a distance of about 2.4 miles

Route 36178 Beginning at a point on the northwest boundary line of Denver Borough thence in a general northwesterly direction through West Cocalico Township to a point on Route 607 about 0.5 of a mile west of Blainport in Lancaster County a distance of about 3.9 miles

Route 36179 Beginning at a point on Route 36129 about 0.4 of a mile northwest of its intersection with Route 36046 thence in a westerly direction through East Cocalico Township to a point on the Denver Borough line in Lancaster County a distance of about 0.1 of a mile

Route 36180 Beginning at a point on Route 136 about 0.3 of a mile south of Quarryville Borough thence northeasterly through East Drumore Township to a point on the Quarryville Borough line in Lancaster County a distance of about 0.3 of a mile

LAWRENCE COUNTY

Route 37068 Beginning at a point on Route 81 at its intersection with Route 647 thence northerly through Pulaski Township for about 0.1 of a mile to a road intersection thence westerly to the Ohio State line in Lawrence County a distance of about 0.8 of a mile

Route 37069 Beginning at a point on Route 37035 near Lawrence-Mercer County line thence in a easterly direction through Pulaski Township to a point on Route 37029 about 0.4 of a mile south of the Lawrence-Mercer County line in Lawrence County a distance of about 2.0 miles

Route 37070 Beginning at a point on Route 246 near its intersection with Route 37044 thence in a southerly direction through Scott Township to a point on Route 246 about 0.3 of a mile north of Slippery Rock Creek in Lawrence County a distance of about 1.0 of a mile

Route 37071 Beginning at a point on Route 614 about 0.3 of a mile northeast of Volant Borough thence in a general easterly direction through Washington Township to a point on Route 246 about 0.2 of a mile south of the Lawrence-Mercer County line in Lawrence County a distance of about 1.9 miles

Route 37072 Beginning at a point on Route 265 at its intersection with Route 37009 thence in a general southwesterly and westerly direction through North Beaver Township to a point on the Ohio-Pennsylvania State line about 0.5 of a mile south of Route 37002 in Lawrence County a distance of about 3.6 miles

Route 37073 Beginning at a point on Route 37009 about 0.9 of a mile east of its intersection with Route 265 thence in a southerly direction through North Beaver Township to a road intersection in Lawrence County a distance of about 1.0 mile

Route 37074 Beginning at a point on Route 37045 at its intersection with Route 37041 thence in a northeasterly direction through Wilmington Township to a point on the Mercer-Lawrence County line in Lawrence County a distance of about 0.7 of a mile

Route 37075 Beginning at a point on Route 350 at its intersection with Route 37019 thence in a general northwesterly direction through Perry Township to a point on Route 37052 about 0.2 of a mile south of Slippery Rock Creek in Lawrence County a distance of about 2.3 miles

Route 37076 Beginning at a point on the northern borough line of Ellwood City borough thence in a northerly and northeasterly direction through Wayne Twnship to a point on Route 37016 about 0.3 of a mile south of the Shenango Township line in Lawrence County a distance of about 2.1 miles

Route 37077 Beginning at a point on the western line of the city of Newcastle thence in a westerly direction through Neshannock Township to a point on Route 80 about 0.5 of a mile south of its intersection with Route 37039 in Lawrence County a distance of about 0.3 of a mile

Route 37078 Beginning at a point on Route 37052 about 0.1 of a mile south of the Slippery Rock Township line thence in a northeasterly and easterly direction through Wayne Slippery Rock and Perry Townships to a point on Route 350 about 0.5 of a mile northeast of its intersection with Route 37022 in Lawrence County a distance of about 3.2 miles

Route 37079 Beginning at a point on Route 37026 about 1.5 miles east of its intersection with Route 37025 thence in a northerly direction through Slippery Rock and Scott Townships to a point on Route 233 about 0.2 of a mile west of its intersection with Route 246 in Lawrence County a distance of about 2.6 miles

Route 37080 Beginning at a point on Route 37044 about 0.1 of a mile east of the Hickory-Scott Township line thence in a northeasterly direction through Scott and Washington Townships to a road intersection in Lawrence County a distance of about 2.5 miles

LEBANON COUNTY

Route 38055 Beginning at a point in Jackson Township at the intersection of Routes 38008 and 38011 thence southerly through Jackson Mill Creek and Heidlberg Townships to a point on Route 38051 about 0.9 of a mile east of Reistville in Lebanon County a distance of about 1.0 mile

Route 38056 Beginning at a point on State-aid Application 4668 near Kralls Mennonite Meeting House thence southerly and westerly in South Lebanon Township to the eastern line of Cornwall Borough in Lebanon County a distance of about 1.8 miles

Route 38057 Beginning at a point on Route 38003 near Hemperly School thence northerly in East Hanover Township to a point on Route 140 in Lebanon County a distance of about 1.7 miles

Route 38058 Beginning at a point on State-aid Application 2212 about 2.0 miles west of Schaefferstown thence northerly in Heidelberg Township to an intersection with Route 38010 in Lebanon County a distance of about 1.2 miles

Route 38059 Beginning at a point on Route 38007 at Mt Zion thence in a general northerly direction in Bethel Township to a point on Route 141 about 1.5 miles east of Fredericksburg in Lebanon County a distance of about 4.1 miles

Route 38060 Beginning at a point on Route 38004 at McGillstown thence in a general southeasterly direction through East Hanover North Annville North Lebanon and Swatara Townships to the northern terminus of State-aid Application 1366 in Lebanon County a distance of about 2.4 miles

Route 38061 Beginning at a point on Route 995 at the Mt. Gretna Borough line thence southerly in West Cornwall Township to the Lancaster County line in Lebanon County a distance of about 1.3 miles

Route 38062 Beginning at a point on Route 140 at Ono thence northerly in East Hanover and Union Townships to a point on Route 38048 in Lebanon County a distance of about 1.1 miles

Route 38063 Beginning at a point on Route 280 near Colebrook thence northeasterly in South Londonderry South Annville and West Cornwall Townships to a point on Route 38004 in Lebanon County a distance of about 3.0 miles

Route 38064 Beginning at a point on the Dauphin-Lebanon County line near the Swatara Creek thence northeasterly in North Londonderry Township to a point on Route 38003 in Lebanon County a distance of about 0.4 of a mile

Route 38065 Beginning at a point on Route 38060 about 0.3 of a mile west of the North Annville-Swatara Township line thence northeasterly and northerly through North Annville and Swatara Townships to a point on Route 141 near its intersection with Route 38024 in Lebanon County a distance of about 1.9 miles

Route 38066 Beginning at a point on Route 38033 about 0.3 of a mile east of the Dauphin-Lebanon County line thence northerly in South Londonderry Township to the intersection of Routes 38034 and 624 in Lebanon County a distance of about 1.8 miles

LEHIGH COUNTY

Route 39099 Beginning at a point on Route 39038 about 0.8 of a mile northwest of Balliettsville thence northwesterly through North Whitehall Township crossing Route 39052 to a point on Route 39053 about 0.6 of a mile west of Rising Sun in Lehigh County a distance of about 1.4 miles

Route 39100 Beginning at a point on Route 158 about 0.3 of a mile northeast of its intersection with Route 39005 thence northeasterly through Upper Milford Township to an intersection with Route 39006 in Old Zionsville thence northwesterly through Upper Milford Township to a point on Route 158 about 0.4 of a mile south of Shimersville in Lehigh County a distance of about 0.6 of a mile

Route 39101 Beginning at a point on the Berks County line about 0.8 of a mile northwest of the Weisenburg Township line thence northeasterly through Lynn Township via Kemps School to a point on Route 39066 about 0.3 of a mile northwest of Stines Corner in Lehigh County a distance of about 1.4 miles

Route 39102 Beginning at a point on Route 39042 about 0.4 of a mile east of Siegersville thence northeasterly through South Whitehall and North Whitehall Townships to a point on Route 39049 about 0.7 of a mile southwest of the intersection of Routes 39049 and 39038 in Lehigh County a distance of about 1.8 miles

Route 39103 Beginning at a point on Route 39072 about 0.2 of a mile east of the Berks County line thence northerly through Lynn Township to a point on Route 285 at Jacksonville in Lehigh County a distance of about 3.2 miles

Route 39104 Beginning at a point on Route 39072 about 0.2 of a mile west of the Weisenburg-Lowhill Township line thence northwesterly through Weisenberg Township to a point on Route 39063 about 0.5 of a mile southwest of Switzer in Lehigh County a distance of about 1.6 miles

Route 39105 Beginning at a point on Route 157 at Wes-

cosville thence northerly through Lower Macungie and Upper Macungie Townships to a point on Route 39030 near the Upper Macungie-South Whitehall Township line in Lehigh County a distance of about 0.9 of a mile

Route 39106 Beginning at a point on Route 39100 at Old Zionsville thence in a general easterly direction through Upper and Lower Milford Townships to a point on Route 39002 at its intersection with Route 39079 in Lehigh County a distance of about 5.3 miles

Route 39107 Beginning at a point on Route 39077 about 0.2 of a mile northeast of the intersection of Routes 39077 and 39007 thence northeasterly through Upper Milford and Upper Saucon Townships to a point on Route 153 about 0.1 of a mile northwest of the intersection of Routes 153 and 39076 in Lehigh County a distance of about 4.2 miles

Route 39108 Beginning at a point on Route 39094 at Saegersville thence northeasterly through Heidelberg Township to a point on Route 39057 about 0.4 of a mile southwest of the intersection of Routes 39057 and 39054 in Lehigh County a distance of about 0.9 of a mile

Route 39109 Beginning at a point on Route 557 about 0.4 of a mile north of the intersection of Routes 557 and 39027 thence easterly and northeasterly through Salisbury Township to a point on the boundary line of the city of Allentown near Bogerts Bridge in Lehigh County a distance of about 1.0 mile

Route 39110 Beginning at a point on Route 39063 about 0.5 of a mile southeast of German Corner thence easterly through Heidelberg Township to a point on Route 39061 at Germansville in Lehigh County a distance of about 1.2 miles

Route 39111 Beginning at a point on Route 39040 in Meyersville thence northeasterly through South Whitehall North Whitehall and Whitehall Townships crossing Route 39038 to a point on Application 7 about 0.7 of a mile south of Egypt in Lehigh County a distance of about 2.2 miles

Route 39112 Beginning at a point on Route 39075 about 0.2 of a mile east of Steinsville thence southeasterly through Lynn Township Crossing Route 285 to an intersection with a township road thence easterly through Lynn Township to a point on Route 39066 about 1.0 mile southwest of Lynnport in Lehigh County a distance of about 3.0 miles

Route 39113 Beginning at a point on Route 39066 about 0.3 of a mile south of Lynnport thence easterly through Lynn Township to a point on Route 285 near New Tripoli in Lehigh County a distance of about 2.8 miles

LUZERNE COUNTY

Route 40087 Beginning at a point on a county road about 1.0 mile northwest of Route 40074 thence northerly through Franklin Township to a point on the Luzerne-Wyoming County line in Luzerne County a distance of about 0.7 of a mile

Route 40088 Beginning at a point on Route 170 near the Butler-Hazle Township line thence easterly through Hazle Township to Lattimer in Luzerne County a distance of about 1.0 mile

Route 40098 Beginning at a point on Route 235 about 0.1 of a mile southeast of Route 40078 thence in a general northeasterly direction through Huntingdon Township to a point on Route 935 about 1.0 mile northwest of Harveyville in Luzerne County a distance of about 2.3 miles

Route 40111 Beginning at a point on Route 5 about 0.1 of a mile southwest of Hughestown Borough line thence northerasterly through Pittston Township to a point on the Hughestown Borough line in Luzerne County a distance of about 0.50 of a mile

Route 40112 Beginning at a point on Route 40023 at Albert thence northwesterly through Wright and Rice Townships to a point on Route 40024 about 0.5 of a mile west of Nuangola Station in Luzerne County a distance of about 3.0 miles

Route 40113 Beginning at a point on the east line of Freeland Borough thence northeasterly through Foster Township via Pond Creek to a point on a county road about 0.2 of a mile south of White Haven Borough in Luzerne County a distance of about 7.5 miles

Route 40114 Beginning at a point on Route 375 near the Dallas-Lake Township line thence northwesterly through Lake Township to a point on the Wyoming-Luzerne County line in Luzerne County a distance of about 0.1 of a mile

Route 40115 Beginning at a point on Route 40064 near Loyalville thence northeasterly through Lake Township intersecting Route 40063 about 1.0 of a mile northwest of Outlet to a point on Route 177 near Laketon in Luzerne County a distance of about 3.5 miles

LYCOMING COUNTY

Route 4112 Beginning at a point on Route 291 about 0.1 of a mile north of Farragut thence in a general northeasterly direction through Upper Fairfileld Township to a point on Route 41059 about 2.7 miles east of its intersection with Route 291 in Lycoming County a distance of about 3.0 miles

Route 41113 Beginning at a point on Route 21 about 0.75 of a mile south of the Tioga-Lycoming County line thence in a westerly direction through Jackson Township to a point on Route 41109 at Rakers School beginning again on Route 41109 about 0.4 of of a mile northwest of Rakers School thence in a westerly southerly westerly northwesterly and northerly direction through Jackson Township to a point on the Tioga-Lycoming County line abut 1.7 miles west of Route 41109 in Lycoming County a distance of about 3.7 miles

Route 41114 Beginning at a point on Route 20 about 0.15 of a mile north of its intersection with Route 2 thence in a northeasterly and northerly direction through Lewis Township to a point on Route 41048 about 0.0 of a mile east of its intersection with Route 20 in Lycoming County a distance of about 0.15 of a mile

Route 41115 Beginning at a point on Route 41027 at Quiggleville thence in a general northeasterly direction through Lycoming and Lewis Townships to a point on Route 20 at Powys in Lycoming County a distance of about 2.3 miles

Route 41116 Beginning at a point on Route 41028 about 0.1 of a mile north of its intersection with Route 2 thence in a northeasterly direction through Woodward Township to a point on Route 41030 about 0.8 of a mile northwest of Williamsport in Lycoming County a distance of about 2.0 miles

Route 41117 Beginning at a point on Route 41015 about 0.3 of a mile south of Duboistown thence in a general southerly and southwesterly direction through Armstrong Township in Lycoming County for a distance of about 1.7 miles

Route 41118 Beginning at a point on Route 41003 at its intersection with Route 41004 thence in an easterly direction through Brady Township in Lycoming County for a distance of about 1.0 mile

Route 41119 Beginning at a point on the Northumberland-Lycoming County line about 0.4 of a mile west of Route 41062 thence in a westerly direction through Muncy Creek Township to a point on the Northumberland-Lycoming County line about 1.2 miles east of Route 240 in Lycoming County a distance of about 1.3 miles

Route 41120 Beginning at a point on Route 41025 about 0.8 of a mile northeast of Larrysville thence northerly westerly and northerly through Piatt and Mifflin Townships to a point on the southern line of Salladasburg Borough in Lycoming County a distance of about 3.6 miles

Route 41121 Beginning at a point on Route 19 about 0.1 of a mile northeast of the Muncy Borough line thence southeasterly and northeasterly through Muncy Creek Township to a point on Route 19 in Lycoming County a distance of about 1.3 miles

Route 41122 Beginning at a point on Route 41044 about 2.0 miles northwest of Warrensville thence in a general northwesterly direction through Eldred and Gamble Townships to a point on Route 41047 about 2.2 miles south of Route 467 in Lycoming County a distance of about 4.7 miles

Route 41123 Beginning at a point on State-aid Application 12 just north of Route 18 thence westerly and northerly through Loyalsock Township to a point on

Route 41046 in Lycoming County a distance of about 0.7 of a mile

Route 41124 Beginning at a point on Route 41030 near the Williamsport City line thence in a northerly easterly southerly and easterly direction through Old Lycoming Township to a point on the Old Lycoming Township-Williamsport City line 0.3 of a mile west of Route 41034 in Lycoming County a distance of about 2.4 miles

Route 41125 Beginning at a point on Route 84 about 0.3 of a mile north of Brookside thence northeasterly through Cogan House Township to a point on Route 184 about 0.2 of a mile southwest of White Pine in Lycoming County a distance of about 2.0 miles

Route 41126 Beginning at a point on Route 303 about 1.0 mile west of Clarketown thence northeasterly through Muncy Creek and Wolf Townships to a point on Route 41063 in Lycoming County a distance of about 0.9 of a mile

Route 41127 Beginning at a point on Route 176 about 2.0 miles west of Oral thence northerly and easterly through Limestone and Bastress Township to a point on Route 331 near Bastress in Lycoming County a distance of about 4.4 miles

Route 41128 Beginning at a point on Route 20 near Hepburnville thence northeasterly and southeasterly through Hepburn Township to a point on Route 711 about 1.0 mile southwest of Balls Mills in Lycoming County a distance of about 2.1 miles

Route 41129 Beginning at a point on Route 19 about 0.2 of a mile northeast of Route 41095 thence northeasterly and northwesterly through Muncy Creek and Wolf Townships to a point on Route 19 about 0.1 of a mile northeast of Route 41066 in Lycoming County a distance of about 2.1 miles

McKEAN COUNTY

Route 42040 Beginning at a point on Route 42039 about 0.7 of a mile south of Bradford thence southeasterly through Bradford Township in McKean County for a distance of about 1.5 miles

Route 42041 Beginning at a point on Route 42009 about 1.0 mile southwest of Bradford thence northwesterly through Bradford Township to a point on Application 500 in McKean County a distance of about 0.2 of a mile

Route 42042 Beginning at a point on Route 756 about 0.3 of a mile northwest of Bradford thence westerly and northwesterly through Bradford Township to another point on Route 756 in McKean County a distance of about 0.5 of a mile

Route 42043 Beginning at a point on Route 277 about 0.5 of a mile east of Betula thence westerly through Norwich Township in McKean County for a distance of about 2.2 miles

Route 42044 Beginning at a point on the eastern line of Mt Jewett Borough thence northeasterly through Hamlin and Keating Townships to a point on Route 42006 near Ormsby in McKean County a distance of about 8.8 miles

Route 42045 Beginning at a point on Route 95 about 0.2 of a mile east of the Mt. Jewett Borough line thence northerly through Hamlin Township to a point on Route 42044 in McKean County a distance of about 0.6 of a mile

MERCER COUNTY

Route 43091 Beginning at a point on Route 74 about 1.0 mile east of Trout Corners thence northerly through Hickory Township to a point on Route 320 near La Monts Corners in Mercer County a distance of about 1.8 miles

Route 43092 Beginning at a point on the western line of Wheatland Borough at Ohio Street thence westerly through Hickory Township to a point on the Ohio State line in Mercer County a distance of about 0.6 of a mile

Route 43093 Beginning at a point on Route 695 about 0.3 of a mile east of the Ohio State line thence northerly through West Salem Township to a point on Route 43053 in Mercer County a distance of about 3.1 miles

Route 43094 Beginning at a point on Route 43065 near the Hempfield Township line thence easterly through Sugar Grove Township to a point on Route 43046 in Mercer County a distance of about 1.6 miles

Route 43095 Beginning at a point on Route 695 about 1.0 mile east of Maysville thence northerly through West Salem Township to a point on Route 43058 in Mercer County a distance of about 0.5 of a mile

Route 43096 Beginning at a point on Route 43036 about 0.27 of a mile north of its crossing of the Shenango River thence in a general easterly direction through Delaware Township to a point on Route 82 thence easterly to the west line of Fredonia Borough in Mercer County a distance of about 4.4 miles

Route 43097 Beginning at a point on Route 43046 at Rileys Crossroads thence in a general southeasterly direction through Sugar Grove Salem and Perry Townships intersecting Route 43064 at Bakers Corners to a point on Route 43048 at Hadley in Mercer County a distance of about 5.7 miles

Route 43098 Beginning at a point on Route 213 at the Mercer Borough-Cool Spring Township line thence easterly and southerly through Cool Spring and Findley Townships to a point on the Mercer Borough line at Home Street in Mercer County a distance of about 0.3 of a mile

Route 43099 Beginning at a point on Route 238 at La Monts Corners thence southeasterly through Hickory Jefferson East Lackawannock and Cool Spring Townships to a point on Route 320 at the north line of Mercer Borough in Mercer County a distance of about 12.3 miles

Route 43100 Beginning at a point on Route 43043 near the Delaware Township line thence northerly through Fairview and Perry Townships about 1.4 miles to a road intersection thence easterly to a point on Route 43048 about 0.5 of a mile west of Hagertys Corners in Mercer County a distance of about 1.9 miles

Route 43101 Beginning at a point on the north line of Sharon City at Tenth Avenue thence northerly through Hickory Township to the south line of Sharpsville Borough in Mercer county a distance of about 0.2 of a mile

Route 43102 Beginning at a point on Route 10107 in Slippery Rock Township Butler County near the Butler-Lawrence County line and extending north through Plain Grove Township Lawrence County to the intersection of Route 43019 near the North Liberty Cemetery in Liberty Township Mercer County a distance of about 1.3 miles

Route 43103 Beginning at a point on the Pennsylvania-Ohio State line thence in an easterly direction through South Pymatuning Township via Stambaugh's Corners to an intersection with Route 43081 near the Shenango River Bridge in Mercer County a distance of about 2.3 miles

Route 43104 Beginning at a point on Route 82 at Delaware Grove thence in a northeasterly direction through Delaware Township to a point at the southwest corner of Fredonia Borough thence easterly along the dividing line between Fredonia Borough and Delaware Township to the intersection of the south borough line of Fredonia and Main Street in Mercer County a distance of about 2.2 miles

Route 43105 Beginning at the east end of State-aid Application 928 on the line between Otter Creek and Perry Townships thence southeasterly through Perry Township to the West end of Route 446 at Clarks Mills in Mercer County a distance of about 5.2 miles

MONROE COUNTY

Route 45062 Beginning at a point on Route 560 near the Polk Eldred Township line thence easterly and southerly through Polk and Eldred Townships to a point on Route 45003 about 0.7 of a mile southwest of the Polk-Eldred Township line in Monroe County a distance of about 1.7 miles

Route 45063 Beginning at a point on Route 560 about 0.5 of a mile north of the Eldred-Polk Township line thence easterly through Polk Township to a point on

Route 45003 about 0.5 of a mile south of Gilbert in Monroe County a distance of about 3.0 miles

Route 45064 Beginning at a point on Route 169 about 1.0 mile north of Stroudsburg thence easterly and northerly through Stroud Township to a point on Route 45060 at Stokes Mill in Monroe County a distance of about 1.0 mile

Route 45065 Beginning at the Stroudsburg Borough line at the end of Third Street thence northwesterly through Stroud Township to a point on Route 169 about 0.1 of a mile north of Stroudsburg Borough in Monroe County a distance of about 0.1 of a mile

Route 45066 Beginning at a point on Route 45049 about 0.3 of a mile north of Effort thence northwesterly through Chestnut Hill Township to a point on Route 45043 Spur E near Merwinsburg in Monroe County a distance of about 1.72 miles

Route 45067 Beginning at a point on Route 45041 about 1.0 mile south of McMichaels thence easterly through Chestnut Hill and Jackson Townships to a point on Route 45056 in Monroe County a distance of about 1.2 miles

Route 45068 Beginning at a point on Route 45012 about 1.0 mile southeast of Shoemaker thence northeasterly through Middle Smithfield Township to a point on Route 167 about 0.5 of a mile south of Bushkill in Monroe County a distance of about 1.2 miles

Route 45069 Beginning at a point on Route 461-E near the Middle Smithfield-Smithfield Township line thence northwesterly through Middle Smithfield Township to a point on Route 167 about 0.3 of a mile southeast of Route 45015 in Monroe County a distance of about 1.5 miles

Route 45070 Beginning at a point on Application 120 thence northwesterly and northeasterly through Barrett Township to a point on Route 458 about 0.5 of a mile south of Coveville in Monroe County a distance of about 1.8 miles

Route 45071 Beginning at a point on Route 168 about 0.1 of a mile southeast of Route 561 thence northeasterly and northwesterly through Coolbaugh Township to a point on Route 561 about 0.1 of a mile northeast of Route 168 in Monroe County a distance of about 0.2 of a mile

Route 45072 Beginning at a point on Route 45004 near Kunkletown thence northerly through Eldred Township to a point on Route 45003 in Monroe County a distance of about 0.1 of a mile

Route 45073 Beginning at a point on Route 45021 about 0.5 of a mile south of the Jackson-Hamilton Township line thence southeasterly and northeasterly through Hamilton Township intersecting Route 45048 to a point on Route 164 at Snydersville in Monroe County a distance of about 2.7 miles

Route 45074 Beginning at a point on Application 3760 about 0.1 of a mile east of Route 45022 thence southeasterly through Jackson Township to a point on Application 5767 near Appenzell in Monroe County a distance of about 0.6 of a mile

Route 45075 Beginning at a point on Route 45034 about 1.0 mile northeast of the Paradise-Pocono Township line thence easterly and northeasterly through Paradise Township to a point on Route 169 at Paradise Valley in Monroe County a distance of about 2.3 miles

Route 45076 Beginning at a point on Route 171 near the Pocono-Tobyhanna Township line thence southeasterly and northerly through Pocono Township to a point on Route 171 near Route 45035 in Monroe County a distance of about 0.8 of a mile

Route 45077 Beginning at a point on Route 461-W about 0.1 of a mile north of Application 2141 thence northwesterly through Smithfield Township to a point on Route 45011 in Monroe County a ditsance of about 0.3 of a mile

Route 45078 Beginning at a point on Route 45057 about 1.5 miles north of Route 168 thence northwesterly through Stroud Township to a point on Route 45019 in Monroe County a distance of about 1.2 miles

Route 45079 Beginning at a point on Route 165 southeast of Stroudsburg Borough line thence westerly and northwesterly through Stroud Township to a point on Route 164 about 0.1 of a mile southwest of Route 45050 i Monroe County a distance of about 0.9 of a mile

Route 45080 Beginning at a point on Route 45025 abou 2.0 miles west of Analomink thence southerly and south easterly through Pocono and Stroud Townships to a poin on Route 169 near Smiley's Bridge in Monroe County distance of about 3.7 miles

Route 45081 Beginning at a point on State Highwa Route 220 about 2 miles north of Marshalls Creek thenc in a northerly and westerly direction through Middl Smithfield Township over present township Route 558 t the intersection with Rural Route 45017 about 0.1 of a mil south of the Monroe-Pike County line in Monroe Count a distance of about 6.6 miles

MIFFLIN COUNTY

Route 44030 Beginning at a point on Route 44024 abou 0.8 of a mile southwest of Vira thence northeasterl through Derry Township to a point on Route 44002 i Mifflin County a distance of about 0.9 of a mile

Route 44031 Beginning at a point on the north lin of Lewistown Borough thence northwesterly throug Derry and Granville Townships to a road intersection i Mifflin County a distance of about 1.6 miles

Route 44032 Beginning at a point on Route 44022 a McCoys Ford thence southeasterly through Granvill Township to a point on Route 470 in Mifflin County distance of about 1.6 miles

Route 44033 Beginning at the intersection of Rout 44001 with State-aid Application 2764 thence northerl northeasterly and northerly through Oliver Menno an Union Townships to a point on Route 44004 in Miffli County a distance of about 7.7 miles

Route 44034 Beginning at a point on Route 33 nea Locust Grove School thence northerly through Olive Township to a point on Route 44001 in Mifflin County distance of about 1.8 miles

Route 44035 Beginning at a point on Route 192 i Bellville thence southerly on Walnut Street and easterl on Mill Street to a point on Route 44005 in Union Town ship Mifflin county a distance of about 0.48 of a mile

MONTGOMERY COUNTY

Route 46168 Beginning at a point on Route 198 at it intersection with Washington Lane thence southerl through Lower Moreland and Abington Townships o Washington Lane to a point on Route 46099 in Montgomer County a distance of about 2.0 miles

Route 46169 Beginning at a point on Route 46099 a its intersection with Mill Road thence southerly throug Abington Township on Mill Road to a point on Rou 46100 in Montgomery County a distance of about 0.9 a mile

Route 46170 Beginning at a point on Route 46102 a Spring Mill thence notherly through Whitemarsh Town ship to a point on the Butler Pike in Montgomery Count a distance of about 1.1 miles

Route 46171 Beginning at a point on Route 646 abou 0.7 of a mile southeast of Route 46076 thence north easterly through Horsham Township to a point on Rou 46076 beginning again on Route 46076 at Davis Grov thence northeasterly to a point on Route 09033 at i intersection with Route 151 in Montgomery County distance of about 1.3 miles

Route 46172 Beginning at a point on Route 201 nea Gulf Mills thence easterly through Upper Merion Town ship to a point on the West Conshohocken Borough lin in Montgomery County a distance of about 0.8 of mile

Route 46173 Beginning at point on Route 225 abou 1.0 mile north of Route 46138 thence northwesterly an southwesterly through Upper Merion Township to a poin on Route 225 abut 0.7 of a mile southeast of Rou 143 in Montgomery County a distance of about 0.4 a mile

Route 46174 Beginning at a point on Route 461 near its intersection with Route 144 thence northeasterl through Upper Merion Township to a point on Route 20

near its intersection with Route 46139 in Montgomery County a distance of about 0.7 of a mile

Route 46175 Beginning at a point on Route 46174 about 0.2 of a mile southwest of Route 201 thence northerly through Upper Merion Township to a point on Route 201 in Montgomery County a distance of about 0.1 of a mile

Route 46176 Beginning at a point on Route 201 near the Pennsylvania Railroad crossing thence northwesterly through Upper Merion Township to a point on Route 143 about 0.4 of a mile northeast of King of Prussia in Montgomery County a distance of about 0.4 of a mile

Riute 46177 Beginning at a point on Route 46172 about 0.1 of a mile southwest of Conshohocken Borough line thence northwesterly and southwesterly through Upper Merion Township to a point on Route 201 about 0.1 of a mile southeast of Route 46137 in Montgmery County a distance of about 1.1 miles

Route 46178 Beginning at a point on Route 225 near Swedeland thence northwesterly and northeasterly through Upper Merion Township to apoint on Route 225 in Swedesburg in Montgomery County a distance of about 1.9 miles

Route 46179 Beginning at a point on Route 284 at its intersection with Route 46003 thence northeasterly through Upper Pottsgrove and Douglass Townships to a point on Route 197 and the Swamp Pike Road in Montgomery County a distance of about 2.7 miles

Route 46180 Beginning at a point on Route 46008 about 0.2 of a mile southeast of the Berks County line thence northeasterly through Douglass and Upper Hanover Townships to a point on Route 46013 about 0.3 of a mile southeast of Route 46165 in Montgomery County a distance of about 4.9 miles

Route 46181 Beginning at a point on Route 46042 about 0.3 of a mile northwest of West Telford Borough thence northeasterly and southeasterly through Franconia Township to a point on the West Telford Borough line in Montgomery County a distance of about 0.5 of a mile

Route 46182 Beginning at a point on Route 46041 about 0.1 of a mile northwest of Route 46040 thence northeasterly through Franconia Township to a point on Route 09011 in Montgomery County a distance of about 0.8 of a mile

Route 46183 Beginning at a point on Route 46043 about 0.5 of a mile southeast of Earlington thence northeasterly through Franconia Township to a point on Route 46041 near its intersection with Route 46042 in Montgomery County a distance of about 1.4 miles

Route 46184 Beginning at a point on Route 46051 about 0.2 of a mile southeast of Skippack Creek thence northeasterly through Franconia Township to a point on Route 46043 about 0.1 of a mile northwest of Elroy in Montgomery County a distance of about 0.6 of a mile

Route 46185 Beginning at a point on Route 146 about 0.2 of a mile east of Pottstown Borough line thence northerly easterly and northeasterly through Lower Pottsgrove Township to a point on Route 46153 about 0.9 of a mile east of its intersection with Application 2696 in Montgomery County a distance of about 2.7 miles

Route 46186 Beginning at a point on Route 46017 about 1.0 mile north of Limerick Square thence northwesterly through Limerick Township to a point on Route 46018 in Montgomery County a distance of about 0.6 of a mile

Route 46187 Beginning at a point on Route 46001 about 0.2 of a mile east of the Berks-Montgomery County line thence northeasterly and southwesterly through West Pottsgrove Township along the West Pottsgrove-Upper Pottsgrove Township line to a point on Route 46002 about 0.5 of a mile north of Pottstown Borough in Montgomery County a distance of about 1.8 mile

Route 46188 Beginning at a point on Route 146 about 0.5 of a mile west of Stowe thence northeasterly over Grosstown Road through West Pottsgrove Township to a point on Route 46001 in Montgomery County a distance of about 1.64 miles

Route 46189 Beginning at a point on Route 198 at Kulpsville thence easterly through Towamencin and Upper Gwynedd Townships to a point on the West line of North Wales Borough beginning again on the east line of North Wales Borough and continuing easterly in Upper Gwynedd and Lower Gwynedd Townships to a point on Route 153 at Spring House in Montgomery County a distance of about 6.8 miles

Route 46190 Beginning at a point on Route 46015 near the Upper Providence-Perkiomen-Limerick Township line thence northeasterly and northwesterly through Limerick and Perkiomen Townships to a point on Route 46017 about 0.1 of a mile southwest of Schwenkville Borough in Montgomery County a distance of about 2.2 miles

Route 46191 Beginning at a point on Route 46144 about 0.3 of a mile east of Route 46153 thence northeasterly along the boundary line between Lower Pottsgrove and Limerick Townships to a point on Route 146 in Montgomery County a distance of about 1.0 mile

Route 46192 Beginning at a point on Application 2696 about 0.6 of a mile northeast of the Upper Pottsgrove-New Hanover Township line thence westerly through New Hanover Township to a point on the Douglass Township line in Montgomery County a distance of about 1.1 miles

Route 46193 Beginning at a point on Route 46153 about 0.6 of a mile northwest of Application 701 thence northeasterly through Lower Pottsgrove and New Hanover Townships to a point on Route 197 at New Hanover Square in Montgomery County a distance of about 4.1 miles

Route 46194 Beginning at a point on Route 46067 about 0.2 of a mile northwest of the Worcester Township line thence southeasterly through Skippack and Worcester Townships to a point at the intersection of Routes 463 and 46154 in Montgomery County a distance of about 2.75 miles

Route 46195 Beginning at a point on Route 46008 about 0.75 of a mile east of Congo thence northeasterly through Douglass Township to a point on Route 46012 about 1.0 mile east of Niantic beginning again on Route 46012 about 0.8 of a mile east of Niantic thence northeasterly through Douglass and Upper Hanover Townships to a point on Route 46013 about 0.6 of a mile northeast of the Douglass-Upper Hanover Township line in Montgomery County a distance of about 4.2 miles

Route 46196 Beginning at a point on Route 158 about 0.5 of a mile southeast of the Upper Frederick Township line thence in a general northeasterly direction through Lower Frederick and Upper Salford Townships via Hendricks to a point on Route 46023 near the Village of Woxall in Montgomery County a distance of about 2.4 miles

MONTOUR COUNTY

Route 47033 Beginning at a point on the Northumberland-Montour County line about 0.7 of a mile southeast of Route 47001 thence northeasterly and northerly through Mayberry Township to a point on Route 47001 about 0.7 of a mile east of Quitman in Montour County a distance of about 2.1 miles

Route 47034 Beginning at a point on Route 47005 near the Columbia-Montour County line thence northerly through Cooper and Montour Townships along the Montour-Columbia County line to a point on Route 19025 about 0.5 of a mile southeast of its intersection with Route 3 in Montour and Columbia Counties a distance of about 1.6 miles.

Route 47035 Beginning at a point on Route 259 near the Valley-Liberty Township line thence northerly and northeasterly through Liberty and Valley Townships to a point on Route 240 in Montour County a distance of about 2.6 miles.

Route 47036 Beginning at a point on Route 47018 about 0.4 of a mile southeast of Route 47020 thence southerly northeasterly southeasterly and northeasterly through Limestone and Derry Townships to a point on Route 240 north of Washingtonville in Montour County a distance of about 3.2 miles

Route 47037 Beginning at a point on Route 585 at

Limestoneville thence westerly through Limestone Township to the Northumberland County line in Montour County a distance of about 0.7 of a mile

NORTHAMPTON COUNTY

Route 48081 Beginning at a point on Route 48043 about 0.6 of a mile northeast of the Moore-Bushkill Township line thence in a northwesterly direction through Bushkill and Moore Townships to a point on Route 48044 about 0.8 of a mile north of Copella in Northampton County a distance of about 0.9 of a mile

Route 48082 Beginning at a point on Route 563 about 0.1 of a mile south of the Bushkill-Upper Nazareth Township line thence southeasterly through Upper Nazareth Township to a point on the west borough line of Nazareth at Mauch Chunk Street in Northampton County a distance of about 1.4 miles

Route 48083 Beginning at a point on Route 48027 about 1.2 miles northeast of Mount Pleasant thence northerly through Lower Mount Bethel and Washington Townships to a point on Route 48033 near the intersection of Routes 48033 and 48028 in Northampton County a distance of about 2.9 miles

Route 48084 Beginning at a point at the intersection of Routes 175 48017 and 48013 thence northeasterly through Palmer Township to a point where Wood Avenue intersects the Wilson Borough line in Northampton County a distance of about 0.4 of a mile

Route 48085 Beginning at a point on Application 3908 about 0.5 of a mile north of the East Allen Township line thence in a northwesterly direction through Moore Township to a point on Route 48053 about 0.6 of a mile east of Emanuelsville in Northampton County a distance of about 3.4 miles

Route 48086 Beginning at a point on Route 175 at Franks Corner thence in a northerly direction through East Allen Township to a point on Route 48050 near the intersection of Routes 48050 and 471 beginning again on Route 471 about 0.1 of a mile northwest of the intersection of Routes 471 and 48050 and continuing in a northerly direction through East Allen and Moore Townships to a point on Application 3908 at Klecknersville in Northampton County a distance of about 4.8 miles

Route 48087 Beginning at a point on Route 48040 near Belfast thence in a general northwesterly direction through Plainfield and Bushkill Townships intersecting Route 48071 near the Bushkill Creek to a point on Route 48043 at Bushkill Center in Northampton County a distance of about 3.1 miles

Route 48088 Beginning at a point on Route 752 about 2.0 miles northeast of Clearfield thence northeasterly through Bushkill and Plainfield Townships to a point on the west line of Wind Gap Borough at Center Street in Northampton County a distance of about 3.5 miles

Route 48089 Beginning at a point on the north Bangor Borough-Washington Township line thence northeasterly through Washington and Upper Mount Bethel Townships to a point on Route 48032 near Stier in Northampton County a distance of about 3.3 miles

Route 48090 Beginning at a point on the north line of the city of Bethlehem thence in a northerly and easterly direction through Lower Saucon Township to a road intersection at Redington in Northampton County a distance of about 3.0 miles

Route 48091 Beginning at a point on Route 48025 about 1.0 mile southwest of Martins Creek thence extending in a northwesterly and northerly direction through Lower Mount Bethel and Washington Townships to a point on Route 48035 at the Washington-Plainfield Township line in Northampton County a distance of about 4.4 miles

Route 48092 Beginning at a point on Route 48058 about 1.0 mile south of Danielsville thence easterly through Lehigh Township to a point on Route 48061 in Northampton County a distance of about 0.7 of a mile

Route 48093 Beginning at a point on Route 530 at the Hellertown Borough line thence easterly and southerly through Lower Saucon Township to a point on the Bucks County line in Northampton County a distance of about 3.2 miles

Route 48094 Beginning at a point on Route 48093 about 0.6 of a mile east of Hellertown thence northerly through Lower Saucon Township to a road intersection in Northampton County a distance of about 0.7 of a mile

Rute 48095 Beginning at a point on Route 48040 about 0.3 of a mile south of its intersection with Route 48071 thence in a westerly direction through Bushkill and Plainfield Townships to a point on Route 166 about 0.5 of a mile south of its intersection with Route 48090 in Northampton County a distance of about 1.6 miles

NORTHUMBERLAND COUNTY

Route 49097 Beginning at a point on Route 240 about 0.75 of a mile south of its intersection with Route 49062 thence in a southeasterly direction through Delaware Township to a point on the northern line of Watsontown Borough in Northumberland County a distance of about 2.1 miles

Route 49098 Beginning at a point on Route 49061 about 0.5 of a mile north of the Watsontown Borough line thence in a westerly direction through Delaware Township to a point on Route 49097 about 0.3 of a mile east of Route 240 in Northumberland County a distance of about 0.7 of a mile

Route 49099 Beginning at a point on Route 49061 about 0.1 of a mile west of the Lewis Township line thence in a northerly direction through Delaware Township to a point on Route 49063 about 0.8 of a mile west of the Lewis Township line in Northumberland County a distance of about 1.7 miles

Route 49100 Beginning at a point on Route 49064 at Springtown thence in a general easterly direction through Delaware Township to a point on Route 49099 about 0.6 of a mile south of its intersection with Route 49063 in Northumberland County a distance of about 2.8 miles

Route 49101 Beginning at a point on Route 49058 about 0.2 of a mile north of its intersection with Route 49094 thence in a northerly direction through Turbot and Lewis Townships to a point on Route 240 about 0.6 of a mile southwest of Turbotville Borough in Northumberland County a distance of about 3.2 miles

Rout 49102 Beginning at a point on the north line of Milton Borough about 0.3 of a mile east of Route 18 thence in a northerly direction through Turbot Township to a point on Route 49058 about 0.1 of a mile east of Route 240 in Northumberland County a distance of about 1.7 miles

Route 49103 Beginning at a point on Route 49094 about 0.3 of a mile southeast of its intersection with Route 49059 thence in an easterly direction through Turbot Township to a point on the Montour County line in Northumberland County a distance of about 2.4 miles

Route 49104 Beginning at a point on Route 49054 near Chillisquaque Creek thence in a southerly and southwesterly direction through East Chillisquaque Township to the bridge over Chillisquaque Creek in Northumberland County a distance of about 1.8 miles

Route 49105 Beginning at a point on Route 49040 about 0.8 of a mile west of its intersection with Route 49074 thence in a northerly direction through Rush and Gearhart Townships to a point on Route 49048 at Kipps Run in Northumberland County a distance of about 3.2 miles

Route 49106 Beginning at a point on Route 182 at Union Corner thence in a westerly direction through Rush Township to a point on Route 49074 about 1.0 mile south of its intersection with Route 49040 in Northumberland County a distance of about 5.4 miles

Route 49107 Beginning at a point on Route 240 about 0.3 of a mile south of the intersection of Routes 240 and 49063 thence in a northeasterly direction through Delaware Township to a point on the Northumberland-Lycoming County line about 1.5 miles northeast of Route 49063 beginning again on the Northumberland-Lycoming County line about 1.0 mile southwest of the intersection of Route 49062 and the said county line thence in an easterly direction through Delaware Township to a point on Route 49062 in Northumberland County a distance of about 2.1 miles

Route 49108 Beginning at a point on Route 161 in the

village of Hamilton thence southerly through Upper Augusta Township over Van Horn Street to the Pennsylvania Department of Highways property in Northumberland County a distance of about 0.1 of a mile

Route 49109 Beginning at a point on Route 49010 about 1.0 mile east of the Jackson Township line thence southeasterly and easterly through Washington and Jordan Townships to a point on Route 49069 near its intersection with Route 49008 in Northumberland County a distance of about 3.8 miles

Route 49110 Beginning at a point on Route 49027 about 0.6 of a mile south of Augustaville thence easterly through Rockefeller and Shamokin Townships to a point on Route 49081 in Northumberland County a distance of about 3.0 miles

Route 49111 Beginning at a point on Route 161 west of its intersection with Route 49085 thence southeasterly and northeasterly through Coal Township through the village of Brady to a point on Route 161 in Northumberland County a distance of about 0.9 of a mile

PERRY COUNTY

Route 50043 Beginning at a point on the Cumberland-Perry County line at Wagners Gap thence extending in a northeasterly northwesterly and northerly direction through Spring Township to the intersection of said route with Routes 50006 and 50033 near the Oak Grove Church in Perry County a distance of about 3.3 miles

Route 50044 Beginning at a point on Route 50003 about 1.4 miles west of the Rye-Carroll Township line thence extending in a northerly and northwesterly direction through Carroll Township via Pine Hill School and Mt. Gilead Church to a point on Route 40 about 0.1 of a mile northeast of Lackeys School in Perry County a distance of about 4.4 miles

Route 50045 Beginning at a point on Route 50016 about 0.5 of a mile northeast of its intersection with Route 275 thence extending in a general northeasterly direction through Buffalo Township to a point on Route 50002 near Higgins School about 1.4 miles east of the Buffalo-Howe Township line in Perry County a distance of about 1.5 miles

Route 50046 Beginning at a point on Route 31 about 1.0 mile north of the Howe-Greenwood Township line thence extending in a northeasterly southeasterly easterly and northerly direction through Greenwood and Liverpool Townships to a point on Route 50001 at Berlee near the Centerville School in Perry County a distance of about 6.2 miles

Route 50047 Beginning at a point on Route 305 in the village of Milford thence extending in a northerly direction through Juniata Township to a point on Route 50013 about 0.4 of a mile southeast of Oak Hill School in Perry County a distance of about 1.3 miles

Route 50048 Beginning at a point on Route 50006 at its intersection with Route 50011 in the village of Mannville thence extending in a general easterly direction through Centre and Juniata Townships to a point on Route 50005 about 0.5 of a mile north of Laurel Grove School in Perry County a distance of about 3.0 miles

Route 50049 Beginning at a point on Route 50001 at its intersection with Route 191 in Ickesburg thence extending in a northwesterly and northerly direction through Saville Township to a point on the Perry-Juniata County line about 2.8 miles west of the Saville-Tuscarora Township line in Perry County a distance of about 2.7 miles

Route 50050 Beginning at a point on Route 50008 about 0.2 of a mile east of the Jackson-Southwest Madison Township line in Couchtown thence extending in an easterly direction via Green Grove School through Southwest Madison Township to a point on Route 50009 near Shermans Creek in Perry County a distance of about 2.7 miles

PIKE COUNTY

Route 51032 Beginning at a point on Route 51020 about 0.3 of a mile southwest of the Palmyra-Blooming Grove Township line thence extending northeasterly and easterly through Palmyra and Blooming Grove Townships to a point on Route 51019 about 0.5 of a mile northwest of Blooming Grove in Pike County a distance of about 2.3 miles

Route 51033 Beginning at a point on Route 51008 about 0.2 of a mile northeast of its intersection with Route 51014 thence extending in a general southeasterly direction through Shohola Township to a point on the Pennsylvania-New York State line about 1.0 mile northwest of Parkers Glen in Pike County a distance of about 1.4 miles

Route 51034 Beginning at a point on Route 51008 opposite Twin Lake thence extending in a general northerly direction through Shohola Township to a crossroad in Pike County a distance of about 1.8 miles

Route 51035 Beginning at a point on Route 171 about 0.5 of a mile northwest of Laanna thence westerly through Greene Township to the Wayne County line in Pike County a distance of about 0.04 of a mile

POTTER COUNTY

Route 52047 Beginning at a point on Route 52012 about 0.8 of a mile east of Burtville thence in a southerly direction through Roulette Township Potter County for a distance of about 2.3 miles

Route 52048 Beginning at a point on the east line of Coudersport Borough about 0.5 of a mile north of Route 102 thence in a general northeasterly direction through Eulalia and Sweden Townships for about 3.2 miles to a road intersection thence continuing in a northerly and northeasterly direction through Sweden and Allegany Townships to a point on Route 103 near village of Seven Bridges in Potter County a distance of about 6.9 miles

Route 52049 Beginning at a point on Route 566 at Andrews Settlement thence in an easterly direction through Allegany Township to a point on Route 52040 about 0.7 of a mile south of the Genesee Township line in Potter County a distance of about 0.8 of a mile

Route 52050 Beginning at a point on Route 103 at Newfield thence in a general northerly direction through Ulysses and Bingham Townships to a point on Route 52029 about 0.3 of a mile southeast of West Bingham in Potter County a distance of about 4.6 miles

Route 52051 Beginning at a point on Route 103 about 0.3 of a mile southwest of Lewisville Borough thence in an easterly direction through Ulysses Township to a point on Route 52026 about 0.3 of a mile south of Lewisville Borough in Potter County a distance of about 2.7 miles

Route 52052 Beginning at a point on Route 52029 about 0.3 of a mile southeast of its intersection with Route 52041 thence in an easterly direction through Bingham Township to a point on Route 103 about 0.5 of a mile northeast of the Lewisville Borough line in Potter County a distance of about 1.8 miles

Route 52053 Beginning at a point on Route 52024 about 4,000 feet east of the village of Kinney Corners thence in a northeasterly direction through Genesee Township to the Pennsylvania-New York State line about 1.25 miles west of Route 318 in Potter County a distance of about 1.5 miles

Route 52054 Beginning at a point on Route 52011 about 1.0 miles east of its intersection with Route 52010 thence in a northerly direction through Hebron Township to a point on Route 52036 about 0.3 of a mile east of its intersection with Route 52010 in Potter County a distance of about 0.6 of a mile

Route 52055 Beginning at a point on Route 101 at Olmstead thence in a southeasterly direction through Eulalia Township to a point on the Homer-Eulalia Township line in Potter County a distance of about 1.6 miles

Route 52056 Beginning at a point on the south line of Coudersport Borough near Route 101 thence in a southeasterly direction through Eulalia Township in Potter County a distance of about 1.03 miles

SCHUYLKILL COUNTY

Route 53093 Beginning at a point on Route 753 at Weishample thence in a southeasterly northeasterly and northwesterly direction through Barry Township to a

point on Route 753 about 0.4 of a mile southwest of Mabel in Schuylkill County a distance of about 2.7 miles

Route 53094 Beginning on the east boundary line of Gordon Borough at Biddle Street thence in a general northerly direction through Butler Township to a point on Route 893 about 0.3 of a mile southeast of Fountain Springs in Schuylkill County a distance of about 1.1 miles

Route 53095 Beginning at a point on the Minersville Borough-Cass Township line at Front Street thence in a northeasterly and westerly direction through Cass and New Castle Townships to a point on Route 53001 at Heckscherville in Schuylkill County a distance of about 3.5 miles

Route 53096 Beginning at a point on Route 53078 about 0.2 of a mile south of Rough and Ready thence southeasterly through Upper Mahantango Township 0.4 of a mile to a road intersection thence easterly 0.4 of a mile to a road intersection thence southeasterly 0.1 of a mile to a road intersection thence northeasterly 1.1 miles to a road intersection thence southerly 0.2 of a mile to a road intersection thence easterly and northeasterly 2.8 miles to a road intersection on the Upper Mahantango-Eldred Township line thence easterly through Eldred Township to a point at the intersection of Routes 53053 and 53055 in Schuylkill County a distance of about 5.6 miles

Route 53097 Beginning at a point on Route 290 near Barnesville thence in a southeasterly and easterly direction through Rush Township to a point on Route 135 about 0.2 of a mile northwest of the Rush-Rahn Township line in Schuylkill County a distance of about 3.5 miles

Route 53098 Beginning at a point on Route 53015 about 0.5 of a mile south of the Borough of Middleport thence in a northwesterly direction through Blythe Township to a point on the Blythe Township-New Philadelphia Borough line in Schuylkill County a distance of about 0.7 of a mile

Route 53099 Beginning at a point on Route 53080 about 0.5 of a mile south of the Palo Alto Borough-North Manheim Township line thence in a northeasterly direction through North Manheim and Blythe Townships to a point on Route 53015 about 1.0 mile north of the East Brunswick-Blythe Township line in Schuylkill County a distance of about 7.0 miles

Route 53100 Beginning at a point on Route 53080 about 0.3 of a mile south of Palo Alto Borough-North Manheim Township line thence in a southeasterly direction through North Manheim Township to a road intersection in Schuylkill County a distance of about 0.4 of a mile

Route 53101 Beginning at a point on Route 53003 about 2.0 miles west of Rock thence northerly through Washington Township to a point on Route 140 at Deturksville in Schuylkill County a distance of about 2.6 miles

Route 53102 Beginning at a point on the east line of Schuylkill Haven Borough thence northeasterly through North Manheim Township to a point on Route 141 in Schuylkill County a distance of about 0.7 of a mile

Route 53103 Beginning at a point on Route 141 about 1.0 mile west of Orwigsburg thence easterly through North Manheim Township to the Western Orwigsburg Borough line at Market Street and from the southern Orwigsburg Borough line at Market Street southerly through West Brunswick Township to Route 141 in Schuylkill County a distance of about 1.7 miles

Route 53104 Beginning at the southern terminal of Route 893 thence in an easterly northeasterly and northwesterly direction through Butler Township to a point on Route 398 about 2.5 miles east of Fountain Springs in Schuylkill County a distance of about 2.4 miles

Route 53105 Beginning at a point on Route 53056 about 0.7 of a mile east of Mt. Pleasant thence in an easterly direction through Foster and Cass Townships to a point on Route 53001 near Heckscherville in Schuylkill County a distance of about 3.2 miles

Route 53106 Beginning at a point on the West Mahanoy Township-Frackville Borough line about 0.1 of a mile west of Route 161 thence in a northerly direction through West Mahanoy Township to the Gilberton Borough line in Schuylkill County a distance of about 0.1 of a mile

SNYDER COUNTY

Route 54057 Beginning at a point on Route 54022 about 1.0 mile west of Beaver Springs thence in a southwesterly direction through Spring and West Perry Townships to a point on the Juniata County line in Snyder County a distance of about 5.5 miles

Route 54058 Beginning at a point on the east line of Beavertown Borough about 0.3 of a mile south of Route 28 thence in an easterly direction through Beaver and Franklin Townships to a point on Route 690 about 1.5 miles west of Paxtonville in Snyder County a distance of about 3.2 miles

Route 54059 Beginning at a point on Route 54008 about 1.5 miles southwest of its intersection with Route 54007 thence in a general northerly direction through Chapman and Washington Townships to a point on Route 54007 about 0.2 of a mile southeast of its intersection with Route 54010 in Snyder County a distance of about 1.0 mile

Route 54060 Beginning at a point on Route 54007 about 0.5 of a mile west of its intersection with Route 54008 thence in a northwesterly direction through Chapman and Washington Townships to a point on Route 54007 about 0.3 of a mile south of its intersection with Route 54050 in Snyder County a distance of about 1.3 miles

Route 54061 Beginning at a point on Route 54041 about 0.6 of a mile south of Clifford Station thence in an easterly direction through Penn Township to a point on the Selinsgrove Borough line about 0.2 of a mile south of Route 25 in Snyder County a distance of about 1.7 miles

Route 54062 Beginning at a point on Route 25 north of Penns Creek Bridge thence in a general northerly direction through Monroe Township to a point on Route 54013 about 0.7 of a mile northeast of Penns Creek in Snyder County a distance of about 1.2 miles

Route 54063 Beginning at a point on Route 455 about 0.4 of a mile east of its intersection with Route 54042 thence in a general northwesterly direction through Jackson Township to a point on Route 27 at the Snyder-Union County line about 0.6 of a mile east of the Limestone-Union Township line in Snyder County a distance of about 2.8 miles

Route 54064 Beginning at a point on Route 54046 about 0.25 of a mile north of its intersection with Route 54045 thence in a northerly direction through Monroe Township to a point on the Union County line about 0.4 of a mile west of Route 24 in Snyder County a distance of about 0.5 of a mile

SOMERSET COUNTY

Route 55135 Beginning at a point on Route 55057 about 0.8 of a mile southwest of Adams thence in a northerly direction through Somerset Township to a point on Route 52 about 0.3 of a mile southwest of its intersection with Route 55071 in Somerset County a distance of about 1.3 miles

Route 55136 Beginning at a point on Route 55058 about 0.8 of a mile east of its intersection with Route 49 thence in a northwesterly direction through Somerset Township to a point on Route 55057 at Listie in Somerset County a distance of about 3.1 miles

Route 55137 Beginning at a point on Route 55023 about 0.7 of a mile north of the Summit-Brothers Valley Township line thence in an easterly and northeasterly direction through Brothers Valley Township to a point on Route 808 about 0.3 of a mile south of its intersection with Route 55121 in Somerset County a distance of about 1.9 miles

Route 55138 Beginning at a point on Route 55008 at Listonburg thence in an easterly and northerly direction through Addison Township to a point on Route 55008 about 0.5 of a mile east of St. Pauls Lutheran Church in Somerset County a distance of about 5.7 miles

Route 55139 Beginning at a point on Route 547 at its intersection with Route 55038 thence in a northwesterly direction through Black and Milford Townships to a point on Application 280 about 0.1 of a mile north of Rockwood in Somerset County a distance of about 0.9 of a mile

Route 55140 Beginning at a point on Route 547 about 1.2 miles northwest of the Summit-Black Township line

thence in a northeasterly and northwesterly direction through Black Township to a point on Route 55038 about 1.5 miles southwest of its intersection with Route 55044 in Somerset County a distance of about 2.0 miles

Route 55141 Beginning at a point on Route 55097 about 0.7 of a mile northeast of its intersection with Route 52 thence in a northeasterly direction through Conemaugh Township to a point on Route 52 about 0.5 of a mile south of Davidsville in Somerset County a distance of about 1.4 miles

Route 55142 Beginning at a point on Route 55027 about 0.6 of a mile east of its intersection with Route 51 thence in a northeasterly direction through Summit and Brothers Valley Townships to a point on Route 55027 about 0.4 of a mile northwest of Summit-Brothers Valley Township line in Somerset County a distance of about 1.8 miles

Route 55143 Beginning at a point on Route 55008 about 0.1 of a mile south of its intersection with Route 55019 thence in a southeasterly northeasterly and southeasterly direction through Summit Township to a point on Route 51 about 1.0 mile southwest of Meyersdale in Somerset County a distance of about 3.0 miles

Route 55144 Beginning at a point on Route 55017 at St Paul thence in a general southeasterly direction via Coal Run to a point on Route 51 at Boynton in Elklick Township Somerset County a distance of about 2.7 miles

Route 55145 Beginning at a point on Route 55081 near Acosta thence northerly through Jenner Township to a point on Route 55082 in Somerset County a distance of about 1.4 miles

Route 55146 Beginning at a point on Route 55025 about 0.6 of a mile northwest of its intersection with Route 269 thence in a northeasterly and easterly direction through Jenner and Conemaugh Townships to a point on Route 55102 about 0.3 of a mile northeast of the Jenner-Conemaugh Township line in Somerset County a distance of about 2.7 miles

Route 55147 Beginning at a point on Route 55064 about 0.2 of a mile north of its intersection with Route 55065 thence in a northwesterly direction through Somerset and Jefferson Townships to a point on Route 55066 about 1.0 mile southeast of the Evangelist Church in Somerset County a distance of about 2.8 miles

Route 55148 Beginning at a point on Route 55049 about 0.3 of a mile northwest of its intersection with Route 55041 thence in a northerly and northeasterly direction through Milford Township to a point on Route 55044 about 0.5 of a mile west of the Somerset-Milford Township line in Somerset County a distance of about 3.3 miles

Route 55149 Beginning at a point on Route 55040 at Kings Bridge thence northerly through Middlecreek Township to a point on Route 55118 at Barronvale thence northeasterly to a point on Route 55048 at Barron Church in Somerset County a distance of about 2.3 miles

Route 55150 Beginning at a point on Route 269 about 0.2 of a mile northeast of Sipesville thence in a southeasterly direction through Lincoln Township to a point on Route 55073 at its intersection with Route 55076 in Somerset County a distance of about 2.5 miles

Route 55151 Beginning at a point on Route 55078 about 0.8 of a mile northwest of its intersection with Route 55094 thence in a northeasterly and northerly direction through Paint Township to a point on Route 55098 thence in a northerly direction through Paint Township to a point on State-aid Application 788 about 0.5 of a mile southwest of its intersection with Route 55098 in Somerset County a distance of about 4.4 miles

Route 55152 Beginning at a point on Route 546 about 0.5 of a mile northeast of its intersection with Route 119 thence in an easterly direction through Quemahoning and Shade Townships to a point on Route 55078 about 1.3 miles south of its intersection with Route 55084 in Somerset County a distance of about 4.5 miles

Route 55153 Beginning at a point on Route 546 about 0.2 of a mile north of the Quemahoning-Shade Township line thence in a northerly and northeasterly direction through Shade Township to a point on Route 55084 at Wilbur in Somerset County a distance of about 1.8 miles

Route 55154 Beginning at a point on Route 55058 about 0.3 of a mile west of its intersection with Route 55057 thence in a northwesterly and northerly direction through Stony Creek Township to a point on Route 55059 about 0.1 of a mile east of the Somerset-Stony Creek Township line in Somerset County a distance of about 1.7 miles

Route 55155 Beginning at a point on Route 55009 about 0.8 of a mile northwest of its intersection with Route 55002 thence in a northeasterly direction through Greenville and Larimer Township to a point on Route 55013 at Sand Patch in Somerset County a distance of about 3.4 miles

SULLIVAN COUNTY

Route 56037 Beginning at a point on Route 19 about 0.2 of a mile south of the Village of Sonestown thence in a general northwesterly direction through Davidson and Shrewsbury Townships to a point on Route 321 near its intersection with Route 56003 in Sullivan County a distance of about 3.7 miles

Route 56038 Beginning at a point on Route 321 about 0.7 of a mile south of its intersection with Route 56001 Spur E thence extending in a northeasterly direction through Davidson Township to a point on Route 19 about 0.5 of a mile south of the Village of Sonestown in Sullivan County a distance of about 3.3 miles

Route 56039 Beginning at a point on Route 17 near the village of Ringdale thence northwesterly about 1.4 miles thence northerly about 0.6 of a mile through Laporte Township thence northwesterly through Cherry Township to a road intersection in Sullivan County a total distance of about 2.7 miles

Route 56040 Beginning at a point on Route 56024 about 0.9 of a mile west of its intersection with Route 17 thence southwesterly about 0.3 of a mile thence northwesterly through Cherry Township to a road intersection in Sullivan County a distance of about 1.2 miles

Route 56041 Beginning at a point on Route 56024 about 0.9 of a mile southeast of its intersection with Route 56012 thence northeasterly through Cherry Township to a point on Route 56024 about 0.5 of a mile west of its intersection with Route 17 in Sullivan County a distance of about 1.0 mile

Route 56042 Beginning at a point on Application 1583 at the village of Lopez thence southerly through Colley Township in Sullivan County a distance of about 0.9 of a mile

SUSQUEHANNA COUNTY

Route 57118 Beginning at a point on Route 468 about 0.5 of a mile north of Middletown Center thence in a northeasterly direction through Middletown and Apolacon Townships to the Friendsville Borough line in Susquehanna County a distance of about 2.9 miles

Route 57119 Beginning at a point on Route 57013 about 0.5 of a mile north of Route 57103 thence easterly through Auburn and Springville Townships to a point on Route 57012 at Springville in Susquehanna County a distance of about 3.5 miles

Route 57120 Beginning at a point on Route 57070 near its intersection with Route 57070 Spur E thence northerly and northeasterly through Franklin Township to a point on Route 57075 at Upsonville in Susquehanna County a distance of about 3.4 miles

Route 57121 Beginning at a point on Route 263 about 1.0 mile south of Franklin Forks thence southeasterly through Franklin Township to a point on Route 57120 in Susquehanna County a distance of about 0.6 of a mile

Route 57122 Beginning at a point on the Wyoming-Susquehanna County line about 1.0 mile west of the Lackawanna County line thence northwesterly through Lenox Township to a point on Route 57034 about 2.5 miles south of Hopbottom in Susquehanna County a distance of about 2.1 miles

Route 57123 Beginning at a point on the east line of New Milford Borough thence northeasterly and southeasterly through New Milford and Great Bend Townships to a point on Route 57062 about 1.0 mile north of Lewis Corners in Susquehanna County a distance of about 4.8 miles

Route 57124 Beginning at a point on Route 57079

about 0.2 of a mile south of Route 57116 thence easterly and southeasterly through Silver Lake and Liberty Townships to a point on Route 57075 about 1.0 mile west of Lawsville Centre in Susquehanna County a distance of about 6.3 miles

Route 57125 Beginning at a point on Route 57011 about 1.0 mile west of Woodhouse thence northerly through Dimock Township to a point on Route 57010 in Susquehanna County a distance of about 1.6 miles

Route 57126 Beginning at a point on Route 57025 about 1.0 mile south of Tiffany thence southeasterly through Bridgewater Township to a point on Route 174 in Susquehanna County a distance of about 0.8 of a mile

Route 57127 Beginning at a point on Route 14 about 0.5 of a mile west of Lawton thence northerly westerly northerly and southeasterly through Rush and Middletown Townships to a point on Route 57088 about 0.6 of a mile northwest of Route 316 in Susquehanna County a distance of about 4.1 miles

Route 57128 Beginning at a point on Route 944 about 1.0 mile northwest of its intersection with Route 57078 thence northeasterly and easterly through Bridgewater township to a point on Route 57078 about 0.7 of a mile northwest of its intersection with Route 944 in Susquehanna County a distance of about 1.0 mile

Route 57129 Beginning at a point on Route 365 near South Gibson thence northerly and westerly through Gibson Township to a point on Route 57046 in Susquehanna County a distance of about 1.4 miles

Route 57130 Beginning at a point on Route 57113 about 0.4 of a mile east of Route 365 thence easterly through Thompson Township to a point on Route 57050 in Susquehanna County a distance of about 0.7 of a mile

Route 57131 Beginning at a point on Route 174 about 0.6 of a mile northwest of Clifford thence northeasterly through Clifford Township to a point on Route 57038 in Susquehanna County a distance of about 0.3 of a mile

Route 57132 Beginning at a point on the east line of Montrose Borough thence easterly through Bridgewater Township to the intersection of Routes 9 and 263 in Susquehanna County a distance of about 0.2 of a mile

Route 57133 Beginning at a point on the Wyoming-Susquehanna County line about 0.1 of a mile east of Route 316 thence northerly through Auburn Township to a point on Route 316 in Susquehanna County a distance of about 1.4 miles

Route 57134 Beginning at a point on Route 57043 in the village of Elkdale thence northwesterly through Clifford Township to a point on Route 57044 about 0.6 of a mile southwest of the Gibson Township line in Susquehanna County a distance of about 3.5 miles

Route 57135 Beginning at a point on Route 57037 in the village of Lenoxville thence northwesterly and northeasterly through Lenox Township to a point on Route 174 about 1.0 mile northwest of West Clifford in Susquehanna County a distance of about 3.6 miles

Route 57136 Beginning at a point on Route 365 about 0.5 of a mile south of Gelatt thence in a northwesterly direction through Gibson Township to a road intersection near the outlet of Stearns Lake in Susquehanna County a distance of about 1.0 mile

TIOGA COUNTY

Route 58093 Beginning at a point on the southeast line of Roseville Borough thence in a southeasterly direction through Rutland Township to a point on the Bradford County line about 1.3 miles south of Route 58069 in Tioga County a distance of about 2.8 miles

Route 58094 Beginning at a point on Route 58073 about 1.75 miles northwest of its intersection with Route 567 thence in a northerly direction through Jackson Township to a point on Route 58075 about 0.7 of a mile southeast of the New York State line in Tioga County a distance of about 1.4 miles

Route 58095 Beginning at a point on Route 58074 about 0.2 of a mile southeast of its intersection with Route 22 thence in a general northerly direction through Lawrence Township to a point on the New York State line about 0.2 of a mile east of Lawrenceville Borough in Tioga County a distance of about 1.3 miles

Route 58096 Beginning at a point on Route 58026 about 0.4 of a mile northwest of the Middlebury Township line thence in a northwesterly direction through Chatham and Deerfield Townships to a point on Route 58028 about 1.0 mile southeast of its intersection with Route 58024 in Tioga County a distance of about 2.8 miles

Route 58097 Beginning at a point on Route 58025 about 0.7 of a mile north of its intersection with Route 292 thence in a general northeasterly direction through Chatham and Middlebury Townships to a point on Route 58026 about 0.1 of a mile northwest of the Middlebury Township line in Tioga County a distance of about 1.1 miles

Route 58098 Beginning at a point on Route 58006 about 1.2 miles southeast of its intersection with Route 58006-Spur E thence in a northeasterly direction through Brookfield Township to a point on Route 58007 about 0.1 of a mile north of Sylvester in Tioga County a distance of about 2.0 miles

Route 58099 Beginning at a point on Route 103 about 0.3 of a mile east of Westfield Borough thence in a southeasterly and northeasterly direction through Westfield Township to a point on Route 292 about 2.0 miles south of Phillips in Tioga County a distance of about 4.9 miles

Route 58100 Beginning at a point on Route 102 about 0.7 of a mile northwest of its intersection with Route 22 thence in a southerly and easterly direction through Delmar Township to a point on Route 22 about 0.3 of a mile north of Wellsboro in Tioga County a distance of about 2.8 miles

Route 58101 Beginning at a point on Route 969 about 1.0 mile northeast of Stone thence in a northwesterly and easterly direction through Shippen Township to a point on Route 969 about 0.8 of a mile west of the Delmar Township line in Tioga County a distance of about 2.2 miles

Route 58102 Beginning at a point on Route 58013 about 1.0 mile north of Olmsville thence in an easterly and southeasterly direction through Delmar Township to a point on Route 58013 at Draper in Tioga County a distance of about 2.1 miles.

Route 58103 Beginning at a point on Route 58077 about 2.2 miles northeast of its intersection with Route 58042 thence in a northerly and southeasterly direction through Charleston and Richmond Townships to a point on Route 58044 about 0.7 of a mile southwest of its intersection with Route 58088 in Tioga County a distance of about 2.9 miles

Route 58104 Beginning at a point on the Blossburg Borough line about 0.5 of a mile east of Route 21 thence in a northeasterly southerly and southeasterly direction through Covington and Hamilton Townships to a point on Route 58057 at Morris Run in Tioga County a distance of about 4.7 miles

Route 58105 Beginning at a point on Route 58053 at East Point thence in a general northerly direction through Liberty and Hamilton Townships to a point on Route 58056 about 0.3 of a mile southeast of its intersection with Route 58057 in Tioga County a distance of about 5.5 miles

Route 58106 Beginning at a point on Route 21 at Sebring thence in a general easterly direction through Liberty Township to a point on Route 58107 about 0.1 of a mile northwest of East Point in Tioga County a distance of about 4.3 miles

Route 58107 Beginning at a point on Route 58055 about 2.1 miles southeast of Route 58053 thence in a northwesterly direction through Union and Liberty Townships to a road intersection thence southerly through Liberty and Union Townships to a point on the Lycoming County line abut 0.1 of a mile east of the Liberty-Union Township line in Tioga County a distance of about 2.8 miles

UNION COUNTY

Route 59042 Beginning at a point on Route 59008 near

its intersection with Route 59009 thence in a northerly direction through Lewis Township about 0.9 of a mile thence in an easterly and southeasterly direction through Lewis and West Buffalo Townships to a point on Route 59008 near the northwest corner of Mifflinburg Borough in Union County a distance of about 5.4 miles

Route 59043 Beginning at a point on Route 27 about 0.8 of a mile south of Mifflinburg thence northeasterly through Limestone Township to a point on Route 59013 about 0.3 of a mile west of the Limestone-Buffalo Township line in Union County a distance of about 2.8 miles

Route 59044 Beginning at a point on Route 59014 about 0.5 of a mile north of its intersection with Route 59012 thence in a general easterly direction through Buffalo and East Buffalo Townships to a point on Route 59013 about 0.9 of a mile north of its intersection with Route 59012 in Union County a distance of about 2.6 miles

Route 59045 Beginning at a point on Route 59026 about 1.9 miles west of its intersection with Route 59024 thence in a general northerly direction through White Deer Township to a point on Route 629 near its intersection with Route 59031 in Union County a distance of about 1.9 miles

VENANGO COUNTY

Route 60064 Beginning at a point on the Emlenton Borough-Richland Township line thence in a general northeasterly direction through Richland Township to a point on Route 75 at Mariasville in Venango County a distance of about 3.6 miles

Route 60065 Beginning at a point on Route 60009 about 0.2 of a mile north of Douglas Corners thence northerly and easterly through Scrubgrass Township to a point on Route 60009 at Hoodville in Venango County a distance of about 2.7 miles

Route 60066 Beginning at a point on Route 60009 about 0.8 of a mile south of Douglas Corners thence southeasterly and northeasterly through Scrubgrass Township via Crawford Corners to a point on Route 218 in Venango County a distance of about 1.9 miles

Route 60067 Beginning at a point on Route 60020 at Bodine Corners thence northerly through French Creek Township to the Utica Borough line in Venango County a distance of about 1.9 miles

Route 60068 Beginning at a point on Route 60040 near Sunville thence northeasterly through Plum Township to a point on Route 60042 at Plum Center in Venango County a distance of about 2.0 miles

Route 60069 Beginning at a point on Route 65 at Maple Shade thence northeasterly through Cranberry Township to a point on Route 60026 at Hill City in Venango County a distance of about 2.6 miles

Route 60070 Beginning at a point on Route 60047 near Plumer thence in a general southeasterly direction through Cornplanter Township to the Village of Oleopolis in Venango County a distance of about 3.7 miles

Route 60071 Beginning at a point on Route 60019 at North Sandy thence westerly through French Creek Township to the Mercer County line in Venango County a distance of about 0.05 of a mile

Route 60072 Beginning at a point on Route 233 about one and one-half miles north of Barkeyville thence in an easterly direction in Irwin Township to a point on Route 60003 about one mile north of Nectarine in Venango County a distance of about 1.8 miles

Route 60073 Beginning at a point on Route 60019 about one mile south of North Sandy thence in an easterly direction in French Creek Township over the Savannah Road to a point on the north borough line of Polk Borough beginning again at a point on the east line of Polk Borough at the Sandy Creek Road thence easterly in Sandy Creek Township to a point on Route 233 about 2 miles north of Pecan in Venango County a distance of about 6.6 miles

Route 60074 Beginning at a point on State-aid Application 2092 near Rattlesnake School thence in a northeasterly and northerly direction through Cornplanter and Oilcreek Townships via August Corners to a point on the Pleasantville Borough line about 0.4 of a mile west of Route 60051 in Venango County a distance of about 5.3 miles

Route 60075 Beginning at a point on Route 89 at the Cherry Tree-Plum Township line thence northerly to a point on the Crawford County line in Venango County a distance of about 0.5 of a mile

WARREN COUNTY

Route 61054 Beginning at a point on Route 61047 about 0.3 of a mile west of Glade Bridge thence in a general southwesterly direction through Mead and Pleasant Townships in Warren County a distance of about 1.0 mile

Route 61055 Beginning at a point on Route 61028 at Kelley Corners thence in a northerly direction through Pine Grove Township to a point on Route 61029 about 0.8 of a mile southeast of the New York-Pennsylvania State line in Warren County a distance of about 3.4 miles

Route 61056 Beginning at a point on Route 94 at Venturetown thence in a northwesterly and northerly direction through Conewango and Farmington Townships via Knupp School Dalrymple School Dunham Corners and Scranton Hollow School to a point on Route 61026 about 1.0 mile south of Lander in Warren County a distance of about 1.7 miles

Route 61057 Beginning at a point on Route 279 about 2.4 miles west of North Warren thence in a northerly direction through Conewango Township to a road intersection at Dutch Hill School in Warren County a distance of about 1.7 miles

Route 61058 Beginning at a point on the south line of Youngsville Borough thence in a southwesterly and southerly direction through Brokenstraw Township to a road intersection in Warren County a distance of about 2.3 miles

Route 61059 Beginning at a point on Route 93 about 2.3 miles east of Tidioute Bridge thence in an easterly direction through Limestone Township to a point on Route 61030 at Bimber Corners in Warren County a distance of about 1.9 miles

Route 61060 Beginning at a point on Route 209 at Bean Town thence in a southeasterly direction through Mead Township in Warren County a distance of about 1.1 miles

Route 61061 Beginning at a point at the intersection of Route 61020 and Route 61021 at Lottsville thence in a northwesterly and northerly direction through Freehold Township to a point on the New York State line in Warren County a distance of about 3.9 miles

Route 61062 Beginning at a point on Route 94 about 2.0 miles south of Russell thence in a northwesterly direction through Pine Grove and Farmington Townships to a road intersection about 0.4 of a mile north of Putnamville in Warren County a distance of about 3.3 miles

Route 61063 Beginning at a point on Route 61024 at Johnson's Corners thence in an easterly direction through Sugar Grove Township to a point on Route 279 at Chandlers Valley in Warren County a distance of about 1.3 miles

WASHINGTON COUNTY

Route 62173 Beginning at a point on Route 181 near Eighty Four thence northerly and northwesterly through Somerset and North Strabane Townships via Wylandville and Gambles to a point on Route 108 near Hill Church in Washington County a distance of about 6.0 miles

Route 62174 Beginning at a point on the east line of Finleyville Borough thence easterly through Union Township via Gastonville to a point on Route 736 near Elrama in Washington County a distance of about 3.85 miles

Route 62175 Beginning at a point on Route 118 near its intersection with Route 62157 thence northerly through Fallowfield and Carroll Townships to a point on the Monongahela City line in Washington County a distance of about 4.0 miles

Route 62176 Beginning at a point on Route 268 near Vestaburgh thence northwesterly through East Bethlehem Township to a point on the Deemston Borough line in Washington County a distance of about 0.7 of a mile

Route 62177 Beginning at a point on Route 62074 near the north line of Beallsville Borough thence northerly through West Pike Run Township to a point on the Ellsworth Borough line in Washington County a distance of about 1.5 miles

Route 62178 Beginning at a point on the northeastern Centerville Borough line thence in a northeasterly direction through East Pike Run Township to a point on Route 268 at its intersection with Route 62150 about 0.3 of a mile southeast of the Coal Center Borough line in Washington County a distance of about 2.0 miles

Route 62179 Beginning at a point on the West Brownsville Borough-East Pike Run Township line thence in a northeasterly direction along the West Brownsville Borough-East Pike Run Township line on Second Street to Jefferson Avenue thence in a northwesterly direction through East Pike Run Township on Jefferson Avenue to an intersection with Route 268 at Pittsburgh Road and Jefferson Avenue in Washington County a distance of about 0.5 of a mile

Route 62180 Beginning at a point on the northeast line of Burgettstown Borough thence in a southeasterly direction through Smith and Robinson Townships via Raccoon and Bulger to the west line of Midway Borough thence from a point on the east line of Midway Borough southeasterly and easterly through Robinson Smith Mount Pleasant and Cecil Townships to a point on the southwest line of McDonald Borough in Washington County a distance of about 8.5 miles

Route 62181 Beginning at a point on the north borough line of Canonsburg thence northwesterly through Cecil Township to a point on Application 685 in Washington County a distance of about 0.7 of a mile

Route 62182 Beginning at a point on the southwest line of Burgettstown Borough thence southwesterly through Smith Township to Langloth in Washington County a distance of about 1.0 mile

Route 62183 Beginning at a point on Route 114 near Route 62124 thence northwesterly through Buffalo and Blaine Townships to a point on Route 62110 at Taylorstown in Washington County a distance of about 2.6 miles

Route 62184 Beginning at a point on Route 62123 about 0.2 of a mile northwest of Kimmins School thence northerly through West Finley and Donegal Townships to a point on the south line of West Alexander Borough in Washington County a distance of about 2.7 miles

Route 62185 Beginning at a point on Route 735 at Avella thence northeasterly through Cross Creek and Smith Townships via Pattersons Mills Studa and Cross Creek to a point on Route 115 at Atlasburg in Washington County a distance of about 7.0 miles

Route 62186 Beginning at a point on Route 62099 about 0.5 of a mile east of Majorsville thence in a general easterly direction through West Finley Township Washington County and Richhill Township Greene County to a point on Route 62007 at Ackleys Bridge in Washington and Greene Counties a distance of about 5.6 miles

WAYNE COUNTY

Route 63087 Beginning at a point on Route 63045 near Mitchell's Pond thence northwesterly through Damascus Township to a road intersection in Wayne County a distance of about 1.3 miles

Route 63088 Beginning at a point on Route 63055 about 0.6 of a mile north of Route 945 thence easterly through Mt. Pleasant Township to a point on Route 584 in Wayne County a distance of about 3.1 miles

Route 63089 Beginning at a point on Route 949 near the Clinton Township line thence in a northerly direction through Mt. Pleasant Township to a point on Route 227 about 0.3 of a mile south of its intersection with Route 965 in Wayne County a distance of about 1.7 miles

Route 63090 Beginning at a point on Route 945 at Rileysville thence in a northeasterly direction through Lebanon and Damascus Townships to a point on Route 173 about 0.7 of a mile south of its intersection with Route 63027 in Wayne County a distance of about 4.4 miles

Route 63091 Beginning at a point on Route 63079 near Fallsdale thence in a northerly direction through Damascus Township to a point on Route 945 at West Damascus in Wayne County a distance of about 2.0 miles

Route 63092 Beginning at a point on Route 63031 at Torrey thence in an easterly direction through Oregon and Damascus Townships to an intersection with Route 63030 in Wayne County a distance of about 1.4 miles

Route 63093 Beginning at a point on Route 63023 about 0.3 of a mile southwest of Texas Township line thence in a northwesterly and northerly direction through Cherry Ridge and Texas Townships to a point on the Honesdale Borough line in Wayne County a distance of about 3.2 miles

Route 63094 Beginning at a point on Route 960 at Seelyville thence southerly through Texas Township to the Cherry Ridge Township line in Wayne County a distance of about 1.3 miles

Route 63095 Beginning at a point on Route 172 about 0.3 of a mile east of its intersection with Route 63013 thence in a northeasterly direction through Salem Township to an intersection with Route 171 and Route 949 in Wayne County a distance of about 1.9 miles

Route 63096 Beginning at a point on Route 63073 about 0.5 of a mile west of Honesdale thence northerly through Texas and Dyberry Townships to the intersection of Route 963 with Application 247 in Wayne County a distance of about 0.8 of a mile

Route 63097 Beginning at a point on Route 171 about 1.0 mile east of Lake Ariel thence northwesterly through Lake Township to a point on Route 63011 in Wayne County a distance of about 1.1 miles

Route 63098 Beginning at a point on Route 63059 near the New York State line thence southwesterly through Scott Township to a road intersection in the Village of Sherman in Wayne County a distance of about 1.6 miles

Route 63099 Beginning at a point on Route 950 about 1.0 mile northwest of the Pike County line thence southwesterly through Palmyra Township to a point on the Hawley Borough line in Wayne County a distance of about 1.6 miles

Route 63100 Beginning at a point on Route 949 about 2.0 miles north of South Canaan thence westerly through South Canaan Township to a point on the Lackawanna County line in Wayne County a distance of about 2.4 miles

Route 63101 Beginning at a point on Route 945 about 0.1 of a mile west of Route 63045 thence southwesterly through Damascus Township to a road intersection about 0.7 of a mile south of Tyler Hill in Wayne County a distance of about 2.9 miles

Route 63102 Beginning at a road intersection near Canaan Station thence northeasterly through Canaan Township to a point on the Waymart Borough line in Wayne County a distance of about 1.9 miles

WESTMORELAND COUNTY

Route 64248 Beginning at a point on the northwest line of Oklahoma Borough thence northeasterly through Allegheny Township to the South line of Vandergrift Borough in Westmoreland County a distance of about 0.13 of a mile

Route 64249 Beginning at a point on Route 64232 about 0.4 of a mile north of the North Huntingdon-Penn Township line thence westerly through Penn Township to the Trafford Borough line in Westmoreland County a distance of about 0.1 of a mile

Route 64250 Beginning at a point at the intersection of Route 64218 and Route 68 thence in a southwesterly direction through Derry Township to a point on Route 64257 about 1.0 mile southeast of O'Hara School in Westmoreland County a distance of about 1.0 mile

Route 64251 Beginning at a point on Route 120 about 0.1 of a mile northwest of its intersection with Route 64182 thence in a southwesterly direction through North Huntingdon Township to a road intersection in the Village of Chambers in Westmoreland County a distance of about 2.8 miles

Route 64252 Beginning at a point on Route 120 at the village of Stewartville thence in a westerly direction through North Huntingdon Township to a point on the Westmoreland-Allegheny County line in Westmoreland County a distance of about 1.5 miles

Route 64253 Beginning at a point on Route 64183 about 0.4 of a mile north of its intersection with Route 64035 thence in a westerly and northwesterly direction through Salem Township to a point on Route 64036 in Westmoreland County a distance of about 2.1 miles

Route 64254 Beginning at a point on the east line of Youngstown Borough thence in a southeasterly direction through Unity and Ligonier Townships to a point on Route 64060 about 1.0 mile south of the Village of Darlington in Westmoreland County a distance of about 4.5 miles

WYOMING COUNTY

Route 65065 Beginning at a point on Route 65046 about 1.0 mile north of Forkston thence in a general northeasterly direction through Forkston Windham and Mehoopany Townships to a point on Route 65051 about 1.6 miles west of its intersection with Route 217 in Wyoming County a distance of about 3.0 miles

Route 65066 Beginning at a point on Route 65018 near the Factoryville Borough line thence easterly through Clinton Township past a school house to a point on Route 9 about 0.5 of a mile west of its intersection with Application 1677 in Wyoming County a distance of about 0.2 of a mile

Route 65067 Beginning at a point on Route 65028 about 0.1 of a mile southeast of its intersection with Route 65060 near West Nicholson thence in a northeasterly southeasterly and northeasterly direction through Nicholson Township to a point on Route 65027 about 0.5 of a mile southeast of the Susquehanna-Wyoming County line in Wyoming County a distance of about 2.4 miles

Route 65068 Beginning at a point on Route 65032 about 0.2 of a mile northwest of its intersection with Route 65031 thence in a general northerly direction through Tunkhannock and Lemon Townships to a point on Route 65030 about 0.5 of a mile southwest of its intersection with Route 65017 in Wyoming County a distance of about 2.9 miles

Route 65069 Beginning at a point on Route 12 about 0.2 of a mile southeast of the Tunkhannock-Lemon Township line thence extending northeasterly and northwesterly through Tunkhannock and Lemon Townships to another point on Route 12 about 0.1 of a mile south of its intersection with Route 65032 in Wyoming County a distance of about 0.4 of a mile

Route 65070 Beginning at a point on Route 232 near Hill Top Inn thence southerly and northeasterly through Falls Township to a point on Route 232 about 1.0 mile northwest of Falls in Wyoming County a distance of about 2.4 miles

Route 65071 Beginning at a point on Route 592 near Vernon thence northwesterly through North Moreland and Eaton Townships to a road intersection about 0.5 of a mile south of Jenks in Wyoming County a distance of about 2.3 miles

Route 65072 Beginning at a point on Route 592 about 1.0 mile west of Route 65008 thence southerly through North Moreland Township to the Luzerne County line in Wyoming County a distance of about 0.3 of a mile

Route 65073 Beginning at a point on Route 592 Spur about 1.0 mile south of Centremoreland thence southerly through North Moreland Township to the Luzerne County line in Wyoming County a distance of about 0.2 of a mile

Route 65074 Beginning at a point on Route 65056 about 1.3 miles south of Falls thence northeasterly through Falls Township to a point on Route 65009 in Wyoming County a distance of about 1.5 miles

YORK COUNTY

Route 66158 Beginning at a point on Route 190 about 0.25 of a mile north of its intersection with Route 66077 thence in a northwesterly direction through West Manheim and Penn Townships to a point on Route 66080 at its intersection with Route 66081 in York County a distance of about 2.1 miles

Route 66159 Beginning at a point on the northeast borough line of Glen Rock Borough thence in a northeasterly direction through Shrewsbury and Springfield Townships to a point on Route 127 near its intersection with Route 66084 in York County a distance of about 2.6 miles

Route 66160 Beginning at a point on Route 127 about 0.5 of a mile north of its intersection with Route 66004 thence in a westerly direction through Shrewsbury Township to a point on Route 66004 and about 1.0 mile northwest of the Shrewsbury Borough line in York County a distance of about 1.15 miles

Route 66161 Beginning at a point on Route 66004 at Holtz thence in a northwesterly direction through Windsor Township to a point on Route 332 near its intersection with Route 66019 in York County a distance of about 1.6 miles

Route 66162 Beginning at a point on Route 66012 about 0.2 of a mile southwest of its intersection with Route 332 thence in a general northerly direction through Chanceford and Lower Windsor Townships to a point on Route 332 about 0.4 of a mile east of its intersection with Route 714 in York County a distance of about 3.35 miles

Route 66163 Beginning at a point on Route 216 near Brogueville thence in a northwesterly northerly and northeasterly direction to a point near Glen Allen School thence westerly and northwesterly through Chanceford Township to a point on Route 66012 about 1.0 mile southwest of Bridgeville in York County a distance of about 3.7 miles

Route 66164 Beginning at a point on Route 66116 at the east borough line of Felton Borough thence in a northeasterly direction through Chanceford Township to a point on Route 66055 about 0.1 of a mile east of Pine Run in York County a distance of about 0.95 of a mile

Route 66165 Beginning at a point on Route 66004 about 0.25 of a mile west of its intersection with Route 66015 thence in a northerly direction through Hopewell North Hopewell and Shrewsbury Townships to a point on Route 127 about 0.2 of a mile north of Hametown in York County a distance of about 3.0 miles

Route 66166 Beginning at a point on Route 66011 about 0.5 of a mile east of the Shrewsbury Borough line thence in a northerly direction through Shrewsbury and Hopewell Townships to a point on Route 66004 about 0.2 of a mile east of the Shrewsbury-Hopewell Township line in York County a distance of about 1.2 miles

Route 66167 Beginning at a point on the Maryland-Pennsylvania State line near the Village of Stiltz thence in a northwesterly direction through Codorus Township to an intersection with Route 66073 about 0.6 of a mile southeast of the intersection of Routes 66004 and 66073 in York County a distance of about 0.02 of a mile

Route 66168 Beginning at a point on Route 66004 about 1.0 mile southeast of Sticks thence in a northeasterly direction through Codorus Township to a point on Route 441 in the Village of Pierceville in York County a distance of about 1.4 miles.

Route 66169 Beginning at a point on Route 66004 about 1.5 miles northeast of Bonnair thence in a northwesterly direction through Shrewsbury and Codorus Townships to a point on Route 441 about 1.5 miles southeast of Glen Rock in York County a distance of about 0.85 of a mile

Route 66170 Beginning at a point on Application 2337 about 0.5 of a mile northeast of the Shrewsbury-Springfield Township line thence in a northeasterly direction through Springfield Township to a point on Application 2337 about 1.25 miles southwest of the intersection of Application 2337 and Route 127 in York County a distance of about 0.55 of a mile

Route 66171 Beginning at a point on Route 66127 at Potosi thence northeasterly and northwesterly through Springfield Township to a point on Route 66084 about 0.4 of a mile northeast of the intersection of Routes 66127 and 66084 in York County a distance of about 0.9 of a mile

Route 66172 Beginning at a point on Route 66013 about 0.5 of a mile south of Gatchelville thence in an easterly direction through Fawn Township to a point on Route 66063 at the village of Bald Eagle in York County a distance of about 2.05 miles

Route 66172 Beginning at a point on Route 66069

about 0.3 of a mile north of Slate Hill thence in a northeasterly direction through Peach Bottom Township to a road intersection in the Village of Peach Bottom in York County a distance of about 1.5 miles

Route 66174 Beginning at a point on Route 66125 near the village of Pleasant Grove thence in a northeasterly direction through Lower Chanceford and Chanceford Township to a point on Route 66013 near the village of Chanceford in York County a distance of about 3.7 miles

Route 66175 Beginning at a point on Route 66050 at its intersection with Route 66097 thence southeasterly and northerly through York Township to a point on Route 66140 about 0.5 of a mile southwest of Dallastown in York County a distance of about 2.0 miles

Route 66176 Beginning at a point on Route 333 about 0.2 of a mile north of Winterstown Borough-North Hopewell Township line thence northwesterly and northeasterly through North Hopewell and York Townships to a point on Route 66054 near the Village of Arbor in York County a distance of about 2.4 miles

Route 66177 Beginning at a point on Route 66052 about 0.1 of a mile east of its intersection with Route 127 thence easterly through York Township to a point on Route 216 about 0.2 of a mile south of its intersection with Route 66053 in York County a distance of about 1.05 miles

Route 66178 Beginning at a point on Route 66012 about 0.75 of a mile south of the intersection of Routes 66012 and 714 thence southeasterly through Lower Windsor Township past Salem Church in York County for a distance of about 0.4 of a mile

Route 66179 Beginning at a point on Route 66016 near Canadochly School thence northwesterly through Lower Windsor Township to a point on Route 66004 at the Lower Windsor-Hellam Township line in York County a distance of about 0.85 of a mile

Route 66180 Beginning at a point on Route 66015 near the Hopewell-East Hopewell Township line thence northerly through East Hopewell Township to a point on Route 66057 at the East Hopewell Township-Cross Roads Borough line in York County a distance of about 3.15 miles

Route 66181 Beginning at a point on the east boundary line of Yoe Borough at South George Street thence in a general southeasterly direction through York Township to a point on the west boundary line of Red Lion Borough at West High Street in York County a distance of about 1.0 mile

Route 66182 Beginning at a point on Route 66024 about 0.8 of a mile northwest of its intersection with Route 66006 thence in a northeasterly direction through Carroll and Monoghan Townships to a point on Route 66001 about 0.7 of a mile northeast of the Carroll-Monaghan Township line in York County a distance of about 1.9 miles

Route 66183 Beginning at a point on Route 66001 at its intersection with Route 66032 at Pinetown thence in a northerly direction through Fairview Township to a point on Route 66032 about 0.1 of a mile west of its intersection with Route 66001 in York County a distance of about 1.5 miles

Route 66184 Beginning at a point on Route 66002 about 0.6 of a mile northwest of its intersection with Route 250 thence in a northeasterly direction through East Manchester and Newberry Townships to a point on the York Haven Borough line in York County a distance of about 1.62 miles

Route 66185 Beginning at a point on Route 449 about 0.4 of a mile north of its intersection with Route 250 thence in a southeasterly direction through Newberry Township to a point on the York Haven Borough line in York County a distance of about 1.0 mile

Route 66186 Beginning at a point on Route 190 about 0.15 of a mile south of Kralltown thence in a northwesterly direction through Washington and Warrington Townships to a point on Route 124 about 0.75 of a mile southeast of the Carroll-Warrington line in York County a distance of about 3.7 miles

Route 66187 Beginning at a point on Route 124 about 0.1 of a mile southeast of the Dover Borough line thence in a northeasterly direction through Dover Township to a point on Route 66002 about 0.5 of a mile east of the Dover Borough line in York County a distance of about 0.6 of a mile

Route 66188 Beginning at a point on Route 124 about 0.4 of a mile east of its intersection with Application 1999 thence in a northeasterly direction through Dover Township to a point on Route 66102 about 0.75 of a mile southeast of its intersection with Route 66002 in York County a distance of about 1.75 miles

Route 66189 Beginning at a point on Route 66007 about 0.1 of a mile north of its intersection with Route 644 thence in a northwesterly southwesterly and northwesterly direction through North Codorus and Jackson Townships to a point on Route 230 about 0.2 of a mile northeast of Nashville in York County a distance of about 3.05 miles

Route 66190 Beginning at a point on Route 66007 about 0.2 of a mile southwest of its intersection with Route 66128 thence in a northerly direction through North Codorus Township to a point on Route 66131 about 0.4 of a mile southwest of its intersection with Application 2003 in York County a distance of about 1.0 mile

Route 66191 Beginning at a point on Route 441 at the village of Blooming Grove thence in a northeasterly direction through Penn and Heidelberg Townships to a point on Route 66007 about 0.5 of a mile north of the Manheim-Heidelberg Township line in York County a distance of about 2.1 miles

Route 66192 Beginning at a point on Route 66138 about 1.25 miles north of its intersection with Route 126 thence in a northerly and easterly direction through Paradise Township to an intersection with Route 66090 at the village of Holtzswan in York County a distance of about 1.0 mile

Route 66193 Beginning at a point on Route 66138 about 0.4 of a mile southeast of its intersection with Route 66002 thence northeasterly through Paradise Township to an intersection with Route 66005 near the Village of Swam in York County a distance of about 0.7 of a mile

Route 66194 Beginning at a point on Route 66035 near the Washington-Dover Township line thence in a northeasterly direction through Dover Township to an intersection with Route 66034 near Harmony Grove School in York County a distance of about 2.13 miles

Route 66195 Beginning at a point on Route 492 about 0.1 of a mile northeast of its intersection with Route 66048 thence easterly and northeasterly through North Codorus and York Townships to a point on Route 66051 about 0.4 of a mile southeast of the North Codorus-York Township line in York County a distance of about 2.8 miles

Route 66196 Beginning at a point on Route 250 about 1.0 mile north of Navoo thence northerly through Fairview Township to a point on Route 66028 near Locust Grove School in York County a distance of about 1.4 miles

Route 66197 Beginning at a point on Route 66003 near Cedar Grove School thence southeasterly through Fairview Township to a road intersection in York County a distance of about 1.05 miles

Route 66198 Beginning at a point on Route 66001 near Beavertown thence northeasterly through Carroll Township to a point on Route 125 in York County a distance of about 2.0 miles

Route 66199 Beginning at a point on Route 66047 about 0.5 of a mile east of Beaver Creek thence northwesterly through Paradise Township to a point on Route 126 in York County a distance of about 1.1 miles

Route 66200 Beginning at a point on Route 66002 about 0.8 of a mile east of Strinestown thence northerly through Conewago and Newberry Township to a point on Route 250 near its intersection with Route 449 in York County a distance of about 2.8 miles

Route 66201 Beginning at a point on Route 66090 at its intersection with Route 66147 thence in a northwest-

erly direction through Springettsbury Township to a point on Route 128 about 0.1 of a mile southwest of the Springettsbury-Hellam Township line in York County a distance of about 1.1 miles

Route 66202 Beginning at a point on Route 124 near the west boundary line of Wellsville Borough thence in a general northerly direction through Warrington Township to a point on Route 66006 about 0.6 of a mile southeast of its intersection with Route 66025 in York County a distance of about 2.9 miles

Route 66203 Beginning at a point on Route 66050 about 1.2 miles southwest of its intersection with Route 66094 thence in a northwesterly direction through West Manchester Township to a point on Route 126 about 0.3 of a mile northeast of its intersection with Route 492 in York County a distance of about 1.75 miles

Route 66204 Beginning at a point on Route 66012 about 0.1 of a mile north of its intersection with Route 66057 thence in a northeasterly direction through Chanceford Township to a road intersection in York County a distance of about 0.4 of a mile

On the question,

Will the House agree to the section?

Mr. GILLETTE. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 2, page 53, lines 4 to 9, by striking out the following: "Beginning at a point on Route 08013" in line 4, and all of lines 5 to 9 both inclusive, and inserting in lieu thereof: "Beginning at a point on Route 08123, about 1.0 mile south of Alba Borough; thence in an easterly direction through Canton and Granville Townships to a point on Route 08042, about 1.0 mile south of the intersection of Routes 08042 and 08041, in Bradford County, a distance of about 2.3 miles."

Amend sec. 2, page 54, lines 4 to 9, by striking out the following: "Beginning at a point on Route 08093" in line 4, and all of lines 5 to 9 both inclusive, and inserting in lieu thereof: "Beginning at a point on Route 13, about 0.7 of a mile southeast of Macedonia; thence in a northerly and southwesterly direction through Asylum Township to a point on Route 13, about 0.6 of a mile northwest of Macedonia, in Bradford County, a distance of about 2.6 miles."

Amend sec. 2, page 55, lines 16 to 26, by striking out the following: "Beginning at a point on Route 241 about" in line 16 and all of lines 17 to 26 both inclusive, and inserting in lieu thereof: "Beginning at a point on Route 08039, about 0.2 of a mile west of Troy Borough; thence in a general northwesterly direction through Troy and Columbia Townships to a point on Route 212, about 0.7 of a mile east of Sylvania Borough, in Bradford County, a distance of about 3.1 miles."

Amend sec. 2, page 55, line 27, by striking out the figures "08172" and inserting in lieu thereof: "08171".

Amend sec. 2, page 56, line 5, by striking out the figures "08173" and inserting in lieu thereof: "08172".

Amend sec. 2, page 56, line 10, by striking out the figures "08174" and inserting in lieu thereof: "08173".

Amend sec. 2, page 56, line 16, by striking out the figures "08175" and inserting in lieu thereof: "08174".

Amend sec. 2, page 56, line 21, by striking out the figures "08176" and inserting in lieu thereof: "08175".

Amend sec. 2, page 56, line 26, by striking out the figures "08177" and inserting in lieu thereof: "08176".

Amend sec. 2, page 57, lines 3 to 8, by striking out the following: "08178 Beginning at a point on Route 08028" in line 3, and all of lines 4 to 8 both inclusive, and inserting in lieu thereof: "08177 Beginning at a point on Route 08054, about 2.0 miles northeast of East Smithfield, thence southeasterly through Smithfield Township, about 1.1 miles to a road intersection; thence northeasterly through Smithfield and Ulster Townships to a point on Route 08054, about 0.4 of a mile west of Milan, in Bradford County, a distance of about 5.2 miles.

Amend sec. 2, page 57, line 9, by striking out the figures "08179" and inserting in lieu thereof: "08178".

Amend sec. 2, page 57, line 15, by striking out the figures "08180" and inserting in lieu thereof: "08179".

Amend sec. 2, page 57, line 20, by striking out the figures "08181" and inserting in lieu thereof: "08180".

Amend sec. 2, page 57, line 26, by striking out the figures "08182" and inserting in lieu thereof: "08181".

Amend sec. 2, page 58, line 4, by striking out the figures "08183" and inserting in lieu thereof: "08182".

Amend sec. 2, page 58, line 10, by striking out the figure "08184" and inserting in lieu thereof: "08183".

On the question,

Will the House agree to the amendments?

Mr. GILLETTE. Mr. Speaker, I withdraw my amendments to this bill.

On the question recurring.

Will the House agree to the section?

Mr. STEWART. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec 2, page 131, lines 15 to 29, both inclusive, by striking out all of said lines.

Amend sec. 2, page 132, lines 1 to 21, both inclusive, by striking out all of said lines, and inserting in lieu thereof:

"Route 32145. Beginning at a point on Route 32086 in the village of Gipsy; thence in a northwesterly direction through Montgomery Township, 0.7 of a mile, to a point on the Montgomery-Banks Township line; thence in a northwesterly direction in Banks Township, 0.4 of a mile, to a road intersection; thence in a northeasterly direction, 0.95 of a mile, to a point on Route 32086, in Indiana County, a distance of about 2.05 miles.

Route 32146. Beginning at a point on Route 32072 in the village of Five Points; thence in a general northwesterly direction through Washington Township to a point on the Washington-Cowanshannock Township line, in Indiana County, a distance of about 2.0 miles.

Route 32147. Beginning at a point on Route 32063, about 0.3 of a mile east of Kintersburg; thence in a northerly direction through Rayne Township to a point on Route 32075, about 0.5 of a mile south of the Rayne-East Mahoning Township line, in Indiana County, a distance of about 2.9 miles.

Route 32148. Beginning at a point on Route 32042, about 0.75 of a mile west of its intersection with Route 68; thence in a northerly direction through White Township to a point on Route 228, about 0.4 of a mile southwest of its intersection with Route 32044 in Indiana County, a distance of about 1.4 miles.

Route 32149. Beginning at a point on the Indiana-Armstrong County line, about 1.5 miles southwest of Route 319; thence in an easterly direction through Armstrong Township to a point on Route 32048, in Indiana County, a distance of about 2.25 miles.

Route 32150. Beginning at a point on Route 32021, about 1.0 mile north of Rexis; thence in a southwesterly direction through Buffington Township to a point on Route 32128, about 1.25 miles south of its intersection with Route 32027, in Indiana County, a distance of about 1.4 miles."

Amend sec. 2, page 132, lines 27 to 29, both inclusive, by striking out all said lines.

Amend sec. 2, page 133, lines 1 to 28, both inclusive, by striking out all of said lines.

Amend sec. 2, page 134, lines 1 to 20, both inclusive, by striking out all of said lines, and inserting in lieu thereof:

"Route 32152. Beginning at a point on Route 32125, about 0.75 of a mile northeast of the Brush Valley-Center Township line; thence in a northwesterly direction through Brush Valley Township to a point on Route 337, about 0.1 of a mile east of the Brush Valley-Center Township line, in Indiana County, a distance of about 1.0 mile.

Route 32153. Beginning at a point on Route 32022, about 1.0 mile southeast of its intersection with Route 32028; thence in a northeasterly direction through Blacklick and Center Townships to a point on Route 32024, about 0.2 of a mile north of the Blacklick-Center Township line, in Indiana County, a distance of about 1.7 miles.

Route 32154. Beginning at a point on Route 902, about 0.75 of a mile north of Blacklick Creek; thence in a northeasterly direction through Blacklick Township to a point on Route 32120; beginning again on Route 32120, thence in a general northeasterly direction through Blacklick township to a point on Route 32022, about 1.5 miles southeast of its intersection with Route 32028, in Indiana County, a distance of about 2.7 miles.

Route 32155. Beginning at a point on Route 32120, about 0.7 of a mile west of its intersection with Route 32016; thence in a northerly direction through Blacklick Township to a point on Route in Indiana County, a distance of about 1.1 miles.

Route 32156. Beginning at a point on Route 902, about 0.25 of a mile north of Blacklick Creek; thence in an easterly direction through Blacklick Township to a point on Route 32120, about 1.0 mile west of its intersection with Route 32016, in Indiana County, a distance of about 1.1 miles.

Route 32157. Beginning at a point on Route 32001, near the Conemaugh U. P. Church; thence southerly through Conemaugh Township to a point on Route 32015, in Indiana County, a distance of about 0.9 of a mile.

Route 32158. Beginning at a point on Route 32035, about 0.5 of a mile east of Tide; thence northerly through Center and Brush Valley Townships to a point on Route 23036, in Indiana County, a distance of about 0.6 of a mile.

Route 32159. Beginning at a point on the Armstrong-Indiana County line; thence in an easterly direction through Washington Township, via Advance, to a point on Route 32060, about 1.75 miles north of the Armstrong-Washington Township line, in Indiana County, a distance of about 2.7 miles.

Route 32160. Beginning at a point on Route 262, about 0.1 of a mile south of the Grant-Green Township line; thence in an easterly direction through Green and Montgomery Townships to a point on Route 32065, about 0.2 of a mile south of the Montgomery-Green Township line, in Indiana County a distance of about 2.3 miles.

Route 32161. Beginning at a point on Route 435, about 0.3 of a mile northwest of the East Mahoning-Grant Township line; thence in an easterly direction through East Mahoning and Canoe Townships to a point on Route 32099, about 0.4 of a mile northwest of its intersection with Route 435, in Indiana County, a distance of about 0.7 of a mile.

Route 32162. Beginning at a point on Route 32095, about 0.1 of a mile east of its intersection with Route 32077; thence in a southeasterly and northeasterly direction through Grant and Montgomery Townships to a point on Route 32095, about 0.6 of a mile west of its intersection with Route 32086, in Indiana County, a distance of about 2.05 miles.

Route 32163. Beginning at a point on Route 32103, about 0.7 of a mile east of its intersection with Route 32102; thence in a northeasterly direction through Banks Township to a point on Route 17007 at the Clearfield County line, in Indiana County, a distance of about 1.4 miles.

Route 32164. Beginning at a point on Route 32065, about 0.75 of a mile northeast of its intersection with Route 631; thence in a northerly direction through Green Township to a point on Route 32160, about 0.3 of a mile east of its intersection with Route 262, in Indiana County, a distance of about 1.8 miles.

Route 32165. Beginning at a point on Route 188 at West Lebanon; thence in a southerly and easterly direction through Young Township to a point on Route 32033, about 0.3 of a mile north of Route 32032, in Indiana County, a distance of about 3.6 miles.

Route 32166. Beginning at a point on Route 32032 at Nesbit Run Junction; thence in a northeasterly direction through Young Township to a point on Route 32165, in Indiana County, a distance of about 3.0 miles.

Route 32167. Beginning at a point on Route 32031, about 1.0 mile north of the village of Iselin; thence in an easterly and northerly direction through Young Township to a point on Route 32031, about 0.4 of a mile south of the village of Whiskey Run, in Indiana County, a distance of about 2.0 miles.

Route 32168. Beginning at a point on Route 32119, near the Young Township line; thence northerly through Armstrong Township to a point on Route , in Indiana County, a distance of about 0.7 of a mile.

Route 32169. Beginning at a point on Route 54, near its intersection with Route 32064; thence easterly through Green Township to a point on Route 32065, about 1.0 mile west of Cookport, in Indiana County, a distance of about 2.3 miles.

Route 32170. Beginning at a point on Route 32039, about 1.0 mile northeast of Croft; thence in a general southeasterly direction through Buffington Township to a point on Route 32027 near its intersection with Route 32029, in Indiana County, a distance of about 2.5 miles."

Amend section 2, page 140, by striking out in line 10, the words "Beginning at a point on Route 36103 at" all of lines 11 to 28 inclusive

Amend page 141 by striking out lines 1 to 26 inclusive and insert in lieu thereof the following:

"Route 36133. Beginning at a point on Route 36007 near Pleasant Grove; thence northwesterly through Fulton Township to a point on Route 36010 about one mile west of McSparran, in Lancaster County, a distance of about 2.6 miles.

Route 36134. Beginning at a point on Route 36020 about 0.1 of a mile east of Kirks Mills thence northerly through Little Britain Township to a point on Route 345 at Little Britain, in Lancaster County, a distance of about 2 miles.

Route 36135. Beginning at a point on Route 36005 about 1.5 miles west of Chestnut Level, thence northeasterly through Drumore and East Drumore Townships, via Drumore Center to a point on Route 36017, in Lancaster County, a distance of about 3.5 miles.

Route 36136. Beginning at a point on Route 332 about 0.4 of a mile southwest of Pequea Station; thence easterly through Martic Township to a point on Route 36005 about 0.5 of a mile south of Martic Forge, in Lancaster County, a distance of about 3.5 miles.

Route 36137. Beginning at the intersection of Routes 332 and 332 Spur; thence easterly in Pequa Township to a point on Route 36008, in Lancaster County, a distance of about one mile.

Route 36138. Beginning at a point on Route 36011 about one-half mile north of Strasburg; thence easterly in Strasburg Township to a point on Route 36028, in Lancaster County, a distance of about 1.4 miles.

Route 36139. Beginning at a point on Route 698 about one-half mile east of Lampeter; thence northerly in West Lampeter Township to a point on Route 36035, in Lancaster County, a distance of about 0.9 of a mile.

Route 36140. Beginning at a point on Route 623 at Conestoga Center; thence in a general northerly direction in Conestoga Township to a point on Route 36008, in Lancaster County, a distance of about 3.1 miles."

Amend page 142 by striking out lines 20 to 29 inclusive.

Amend page 143 by striking out lines 1 and 2, inclusive, and insert in lieu thereof the following:

"Route 36144. Beginning at a point on Route 36075 about one mile northeast of Camargo; thence northerly and easterly in Eden Township to a point on Route 36011, in Lancaster County, a distance of about 2.1 miles.

Route 36145. Beginning at the intersection of Routes 344 and 36081; thence easterly through Bart and Sadsbury Township to a point on Route 36079 at Coopersville, in Lancaster County, a distance of about 2.3 miles."

Amend page 145 by striking out lines 24 to 27 inclusive.

Amend page 146 by striking out lines 1 to 8 inclusive, and insert in lieu thereof the following:

"Route 36160. Beginning at a point on Route 136 about one mile south of Martinsville; thence northeasterly in

Strasburg Township to a point on Route 36051, in Lancaster County, a distance of about 1.7 miles."

Amend page 148 by striking out lines 15 to 20 inclusive.

On the question,

Will the House agree to the amendments?

They were not agreed to.

On the question,

Will the House agree to the section?

Mr. WILSON. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 2, page 134, lines 22 to 29, by striking out all of said lines

Amend sec. 2, page 135, lines 1 to 29, by striking out all of said lines

Amend sec. 2, page 136, lines 1 to 11, by striking out all of said lines

Amend sec. 2, page 136, line 12 by striking out the figures "33076" and inserting in lieu thereof: "33068"

Amend sec. 2, page 136, lines 17 to 29, by striking out all of said lines

Amend sec. 2, page 137, lines 1 to 29, by striking out all of said lines

Amend sec. 2, page 137, line 28, by striking out the figures "33084" and inserting in lieu thereof: "33069"

Amend sec. 2, page 138, by inserting after line 3, the following:

"Route 33070. Beginning at a point on Route 33035, about 1.5 miles northeast of its intersection with Route 436; thence in an easterly direction through Gaskill Township to the Jefferson-Clearfield County line, in Jefferson County, a distance of about 1.0 miles.

Route 33071. Beginning at a point on Route 33020, about 1.0 mile east of the Village of Stanton; thence in a southertly and easterly direction through Rose Township to the Rose-Knox Township line; thence in a southeasterly and southerly direction through Knox Township to the Knox-Oliver Township line; thence in a southerly direction through Oliver Township to a point on Route 63, about 0.5 of a mile north of the village of Cool Spring, in Jefferson County, a distance of about 4.3 miles.

Route 33072. Beginning at a point on Route 33036, about 0.6 of a mile south of Trout Run School; thence in an easterly direction through Bell and Henderson Townships to the Big Run Borough line, in Jefferson County, a distance of about 2.8 miles.

Route 33073. Beginning at a point on Route 33050, about 2.0 miles south of Big Run Borough; thence in an easterly and northerly direction through Gaskill Township to a point on Route 33035, near the Big Run Borough-Gaskill Township line, in Jefferson County, a distance of about 2.4 miles.

Route 33074. Beginning at a point on Route 63 at McGarey; thence in a northwesterly direction through Rose and Clover Townships to a point on Route 33011 at Content, in Jefferson County, a distance of about 2.7 miles.

Route 33075. Beginning at a point on Route 435, about 0.25 of a mile east of the Punxsutawney Borough line; thence northerly through Bell Township, in Jefferson County, a distance of about 0.23 of a mile.

Route 33076. Beginning at a point on Legislative Route 338 at its intersection with Township road 33505 in the Borough of Sykesville, Jefferson County; thence in a westerly direction approximately 2.1 miles to its intersection with Rural Route 33051.

Route 33077. Beginning at a point on Route 357, about 1.0 mile east of Grange; thence northerly through Perry and Oliver Townships to a point on Route 33016, about 1.5 miles southeast of Sprankle Mills, in Jefferson County, a distance of about 2.3 miles.

Route 33078. Beginning at a point on Route 33017, about 1.5 miles south of Norena; thence northeasterly through Oliver Township to a point on Route 63, about 0.7 of a mile northwest of Coolspring, in Jefferson County, a distance of about 1.2 miles.

Route 33079. Beginning at a point on Route 63, about 0.3 of a mile south of the Punxsutawney Borough line; thence easterly and northeasterly through Young and Bell Township to a road intersection; thence northerly and westerly to a point on the Punxsutawney Borough line, in Jefferson County, a distance of about 1.85 miles.

Route 33080. Beginning at a point on Route 63, near its intersection with Route 521, thence westerly through Young Township to the village of Sportsburg, in Jefferson County, a distance of about 1.2 miles.

Route 33081. Beginning at a point on Route 33011, near Ohl School; thence northerly through Rose Township to a point on Route 33012, in Jefferson County, a distance of about 1.9 miles.

Route 33032. Beginning at a point on Route 248, about 0.6 of a mile north of Howe; thence easterly through Eldred and Warsaw Townships to a point on Route 33030, near Richardsville, in Jefferson County, a distance of about 6.1 miles.

Route 33083. Beginning at a point on Route 33014, near its intersection with Route 33008; thence in a general southeasterly direction through Eldred Township to a point on Route 248 about 0.3 of a mile south of Howe, in Jefferson County, a distance of about 2.9 miles.

Route 33084. Begininng at a point on Route 60 Spur, about 0.5 of a mile southeast of the village of Soldier; thence in an easterly direction through Winslow Township to a point on Route 338, about 0.1 of a mile north of the Borough of Sykesville, in Jefferson County, a distance of about 1.4 miles.

Route 33085. Beginning at a point on Route 33053, about 0.5 of a mile west of the Clearfield County line; thence in a northerly direction through Henderson Township to the Sykesville Borough line, in Jefferson County, a distance of about 0.7 of a mile."

On the question,

Will the House agree to the amendments?

Mr. WILSON. Mr. Speaker, I would like the opportunity of saying just a word. First I want to say to the Democratic leader of this House thanks for being so kind in his explanation of the circumstances of what the printing of this bill is going to cost, and the only reason I shall take time for a word now is to explain that we introduced bills to take care of requests of the Democrats and Republicans, and those bills were offered early in the session, and if I didn't at least make an effort to protect those bills I would not feel that I was doing my duty, and therefore I am rising here to explain how that happened. I believe that these amendments that have been introduced are very deserving amendments. However, I have prepared those that I prepared at the request of the gentleman in charge of this omnibus bill in the first instance. I followed out his request, and did everything that I could but nobody conferred with me. I am not against these amendments that are in this bill, but I have to defend my own, and I want to go on record here by saying I know that I will be voted down. I want it strictly understood that I am not opposing the roads that are proposed here, but I want it understood that the gentleman who represents the county is a Republican, and he went to considerable expense to go to the supervisor of roads, and had the Department itself mark it up, and we do not feel sure we have been well treated by someone. It does not mean in these circumstances necessarily the members of this House, nor does it mean that I am not grateful to Mr. Cohen for his polite way of straightening these things out.

On the question recurring,

Will the House agree to the amendments.

They were not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. TERRY. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 2, page 192, lines 21 to 27, both inclusive, by striking out all of said lines.

Amend sec. 2, page 193, lines 13 to 22, both inclusive, by striking out all of said lines.

Amend sec. 2, page 194, lines 3 to 6, both inclusive, by striking out all of said lines.

On the question,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section?

Mr. FRANCIS T. BAKER. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 2, page 205, by striking out all the lines 18 to 23, both inclusive, and inserting in lieu thereof:

"Route 59044. Beginning at a point on Route 59016, about 1.0 mile south of Route 26; thence southwesterly and northwesterly through East Buffalo Township to a point on Route 24, about 0.7 of a mile south of Route 26, in Union County, a distance of about 1.3 miles."

Amend sec. 2, page 205, by inserting after line 1, the following: "Route 59046. Beginning at a point on Route 59013 about 1.0 mile north of Route 59012, thence extending in an easterly direction through East Buffalo Township to a point on Route 59016, about 1.0 mile south of Linntown, in Union County, a distance of about 1.50 miles."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section and title were separately read and agreed to as follows:

Section 3 The highways established as State highways under the provisions of this act may be taken over for construction and maintenance at any time subsequent to the final enactment of this act when the same shall become effective and shall be taken over not later than January first one thousand nine hundred thirty-eight

An Act to amend the act approved the twenty-second day of June one thousand nine hundred and thirty-one (Pamphlet Laws 594) entitled "An act establishing certain township roads as State highways authorizing their construction maintenance and improvement under certain conditions and restrictions limiting the obligation of the Commonwealth in the construction of certain structures located on such highways conferring certain powers upon the Department of Highways and local authorities persons associations and corporations for sharing the cost of the maintenance and construction of such highways and making an appropriation to carry out the provisions of said act" as amended by changing certain routes and adding certain new routes

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 155, as follows:

An Act to repeal the act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred thirty-nine) entitled "An act defining sedition and prescribing the punishment therefor" and its amendments

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the twenty-sixth day of June one thousand nine hundred and nineteen (Pamphlet Laws six hundred thirty-nine) entitled "An act defining sedition and prescribing the punishment therefor" and its amendments is hereby repealed

On the question,

Will the House agree to the section?

BILL RECOMMITTED

Mr. ALLEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Judiciary General.

On the question,

Will the House agree to the motion?

Mr. TRONZO. Mr. Speaker and members of the House, this is an anti-sedition bill which attempts to repeal the Flynn Sedition Act of 1919 .

POINT OF ORDER

Mr. ALLEN. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Bedford will state his point of order.

Mr. ALLEN. Mr. Speaker, the gentleman is speaking on the bill and not on the motion to recommit.

The SPEAKER. The point of order is well taken. The gentleman will confine himself to the motion to recommit.

Mr. TRONZO. Mr. Speaker and members of the House, this bill has been before the Committee on Judiciary General for some time. The committee paid proper attention to the bill, studied the bill and reported the bill out, so I do not feel that the bill should now be recommitted to a committee that has already given it due consideration. I think that this bill should be allowed to pass on third reading, and then the membership should be given the right to vote either for or against the measure.

On the question,

Will the House agree to the motion?

The yeas and nays were required by Mr. TRONZO and Mr. WALSH.

Mr. TRONZO. Mr. Speaker, I ask for a verification of the roll.

The roll was verified and was as follows:

YEAS—92

Alexander,	Gillette,	Mellott,	Sproul,
Allen,	Gorski,	Mihm,	Stewart,
Arnold,	Habbyshaw,	Muir.	Stockham,
Atkins,	Haberlen,	Murrin,	Terry,
Aukerman,	Hall,	Patterson, C. S.,	Trout,
Baker, F. T.,	Hamilton, F. P.,	Peale,	Tumelty,
Bierly,	Harmuth,	Pearson,	Turner,
Boose,	Hays,	Perry,	VanAllsburg,
Boyer	Hindman,	Pershing,	VanSickle,
Brownfield,	Holland,	Preston,	Wall,

Burrows,	Hontz,	Schrock,	Wampole,
Chervenak,	Horting,	Schrope,	Watkins,
Coakley,	Kane,	Serrill,	Webster,
Cohen, H. B.,	Kelso,	Shea,	Weidemann,
Coleman,	Kline,	Shoemaker,	Welsh,
Decker,	LaRue,	Shugarts,	Whalen,
Dickinson,	Leisey,	Siegel,	Wilson,
Dougherty,	Lyons,	Simon,	Winner,
Downey,	Matthews, J. F.,	Sloan,	Wood,
Elpern,	McDermott,	Smith, John A.,	Woodside,
Fiss,	McDevitt,	Snyder,	Yanoshat,
Flannery,	McElroy,	Sollenberger,	Yeakel,
Ganser,	McKinney,	Spengler,	Furman,
Gerard,			

NAYS—58

Allmond,	Fitch,	O'Connor,	Smith, James A.,
Baine,	Harkins,	O'Keefe,	Stank,
Baker, J. J.,	Hering,	Ominsky,	Thomas,
Bois,	Hess,	Ostroff,	Thompson,
Brigerman,	Keenan,	Patterson, J. W.,	Toole,
Broad,	Levy,	Piole,	Tronzo,
Brown,	Lopresti,	Powers,	Valibus,
Caesar,	Lovett,	Readinger,	Wagner,
Caputo,	Marino,	Reese,	Walsh,
Cohen, R. E.,	McArdle,	Reising,	Weiss, D. H.,
Coolahan,	McCullough,	Ruffennach,	Weiss, S. A.,
Corrigan,	McGee	Rush,	Westrick,
Costanzo,	Mooney,	Sarraf,	Wright,
DeNote,	Moran,	Shepard,	Yourishin,
Finnerty,	Nagel,		

So the question was determined in the affirmative and the motion was agreed to.

BILLS ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2379, as follows:

An Act to amend section two of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" by reducing from ten mills to five mills the rate of tax upon the capital stock of companies organized and incorporated for the purpose of distilling liquors and selling the same at wholesale

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section two of the act approved the fifteenth day of July one thousand eight hundred and ninety-seven (Pamphlet Laws two hundred ninety-two) entitled "An act to provide revenue by taxation" be and the same is hereby amended to read as follows

Section 2 Companies organized and incorporated for the purpose of distilling liquors and selling the same at wholesale shall constitute a separate class for the purpose of taxation and every such corporation joint stock association limited partnership or company shall be subject to pay into the Treasury of the Commonwealth annually a tax at the rate of [ten] five mills upon each dollar of the actual value of its whole capital stock of all kinds including common special and preferred The Department of Revenue shall require every such corporation joint stock association limited partnership or company to report to the said Department annually all such facts as may be by the said Department deemed necessary to arrive at the actual value of the capital stock of every such corporation joint stock association limited partnership or company The said Department is hereby authorized and required to send out blanks in proper form to secure such information as other corporations are required by law to give to the accounting officers in their annual reports so that the actual value of the capital stock may be ascertained

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2208, as follows:

An Act making an appropriation for the dredging of the Delaware and Schuylkill Rivers

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the sum of one hundred thousand dollars ($100,000) is hereby specifically appropriated to the Department of Wharves Docks and Ferries of the City of Philadelphia to be expended by said Department for the purpose of dredging the Delaware and Schuylkill Rivers

The moneys so appropriated shall only be expended as authorized and directed by the council of the City of Philadelphia and shall be drawn from the State Treasury upon warrants drawn by the Auditor General upon requisition by the Directors of the Department of Wharves Docks and Ferries of said city

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Mr. KANE. Mr. Speaker, I desire to call up at this time House Bill No. 1962, Printer's No. 735, on page 44 of today's calendar, bills on second reading postponed.

Agreeably to order,

The bill having been called up from the postponed calendar, by Mr. KANE, and

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1962, entitled:

An Act making an appropriation to the Department of Internal Affairs for the completion of certain geologic and topographic surveys and studies and the publication of the results thereof and also the re-publication of certain surveys and studies in order to make the same available to the citizens of the State.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

SENATE BILLS MADE SPECIAL ORDER

Mr. HERBERT B. COHEN. Mr. Speaker, I move that all Senate Bills as announced by the Chair, be made a special order of business in their order on second reading immediately upon the adoption of this motion.

The motion was agreed to.

The SPEAKER laid before the House in their order the following bills on second reading.

Senate Bill No. 413.
Senate Bill No. 1120.
Senate Bill No. 365.
Senate Bill No. 485.
Senate Bill No. 197.
Senate Bill No. 1238.
Senate Bill No. 606.
Senate Bill No. 758.
Senate Bill No. 771.

Senate Bill No. 1119.
Senate Bill No. 681.
Senate Bill No. 1304.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2289, (Senate Bill No. 413), entitled:

An Act to amend section six as amended in part and section ten of the act approved the thirty-first day of May one thousand nine hundred and twenty-three (Pamphlet Laws 481) entitled "An act providing for the appointment of boards of examiners to examine applicants for certificates of qualification as mine foremen assistant mine foremen and fire bosses in the bituminous coal mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners authorizing the chief of the Department of Mines to determine the district in which boards of examiners shall hold examinations and to designate the boards before whom applicants in the various inspection districts shall appear providing for the issuance of certicates of qualification to successful applicants fixing the fees to be paid by applicants and providing for their disposition forbidding the employment of unqualified persons as mine foremen assistant mine foremen and fire bosses providing a penalty for forging or making false statements regarding certificates" further regulating the qualifications and examination of applicants for said certificates of qualification and the employment of foremen and assistant foremen in such mines

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2320, (Senate Bill No. 1120), entitled:

An Act to amend section ten and section fifteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under oath and prior acts of Assembly" by providing further procedure for preserving such liens and enforcing payment of such claim

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section ten and section fifteen of the act approved the sixteenth day of May one thousand nine hundred and twenty-three (P. L. 207) entitled "An act providing when how upon what property and to what extent liens shall be allowed for taxes and for municipal improvements for the removal of nuisances and for water rents or rates sewer rates and lighting rates for the procedure upon claims filed therefor the methods for preserving such liens and enforcing payment of such claims the effect of judicial sales of the properties liened the distribution of the proceeds of such sales and the redemption of the property therefrom for the lien and collection of certain taxes heretofore assessed and of claims for municipal improvements made and nuisances removed within six months before the passage of this act and for the procedure on tax and municipal claims filed under other and prior acts of Assembly" are hereby amended to read as follows

Section 10 Said claim shall set forth

1 The name of the municipality by which filed

2 The name of the owner of the property against which it is filed

3 A description of the property against which it is filed

4 The authority under or by virture of which the tax was levied or the work was done

5 The time for which the tax was levied or the date on which the work was completed in front of the particular property against which the claim is filed or the date of completion of the improvement where the assessment is made after completion or the date of confirmation by the court where confirmation is required done.

6 If filed to the use of a contractor the date of and parties to the contract for doing said work and

7 In other than tax claims the kind and character of the work done for which the claim is filed and if the work be such as to require previous notice to the owner to do it when and how such notice was given

Said claim (must) shall be signed by the solicitor or chief executive officer of the claimant (;) except in counties having a controller in which case it shall be signed by the controller and in the case of a use-plaintiff must be accompained by an affidavit that the facts therein set forth are true to the best of his knowledge information and belief

Section 15 Such tax municipal or other claim if filed within the period aforesaid shall remain a lien upon said properties until fully paid and satisfied Provided however That either a suggestion of non-payment and an averment of default in the form hereinafter provided be filed in cases of tax claims either before or after judgment on the scire facias and in cases of other than tax claims after judgment on the scire facias or else a writ of scire facias in the form herein provided be issued to revive the same within each period of five years following (a) the date on which said claim was filed (b) the date on which a writ of scire facias was issued thereon (c) the date on which any judgment was entered thereon (d) the date on which a previous suggestion of non-payment and default was filed thereon or (e) the date on which a judgment of revival was obtained thereon

The suggestion and averment shall be in the following form under the caption of the claim

And now the claimant by (his) its solicitor or controller suggests of record that the above claim is still due and owing to the claimant and avers that the owner is still in default for non-payment thereof The prothonotary is hereby directed to enter this suggestion and averment on the municipal lien or the proper docket of the claim and also to index it upon the judgment index and on the locality index of the court for the purpose of continuing the lien of the claim

Such suggestion and averment (must) shall be signed by the solicitor or chief executive officer of the claimant (.) except in counties having a controller in which case it shall be signed by the controller The prothonotary shall docket and index the suggestion and averments directed therein and for such services shall be entitled to a fee of one dollar to be taxed and collected as other costs in the claim The filing and indexing of such suggestion and averment within five years of filing the claim or the issuing of any writ of scire facias thereon or of any judgment thereon or of the filing of any prior suggestion and averment of default shall have the same force and effect for the purposes of continuing and preserving the line of the claim as though a writ of scire facias had been issued or a judgment or judgment of revival had been obtained within such period Provided That no

writ of levari facias shall be issued upon a claim for the purpose of exposing the property liened to sheriff's sale except after a judgment shall have been duly obtained upon the claim as provided in this section and such judgment must have been obtained within five years of the issuance of the levari facias Whenever the lien of a claim has been revived and continued by the filing and indexing of a suggestion and averment of default the claimant may at any time within five years therefrom issue a writ of scire facias thereon reciting all suggestion and averment of default filed since the filing of the claim and shall proceed thereon in the manner herein provided subject to the right of the owner to raise any defense arising since the last judgment

If a claim be not filed within the time aforesaid or if it be not prosecuted in the manner and at the time aforesaid its lien on real estate shall be wholly lost

On the question,

Will the House agree to the section?

Mr. SAMUEL A. WEISS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, page 2, line 4, by striking out the words "and section fifteen."

Amend sec. 1, page 2, line 20, by striking out the word "are" and inserting in lieu thereof "as amended by the act approved the sixteenth day of April, one thousand nine hundred and twenty-nine. (P. L. 526), is."

Amend sec. 1, page 2, line 21, by inserting before the word "amend" the following: "further".

Amend sec. 1, (sec. 10), page 3, line 17, by inserting after the word "by" the following: "or have stamped thereon a facsimile signature of."

Amend sec. 1 (sec. 10), page 3, line 20, by inserting after the word "by" the following: "or have stamped thereon a facsimile signature of the controller."

Amend bill, page 3, by inserting after line 23, the following section:

"Section 2. That section fifteen of said act is hereby amended to read as follows:"

Amend sec. 1, (sec. 15), page 4, line 24, by inserting after the word "by" the following: "or have stamped thereon a facsimile signature of."

Amend sec. 1, (sec. 15), page 4, line 26, by inserting after the word "by" the following: "or have stamped thereon a facsimile signature of."

Amend bill, page 5, by inserting after line 26, the following sections:

"Section 3. No municipal tax lien heretofore entered shall be invalidated, discharged or set aside for want of any formality in the claim or for non-compliance with the requirements of section ten of the act to which this is an amendment if the claim whereon the lien was entered was filed in the office of the prothonotary on or before the last day of the third calendar year after that in which the tax was first payable and correctly shows the amount of the unpaid tax against the property for which the lien was filed for the year covered by the lien, and all such tax liens are hereby ratified, confirmed and validated.

Section 4. This act shall become effective immediately upon final enactment."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend section ten and section fifteen of the act approved the sixteenth day of May, one thousand nine hundred and twenty-three (Pamphlet Laws two hundred seven), entitled "An act providing when, how, upon what property, and to what extent, liens shall be allowed for taxes and for municipal improvements, for the removal of nuisances, and for water rents or rates, sewer rates, and lighting rates; for the procedure upon claims filed therefor; the methods for preserving such liens and enforcing payment of such claims; the effect of judicial sales of the properties liened; the distribution of the proceeds of such sales, and the redemption of the property therefrom; for the lien and collection of certain taxes heretofore assessed, and of claims for municipal improvements made and nuisances removed, within six months before the passage of this act; and for the procedure on tax and municipal claims filed under other and prior acts of Assembly," by providing further procedure for preserving such liens and enforcing payment of such claims.

On the question,

Will the House agree to the title?

Mr. SAMUEL A. WEISS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend title, page 1, line 1 of title, by inserting after the word "ten" the following: "as amended."

Amend title, page 2, line 3 from top of page, by inserting after the word "claim" the following: "and validating certain municipal tax liens heretofore filed."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2367, (Senate Bill No. 365), entitled:

An Act to further amend the act approved the ninth day of June one thousand nine hundred and eleven (Pamphlet Laws 756) entitled "An act to provide for the health and safety of persons employed in and about the bituminous coal-mines of Pennsylvania and for the protection and preservation of property connected therewith" and repealing inconsistent acts.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with.

The House proceeded to the second reading and consideration of House Bill No. 2368, (Senate Bill No. 485), entitled:

An Act to re-enact and amend the act approved the seventh day of June one thousand eight hundred and eighty-seven (Pamphlet Laws 365) entitled "An act to encourage and authorize the formation of co-operative associations productive and distributive by farmers mechanics laborers or other persons" by extending and changing the provisions thereof

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of

Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the title of the entire act approved the seventh day of June one thousand eight hundred and eighty-seven (Pamphlet Laws 365) entitled "An act to encourage and authorize the formation of cooperative associations productive and distributive by farmers mechanics laborers or other persons" section eight of which was amended by section one of the act approved the eleventh day of April one thousand nine hundred and twenty-nine (Pamphlet Laws 511) are hereby re-enacted and amended to read as follows

An Act to encourage and authorize the formation of cooperative associations productive consumptive and distributive [by farmers mechanics laborers or other persons]

Section 1 Be it enacted et cetera That A The following terms whenever used or referred to in this act shall have the following meanings unless a different meaning clearly appears from the context

(a) "Corporation" shall mean any corporation not formed under this act but organized or admitted to do business under the laws of the Commonwealth of Pennsylvania

(b) "Person" shall mean and include natural persons firms associations corporations business trusts partnerships and bodies politic

(c) "Member" shall mean and include each person as defined in this act who is the holder of one share or more of the common stock in such association

(d) "Cooperative" shall mean a qualification as applied to organizations or efforts including but not exclusively democracy of control the limitation of the value of the wage or earnings of capital as such to be a fixed maximum annual amount not exceeding six per centum and the conduct of affairs in connection therewith on the basis of cost and not for profit as in this act defined through the return of any and all excess by means of reserves and patronage refunds

(e) "Net proceeds" shall mean the total current income of an association minus the cost of goods sold and the amount paid as dividends on prefered stock and the sum of its expense of operation

(f) "Dividend" shall mean that current expenses of doing business which is paid to the holders of common stock for the use of capital represented by such stock but not exceeding the limit thereon as provided in this act as and when declared by the board of directors

(g) "Patronage refunds" shall mean the several sums belonging to the patrons whether members or not in proportion to their patronage when all the items of cost and expenses and deductions have lawfully been made and approved by the board of directors

(h) "Subscription" shall mean any agreement or undertaking accepted by the association for membership in the association

B Co-operative associations productive consumptive and distributive may be incorporated under this act upon compliance with its requirements by any five or more [farmers mechanics laborers or other] persons who shall have associated themselves together by written articles of association such as are hereinafter described [for the purpose of carrying on any agricultural horticultural mining quarrying building mechanical manufacturing or commercial or for the purpose of manufacturing cultivating raising trading or dealing in all kinds of goods wares merchandise chattels grain vegetables roots fruits and other produce or animals for sale food or other purposes or for the purpose of buying selling holding leasing or improving lands tenements or buildings and that such] to operate on a co-operative basis as defined in this act and in such case have any lawful purpose or purposes with respect to the needs or desires of members and others for providing or furnishing any necessities conveniences and services or any or all of them desired by them and which natural persons are permitted by law to obtain except the furnishing of any service the furnishing of which is subject to regulation by the Pennsylvania Public Utility Commission Such persons so associating may adopt any corporate name indicating their cooperative character and which has not been previously adopted by any other corporation formed under [this act] the laws of this Commonwealth Provided That the two last words of such name shall be "cooperative association" and that it shall not be lawful to use in such name either the words "society" or "company" [and that any violation of this proviso by any corporation formed under this act shall render each member thereof personally liable for all its debts]

Section 2 That before any association formed under this act shall commence its business its articles of association shall be filed and recorded in the office of the Secretary of [State of this State and two copies of said articles shall be made which the said Secretary of State shall certify by his official signature and the seal of this State as being correct copies of said articles so filed and recorded one of said certified copies shall be filed and recorded in the office of the recorder of deeds of the county in which the principal office of the association shall be located and the said recorder of deeds shall certify by his official signature and the seal of his office that the said certified copy of said articles has been filed and recorded in his office and the other certified copy of said articles] the Commonwealth and a duly certified copy thereof shall be delivered to and held by the association named therein and the said articles or [copies] a copy thereof duly certified by [either of the aforesaid officers] the Secretary of the Commonwealth may be used as evidence in all courts and places of the incorporation of as well as for or against such association and the said Secretary of [State and the said recorder of deeds shall each] the Commonwealth shall be paid for said filing recording and certifying at the rate of ten cents for each one hundred words contained in said articles and after such articles of association shall have been made and filed [and recorded] as herein required the persons signing the legally authorized to assess property for taxes may inspect its books and accounts during the official business who shall from time to time own and possess any share or shares [in the stock capital] of the common stock of such association and their several successors and assigns shall be deemed and taken to be a body cooperate and politic by the name and for the purposes mentioned in such articles of association

Section 3 That the articles of association shall be signed by the persons originally associating themselves together and shall be acknowledged by at least five of them before a notary public and shall state distinctly

First The name by which such association shall be known

Second The name in this State where its principal office is to be located

Third The purpose or object for which is is formed

Fourth Whether the amount of its capital stock [capital] is fixed and if so what amount or whether such capital stock is to be of an amount varying from time to time as the business may require

Fifth The [amount] par value of each share of [permanent] common stock and [ordinary] preferred stock of such capital and how such shares may be paid for

Sixth The amount of capital that will be actually paid in before commencing business

Seventh The terms on which persons may become members

Eighth [On what days in January April July and October regular or quarterly meetings of the members are to be held

Ninth] Such other matters not repugnant to this act as may be deemed proper and necessary

[Tenth] Ninth The term of its existence [not to exceed thirty years and] if such period is to be limited

[Eleventh] Tenth The name of the first associates their respective residences and the number and class of shares held by each of them

Section 4 That the [stock] capital stock of any such association shall consist of the amounts standing to the credit of members or other persons on account of the

shares allotted to them certificates for which shall be issued from time to time as such shares may become fully paid up and there may be two classes of shares one of which classes shall be styled and known as [permanent] "common stock" which shall [not] be withdrawable [but] and may be transferred only subject to the by-laws of such association and each member thereof shall take and hold at least one share of said [permanent] common stock and the other class of shares [may] shall be styled and known ["ordinary] "preferred stock" which may be repaid transferred or withdrawn in accordance with the by-laws of such association and the shares of either class may be of amounts not less than five nor more than twenty-five dollars each and may be paid for in one sum or by [periodical installments or by occasional subscriptions or by the interest thereon or by profit dividends] installments or by patronage refunds as the by-laws may provide

Section 5 That [it shall be the duty of any such association to exhibit in some conspicuous place in its principal office not later than three o'clock post meridian on the first business day of every month and to continue the same in such place until the next exhibit shall be thus made a statement showing correctly and distinctly the amount of such invested stock capital and what proportion such stock capital bears to such loans or deposits such statement to be made up to the close of the next preceding month and to be signed by the president and treasurer or by any two of the directors and to be attested by the secretary and auditors of such association and if any of such officers as aforesaid wilfully make or knowingly consent to any false statement in such exhibit he shall by so doing be deemed to have committed a misdemeanor and shall upon conviction thereof be punished as provided in section thirteen of this act Provided Any member or other person having an interest in the funds of such association or any person legally authorized to assess property for taxes may inspect its books and accounts during the official business hours but no such member person or assessor unless he be an officer of such association or be specially authorized by a resolution thereof shall have the right to inspect the share or other account of any member or person without his written consent] it shall be unlawful for any association organized under this act to pay any commission for the sale of its stock or securities No dealer shall be authorized to sell such stock or securities or solicit sales therefor No person other than the officers and duly authorized employes or members shall receive payments in the name of the association on stock subscriptions and then only as an incident to their activities and not a principal activity

Section 6 That the amount of common stock [capital] of such association to be taken held or claimed at any one time by any person [or persons jointly or by partnerships or by corporations] shall not exceed [one thousand dollars except consent therefor be voted by the members at any regular quarterly meeting thereof] such amount as may be established by the by-laws nor shall any member upon any subject at any meeting be entitled to more than one vote which shall be given in person and not by proxy and any common stock [capital] held by persons jointly [or by partnerships or by corporations] shall be voted upon as if held by one person only [respectively] and subject to the by-laws of such association

Section 7 That it shall be lawful if the by-laws so provide for any minor to take and hold shares in or to make [loans or] deposits of money to or with any such association and for such association to pay to any minor any moneys that may be due to him in respect of any such shares [loans] or deposits standing in his name and his receipt therefor shall be in all respects valid in law but such minor shall not be eligible to hold any office in such association though he may subject to its by-laws vote at any meeting of its members

Section 8 That any such association may buy from sell to render services to and trade or deal with any of its members or other persons [partnerships or corporations] Any association may upon resolution adopted by its board of directors enter into all necessary and proper contracts and agreements and make all necessary and proper stipulations agreements and contracts and arrangements with any other cooperative corporation or association formed in this or in any other state for the cooperative and more economical carrying on of its business or any part or parts thereof Any two or more associations may by agreement between them unite in employing and using or may separately employ and use the same personnel methods means and agencies for carrying on and conducting their respective business

Section 9 That [the members shall be severally and jointly liable for all debts for labor or other services of any kind performed for such association and for any other debts lawfully incurred under the provisions of this act each of the members shall be liable to the amount of his unpaid stock capital and no more but no suit shall be brought or any execution issued against any member individually until a judgment be first obtained for such labor services or any other lawful debts against such association and execution thereon be returned unsatisfied in whole or in part and in case any member shall be compelled to pay any such judgment or any part thereof beyond his pro rata liability therefor he shall have the right to call upon all the members to pay their pro rata share of the same or up to their pro rata liability therefor and may sue them jointly or severally or any number of them and recover in such action the ratable amount due from the member or members so sued And it is hereby provided That stock capital to the extent of twenty-five dollars belonging to any member in such association who is a householder and has a family shall not be subject to attachment or execution or liable in garnishment for his individual debts] no member shall be liable for the debts of the association to an amount exceeding the sum remaining unpaid on his subscription to the capital stock Nothing herein shall be construed to relieve any member from paying any debt due by him to the association

Any association organized under this act shall have the prior lien upon the common stock of any member regardles of whether the certificates therefor are in the possession of the association or the member to whom issued to the amount of any just claim against such member Before cancelling any stock on account of past due indebtednes of any member to the association thirty days time shall be given after the association has mailed a notice in writing to such member at his last known address of the intention of the association to enforce such lien against such common stock

An association may provide by by-laws that no holder of common stock may transfer the same without the prior consent and approval of the association and may stipulate in said by-law how and under what circumstances such transfers may be made

If the location or address of any member of an association shall be unknown to the association for a period of seven consecutive years the association may thereafter mail a notice to his or her last known address that at the end of thirty days such stock will be cancelled and the value thereof set over to the educational fund and post a copy thereof at its principal office In such event if such member shall not within the period of such notice furnish the association his address and resume patronage his stock shall automatically be cancelled and the value thereof added by such association to its educational fund

An association may provide by by-laws for the trial of any member for the violation of any provision of its by-laws after full hearing before the board of directors as in such by-law provided In the event that the board of directors shall determine that a violation has been proved such board may forthwith cancel all rights of such member and fix the value of such member's stock at its par or book value whichever is lower such payment to be made at the convenience of the association not exceeding one year from the date of such finding Upon the making of such payment such holder of stock shall cease to have any right therein and such certificate shall be wholly void and of no effect

Section 10 That [any such association may carry on its business or any part thereof at any one or more places within this State and may take hold lease and convey such personal and mixed estate as may be necessary for

the purpose of its organization and may sue and be sued in its corporate name and may submit any matter in dispute to arbitration and shall have a common seal which shall not be altered or imitated and shall bear the corporation name of together with such device or motto as may be adopted by such association and such seal shall be impressed upon the articles of association and any such association may for all and every and any of the purposes of its organization and for every and any other purpose incidental thereto or in this act mentioned or referred to lay out and use its capital or other moneys and property for the time being or any part thereof with power to do authorize and exercise all acts and powers whatsoever in the opinion of the directors of such association requisite or expedient to be done or exercised in relation thereto] each association shall have the capacity to act possessed by natural persons but shall have authority to perform only such acts as are necessary convenient or expedient to accomplish the purposes for which it is formed Subject to any limitations or restrictions imposed by this act or the articles of incorporation or any amendment thereto each association shall have the following general rights privileges and powers

(a) To continue as an association under its corporate name for the period limited in its articles of incorporation or if the period is not so limited then perpetually

(b) To sue and be sued in its corporate name

(c) To have a corporate seal and to alter the same at pleasure

(d) To acquire own hold use lease mortgage pledge sell convey or otherwise dispose of property real or personal tangible or intangible

(e) To borrow money and to issue sell or pledge its obligations and evidences of indebtedness and to mortgage its property to secure the payment thereof

(f) To carry out its purposes in this State and elsewhere to have one or more offices out of this State and to acquire own hold and use and to lease mortgage, pledge sell convey or otherwise dispose of property real or personal tangible or intangible out of this State

(g) To acquire own and vote and to sell assign transfer mortgage pledge or otherwise dispose of the capital stock bonds securities or evidences of indebtedness of any other association or corporation domestic or foreign in so far as the same shall be consistent with the purposes of the association

(h) To appoint such officers and agents as the affairs of the association may require and to define their duties and fix their compensations

(i) To make by-laws for the government and regulation of its affairs

(j) To cease its activities and to dissolve and surrender its corporate franchise and

(k) To do all acts and things necessary convenient or expedient to carry out the purposes for which it is formed

Section 11 That any such association may by a majority vote of its [members at any meeting specially convened therefor authorize the directors thereof to] board of directors invest in the name of such association such an amount of its [stock] capital [or] and reserve fund and on such terms as [such meetings] the board of directors shall determine in the capital stock [capital if] of any other [duly] incorporated cooperative associations or other corporations any of whose purposes or activities are of mutual interest to such associations in this State or in any other state or county and any such association may by a like vote permit an investment in its [stock] capital stock by any other cooperative association [duly] incorporated in this State or in any other state or county Provided That the [original laws] articles of association or by-laws of such [associations] association permit or authorize such investments

Section 12 That the first meeting of any such association [may] shall be called within thirty days after the receipt of the certified copy of the articles of association from the Secretary of the Commonwealth by a notice signed by any two of the associates who signed its articles of association setting forth the time place and objects of such meeting such notice to be mailed to the address of each [associate] subscriber to stock in the association at least [four clear] six days prior to such meeting and a majority of [such associates] the members present at such meeting shall be competent to make all such by-laws as they may deem necessary for the proper management of the business property and affairs of such association so that such by-laws are not repugnant to or inconsistent with the provisions of this act or of any law of this State and of the United States to elect [the first president and secretary both of whom shall be directors ex officio treasurer and either six eight or ten directors and two auditors] a board of not less than five directors all of whom shall be members of such association [and] or duly accredited representatives of members of such association in the event that such members be other than natural persons One-half or as nearly as may be of the number of the directors so elected shall be elected for the term of one year the remainder for a term of two years They shall hold their offices until their successors shall have been elected [in accordance with section fifteen of this act and to transact any other business necessary for the organization of such association and appropriate to such meeting and the secretary of such meeting shall make full and correct minutes of its proceedings upon the books of such association and the same being signed by its chairman shall be deemed and taken to be prima facie evidence of the action of such meeting] and qualified At the expiration of the terms of any of the directors their successors shall be elected by the members at the next annual meeting for a term of two years

Section 13 That every such association shall hold regular [quarterly] annual meetings of its members [in the months of January April July and October] at such place and time as the directors shall determine and publish for the purpose of considering and determining upon any matter [not requiring special notice] relating to the business of such association and at each [quarterly] annual meeting the directors shall present a full and complete report signed by the president of such association's transactions during the last preceeding [quarter] year accompanied by such information and suggestions in relation to the affairs of such association and to the future management thereof as may be for the best interests of the association and they shall also present at each [quarterly] annual meeting an account of all cash receipts and payments and of the losses and gains of such association for the last preceding [quarter] year and also a general statement or balance sheet of such association's funds and effects liabilities and assets as at the close of the last business day of said [quarter] year and such account and general statement shall be signed by the president and treasurer and be attested by [the secretaries and auditors of such association and a copy of such report account and general statement shall be kept posted up for three months at least in a conspicuous place in the principal office and other places of business of such association and any director president treasurer secretary auditor or other officer who shall include or knowingly consent to any false statement in such report account or general statement or in any other statement required to be made by this act or by any vote of the members at any meeting thereof shall be deemed guilty of a misdemeanor and upon conviction thereof be punished by a fine of not more than one thousand dollars or by imprisonment in the State Prison for not more than one year or both such fine and imprisonment in the discretion of the court] a competent auditor appointed by the board

Section 14 That [after the first election of the directors officers and auditors as provided in section twelve of this act the president secretary treasurer and one-half of the directors and auditors shall be elected at the quarterly meeting in January and the other half of the directors and auditors shall be elected at the quarterly meeting in July and shall hold the several offices for one year or until their successors are elected and the directors shall decide by lot or otherwise as they may deem best who shall constitute the first half of the directors and auditors to retire at the first election that may be made at a quarterly meeting aforesaid The] the by-laws of such asso-

ciation shall provide how nominations shall be made and votes be taken for [president secretary treasurer] directors [and auditors and] also their eligibility [and] qualifications [for their several duties] responsibilities and remuneration and for their removal from office for good and sufficient cause Provided That [each of the official] no acts of the board of directors shall be [by a majority vote of all the directors elect and shall be recorded with the yeas and nays thereon in the minute book of such association] official except majority action at a meeting where a majority of the directors elect are present

The officers of every association shall include a president vice-president secretary and treasurer who shall be appointed annually by the board of directors The president and vice-president shall be appointed from among the directors The secretary and treasurer may be non-members The office of secretary and treasurer may be combined and one individual appointed thereto Vacancies in said offices shall be filled for the unexpired term by the board of directors in the manner provided for the original appointment of officers Such officers shall hold their offices until their successors are appointed and qualified and shall have entered upon the discharge of their duties The board of directors shall require the treasurer and may require such other officers agents and employes charged by the association with responsibility for the custody of funds or property to give bond with sufficient surety for the faithful performance of their duties as such the premium on such bond to be paid by the association

Section 15 That [the profits shall be ascertained and declared on all business carried on in each department or branch or by or for or on account of any such association for each quarter year ending with the months of March June September and December and the profits realized shall be applied as follows

First In reduction of the value of the fixed stock and plant of such association at the annual rate of ten per centum or more on fixtures machinery tools et cetera and of two and one-half per centum or more on warehouses stores or other buildings as the directors shall determine and order

Second In the reduction of the preliminary expenses if any incurred in the formation of such association and remaining unwritten off in its books at such rate being not less than five per centum per annum as the directors shall determine and order

Third In the providing for or payment of interest at the annual rate of six per centum on permanent stock and five per centum on ordinary stock and the reserve fund Provided however That such interest shall be created to each member but shall not be paid until his stock is fully paid up

Fourth In forming by applying such sum or percentage of the net or remaining profits after providing for the preceding charges as the directors shall determine and order a reserve fund to which also all fines and forfeitures shall be carried applicable as folows First to the equalization of dividend second to meet any other contingency affecting the business of such association and third to any other purpose as may be voted by the members on the recommendation of the directors

Fifth In forming and maintaining a propaganda and social fund to which shall be credited such sum being not less than two and one-half per centum of the net profits as the directors shall determine and order

Sixth And the remainder of the net profits shall be divided as follows On the wages and salaries of employe the same rate and on the purchases by non-members one-half of the rate that may be allotted on the purchases by members such wages or salaries to be the amount earned and such purchases to be the amount actually paid for in cash during the period to which such division relates Provided That no profit dividends shall be allowed on the purchases of such articles as the directors may have given previous notice of their intention to exclude from participation in profits And provided further That all such profit dividends shall be created to such members non-members and employes respectively to accumulate and be applied in or toward the payment of shares of permanent stock or ordinary stock as the directors may from time to time determine and order the issue of paid-up certificates therefor until the amount of stock capital held by such members individually reaches the limit allowed by this act after which the profit dividends may be paid to such members as shall be provided for in the by-laws of such association] the directors of any such association shall after making provision for the payment of dividends on preferred stock apportion the net proceeds of the business at least once annually by first setting aside not less than ten per centum of the net proceeds for a reserve fund until the reserve fund shall equal at least thirty per centum of the paid up capital stock Provided That any reserve for depreciation if reasonable in amount or for any other purpose which may properly constitute an expense is to be figured before computation of net proceeds The directors may then declare a dividend upon the paid-up common stock at a rate per annum not to exceed six per centum The directors may then set aside not to exceed five per centum of the remaining net proceeds as an educational fund for such purposes as provided in the by-laws but a larger sum may be ordered by a two-thirds majority of a duly called members' meeting The directors may then grant a bonus to employes who are in the employ of the association at the time of the apportionment of proceeds which bonus shall be based in amount upon the amount of compensation received by said employes during the year at a rate not to exceed the rate of patronage distribution hereinafter described The directors shall distribute all remaining net proceeds uniformly to patrons of the association in cash or stock of the association or both in proportion to the volume of business conducted by such patrons with the association Provided That any such distribution to a non-member may be entirely in the form of common or preferred stock or credits for the purchase thereof until the amount of such credit equals the par value of one share of the association's common or preferred stock as the case may be distribution thereafter to such patron if he has received a common stock distribution being made in the same manner as distribution to members generally Provided further That such a distribution to a non-member if it is less in amount than the par value of one share shall be credited to the non-member's stock account during the first five years but may revert to the educational fund if after five years an amount less than the par value of one share has accumulated

Any bonus to employes mentioned in this section may in the discretion of the directors be wholly or partly in the form of stock of the association

Section 16 That every such association shall have a regular business office to which all communications and notices shall be addressed and service of any legal process on any such association shall be made by leaving at such office a true copy of such process with any director officer clerk or agent of such association and in case such office shall be kept closed against such service then service of such process may be made on such association by giving a true copy thereof to any of its directors or officers if found in the county wherein such office is located and if on a return of such a process it appears that such office is kept closed or that such directors or officers could not be found within the said county then such process may be served on such association by serving a true copy thereof on any of its directors or officers wherever found in this State and failing in that and on a return made to such effect the court may order such publication as it may deem requisite to be made in the premises for at least one month in at least one newspaper published at or as near as may be to the place where the principal office of such association is located and proof of such publication shall be held to be due service on such association

Section 17 That [every person appointed to any position in any association requiring the receipt payment management or use of money belonging to such association shall before entering upon the discharge of his duties become bound with two or more good and sufficient sureties in such sum and form as the directors shall require and approve and the directors may also require from any

other employes of such association bonds with good and sufficient sureties for the faithful discharge of their duties; it is a fundamental principle of every such association that regardless of what price or charge may be originally collected from any patron for any commodity or service the actual charge to such patron is the net cost of such commodity or service and any excess above such net cost is the property of the parton By accepting membership in an association organized or re-organized under this act each member and his successors have conferred upon the board of directors the right to return such excess fully in stock and cash or either or to return to each patron his pro rata balance of such excess after first deducting the reserves educational funds and other deductions made by the board of directors under authority conferred upon such boards by this act It is hereby declared that no profit accrues or shall accrue to the benefit of the association as such but that all surplus and unexpended reserves are at all times the property of the patrons in proportion to their patronage subject nevertheless to right of the board of directors to set aside such reserves and make such deductions as are by this act authorized

Section 18 That [any such association may charge any of its members employes or other persons doing business with it by way of fine for any breach or non-observance of its by-laws or any of its business rules and regulations such reasonable sum not more than five dollars for each offense as the directors may determine and order and all such fines shall be due and payable forthwith and if not paid the same may be deducted from any moneys due credited or accruing to the parties so offending] Any person or persons or any corporation whose officers or employes maliciously and knowingly spread false reports about the finances or management of any association organized under the terms of this act shall be guilty of a misdemeanor and be subject to a fine of not less than one hundred dollars and not more than one thousand dollars for each such offense and shall be liable to the association aggrieved in a civil suit in the penal sum of five hundred dollars for each such offense

Section 19 That if any director officer clerk agent or other person in the employment of any such association shall embezzle or fraudulently dispose of or convert to his own use or shall take or secrete with intent to embezzle and convert to his own use any money or other property of such association or of any of its dealers or customers which shall have come into his possession or shall be under his charge by virtue of such office or employment or otherwise he shall be deemed by so doing to have committed the crime of embezzlement and shall upon conviction thereof be punished as the law directs

Section 20 That any such association may alter or amend its articles of association and may alter or rescind any by-laws or make any additional by-laws not contrary to law with the consent of a majority of its members present at a regular meeting or at a special meeting convened for such purpose but the notice calling such meeting shall set forth fully and clearly the subject matter to be affected by the proposed alteration amendment rescission or addition and any alteration or amendment of the articles of association shall be filed recorded and certified in the same manner as the original articles of association

Section 21 That the articles of association and by-laws and any amendments thereto or alterations therein respectively of any such association shall be recorded in a book to be kept for that purpose and such book shall be open during business hours at the principal office of such association for the inspection of its members and other persons having an interest in its funds or dealing with such association and such articles of association by-laws and amendments thereto and alterations therein respectively so recorded shall be binding on such association its directors officers members and employes on all other persons having an interest in the funds of or dealing with such association and all persons claiming on account of any or either of them or under such articles of association by-laws or amendments thereto or alterations therein respectively to the same extent as if each and every such person had subscribed his name and affixed his seal thereto and there were in such articles of association by-laws or amendments thereto or alterations therein respectively contained a covenant on the part of himself his heirs executors administrators and assigns to conform to such articles of association by-laws and amendments thereto or alterations therein respectively subject to the provisions of this act all of whom shall be deemed and taken to have full notice thereof by such record as aforesaid and the entry of such articles of association by-laws and amendments thereto or alterations therein respectively in the books of such association or a true copy of the same examined with the original and proved to be a true copy shall be received as evidenced thereof in all courts and places

Section 22 That any cooperative association now in existence in this State whether incorporated or unincorporated shall be entitled to all the benefits of this act by complying with its provisions and may by a vote of the majority of the members of such cooperative association to be taken according to its existing articles of association or by-laws determine to avail itself of the provisions of this act and to take and assume corporate name and powers thereunder and may by a like vote transfer to such association so formed under this act all its property real personal and mixed and thereupon such association to which said property is so transferred shall take the same in the same manner to the same extent and with the like effect as the same was previously owned and held by the association so transferring the same and may in its corporate name sue for and collect all dues and demands subscriptions and other benefits belonging to such original incorporated or unincorporated association Provided however That such association so taking such property as aforesaid shall take the same subject to all liens and trusts both legal and equitable to which the same was subject before such transfer and shall also be liable for all debts and obligations of such previous association and shall pay the same to the full extent of the value of such property at the same time of so taking the same

Any association incorporated and existing under the provisions of the act to which this act is an amendment shall be entitled to all the benefits of such amendments by amending its articles of association in conformity therewith and filing and recording such amendments as provided by law

Section 23 That [any such association desiring for any reason to be dissolved prior to the expiration of the term of years specified in its articles of association may by a resolution passed at a special meeting therefor by a majority vote of all the members of such association authorize its directors or a special committee of members to prepare or have prepared a full and true exhibit of the affairs property and condition of such association including an itemized statement of all its assets and liabilities and also to report whether in the opinion of such directors or committee it would be best to continue or close up any or all of the business of such association and in the latter case to recommend such methods and means as in their judgment would be best adapted for closing up such business such exhibit report and recommendation to be printed and a copy thereof to be mailed postage prepaid to the last recorded address of every member of such association together with a notice from the president of such directors or chairman of such committee as the case may be convening a special meeting of the members to be held at such time being not less than ten or more than fifteen days from the date of mailing such notice as such directors or committee shall determine and order for the purpose of considering and acting on such exhibit report and recommendation as to such special meeting shall deem best Provided That all votes taken on such recommendation at such special meeting shall be by ballot and that it shall require three-fourths of all the ballots cast to carry any motion for the winding up and dissolution of such association Provided also That such president or chairman as aforesaid shall mail to every member of such association along with the notice for the last-mentioned special meeting a printed form of ballot for the use of such members as may be unable to attend at such special meeting on

which shall be printed two questions as near as may be in the following words Are you in favor of the winding up and dissolution of the association? Answer yes or no Are you in favor of the plan as recommended for those purposes? Answer yes or no And such answers shall be signed by the members so answering and such ballots may be addressed and mailed postage prepaid or be personally delivered to such president or chairman as aforesaid at the principal office of such association and all such ballots so receiver prior to or at the time appointed for such special meeting shall be opened and counted by the scrutineers or tellers appointed by such special meeting along with the ballots cast on the same or like questions by the members present at such special meeting And provided further That in the event of a resolution being passed as aforesaid by such special meeting for the winding up and dissolution of such association a copy of such resolution duly certified by the official signatures of the president and secretary and sealed with the common seal of such association shall be given to and shall contain full instructions and authority for the parties to be named therein to assume and discharge the duties entrusted to them by such resolution and upon the completion of such duties by said parties they shall make a certificate signed and sworn to by them before a notary public upon such certified copy of the aforesaid resolution that they have truly and faithfully discharged all the duties entrusted to them thereby and that they have realized all the assets and settled all the liabilities of such association in accordance with the instructions and authority given to them by such resolution and such certificate and certified copy of such resolution shall be filed by such parties in the offices of the Secretary of State of this State and of the recorder of deeds of the county wherein the principal office of such association was located and such certificate and certified copy of resolutions shall be recorded by the said secretary and the recorder of deeds in like manner as the articles of association of such association were recorded] dissolution proceedings voluntary and involuntary of or for any such association shall be in accordance with the provisions of the laws governing business corporations in this Commonwealth Provided however That all voting therein required shall be on the basis of one vote for each member regardless of the amount of common stock held by any member and a majority vote of the members shall have the same force and effect as if it were a majority vote of the common stock

Section 24 All acts or parts of acts inconsistent herewith be and the same are hereby repealed

Section 25 The provisions of this act shall be severable and if any of the provisions shall be held to be unconstitutional such decisions shall not affect the validity of any of the remaining provisions of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

On the question,

Will the House agree to the section?

Mr. HERBERT B. COHEN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1, (sec. 2), page 4, lines 13, 14, and 15, by striking out the words "except the furnishing of any service, the furnishing of which is subject to regulation by the Pennsylvania Public Utility Commission"

Amend sec. 1, (sec. 3), page 6, line 11, by striking out with light-face brackets the word "object" and inserting in lieu thereof "purposes"

Amend sec. 1, (sec. 10), page 14, line 9, by inserting after the word "thereof" the following: "Provided, however, That the indebtedness of the corporation other than in the usual course of business shall not be increased until the board of directors of the corporation shall adopt a resolution setting forth the desired increase and directing that the question of the proposed increase be submitted for the consent of the members at a meeting to be held after sixty days' notice, which notice may be waived in writing and upon such consent, the board of directors may proceed to increase the indebtedness"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section and title were seperately read and agreed to as follows:

Section 2 The provisions of this act shall become effective thirty days after its final enactment

An Act to re-enact and amend the act approved the seventh day of June, one thousand eight hundred and eighty-seven (P. L. 365) entitled, "An act to encourage and authorize the formation of cooperative associations, productive and distributive, by farmers, mechanics, laborers, or other persons," by extending and changing the provisions thereof

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 1417, (Senate Bill No. 197), as follows:

A Supplement to the act approved the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissioners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuations for taxation is concerned and providing for the acceptance of this act by cities" providing for the appointment of the members of the boards for the assessment and revision of taxes by the Auditor General of the Commonwealth terminating the terms of the existing members of such boards and fixing the membership of the county salary boards for certain purposes and repealing existing law providing for the appointment of such boards by the county commissioners

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That in all counties of the third class in this Commonwealth there is hereby created a board to be known as the Board for the Assessment and Revision of Taxes which shall be composed of three members residents of the county for which appointed The members of said board shall be appointed by the Auditor General of the Commonwealth to serve for terms of four years each Vacancies happening in said office shall be filled by appointment by the Auditor General for the unexpired terms The boards so appointed shall have all the powers and perform all the duties vested in and imposed upon the Board for the Assessment and Revision of Taxes in counties of the third class by the act to

which this is a supplement The salary of the members of said board shall be fixed by the salary board of the county Whenever the salary board shall be convened for the purpose of fixing salaries under this act or the act to which this is an amendment the members of the board for the assessment and revision of taxes shall become members of the salary board of the county with the same power as now conferred by law on the other members of the salary board of the county

Section 2 Upon the effective date of this act the terms of the members of the board of revision of taxes in counties of the third class shall cease and terminate and the members appointed by the Auditor General shall take office for the term for which appointed They shall be entitled to the compensation theretofore fixed by the salary board for members of the board of revision of taxes until changed or altered under the provisions of this act All other appointees and employes of such boards shall continue to hold their respective positions and be entitled to receive the same compensation as now fixed by the salary board subject to removal by the board of revision provided for by this act and the fixing of their compensation by the salary board as provided in this act

Section 3 The provisions of this act shall be severable and if any of its provisions shall be held to be unconstitutional the decision of the court shall not affect the validity of the remaining provisions of this act It is hereby declared as a legislative intent that this act would have been adopted had such unconstitutional provision not been included therein

Section 4 Section one of the act approved the twenty-sixth day of June one thousand nine hundred and thirty-one (Pamphlet Laws 1379) entitled "An act creating in counties of the third class a board for the assessment and revision of taxes providing for the appointment of the members of such board by the county commissiners providing for their salaries payable by the county abolishing existing boards defining the powers and duties of such board regulating the assessment of persons property and occupations for county borough town township school and poor purposes authorizing the appointment of subordinate assessors a solicitor engineers and clerks providing for their compensation payable by such counties abolishing the office of ward borough and township assessors so far as the making of assessments and valuation for taxation is concerned and providing for the acceptance of this act by cities" is hereby repealed

Section 5 This act shall become effective on the first day of June one thousand nine hundred and thirty-seven except that the Auditor General shall have power to appoint the members of the board for the assessment and revision of taxes at any time prior to said date

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2362, (Senate Bill No. 1238), as follows:

A Joint Resolution creating a commission to make certain studies in respect to bituminous mines defining its powers and duties and making an appropriation

Section 1 Be it resolved by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met That a commission is hereby created which shall consist of three members of the Senate to be appointed by the President Pro Tempore of the Senate and four members of the House of Representatives to be appointed by the Speaker of the House whose duty it shall be to make a thorough study and investigation of the proposal incorporated in Senate Bill No 632 of the Legislative Session of 1937 to ascertain whether it would be economically feasible to enact such legislation requiring operators of bituminous coal to move all cars to and from the face of the workings or whether its enactment would result in so increasing mining costs as to affect the production of bituminous coal in this Commonwealth and to make report of its findings and recommendations to the General Assembly in the year 1939

Section 2 The commission shall organize by electing a chairman vice chairman and secretary The members of the commission shall serve without compensation but shall be reimbursed for all expenses incurred in the performance of their duties The commission shall have power to such assistants as are deemed necessary and to fix their compensation The commission shall have power to sit after adjournment of the 1937 session of the General Assembly

Section 3 The sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby sepcifically appropriated to the commission for the payment of the expenses of the commisison for the compensation of the assistants appointed by the commission for supplies postage telephone telegraph and incidental expenses for compiling and printing a report and for all other necessary and proper expenses of the commission

And said bill having been read at length the second time ad agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2338, (Senate Bill No. 606), entitled:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania to gether with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for sabbatical leaves of absence for certain employes of school districts

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" is hereby amended by adding thereto after section one thousand two hundred and fifteen a new heading and section to read as follows

Sabbatical Leaves of Absence

Section 1216 (a) Whenever any person employed in the public school of this Commonwealth shall have completed ten years of satisfactory service as a teacher or in first class school districts as a member of the instructional staff or department of instruction as now defined by the local board of education such person shall be entitled to a leave of absence for restoration of health study or travel or at the discretion of the board of school directors for other purposes for a half or full school year at the option of such person Thereafter one leave of

absence shall be allowed after each seven years of service

(b) No leave of absence shall be granted unless such person shall agree to return to his or her employment with the school district for a period of not less than one year after such leave of absence

(c) No such leave of absence shall be considered a termination or breach of the contract of employment and the person on leave of absence shall be returned to the same or positions in the same school or schools he or she occupied prior thereto

The person on leave of absence shall receive the difference between his or her regular salary and the salary paid to any substitute employe temporarily engaged because of such leave The salary paid to such substitute shall be the salary for substitute service according to the salary schedule established by the local board

(e) Applications for leaves of absence shall be given preference according to the years of service since the previous sabbatical leave of the applicant and in accordance with regulations adopted by the board of school directors pursuant to the provisions of this section

(f) No school district shall limit the number of leaves of absence granted in any school year to less than ten per centum of the number of persons eligible for such leave of absence regularly employed in such district Provided however That schools which have a staff of seven or less teachers shall be permitted at least one leave of absence each year

(g) Every person on leave of absence shall retain the right to make contributions as a member of the School Employes' Retirement Fund and continue his or her membership therein

(h) Nothing in this section shall be construed to prevent any person on leave of absence from receiving a grant for further study from any institution of learning

(i) A sabbatical leave granted to a regular employe shall also operate as a leave of absence without pay from all other school activities

(j) Every employe while on sabbatical leave of absence shall be considered to be in regular full-time daily attendance in the position from which the sabbatical leave was taken during the period of said leave for the purpose of determining the employe's length of service and the right to receive increments as provided by law

(k) A member of the teaching or supervisory staff while on sabbatical leave of absence shall for all purposes be viewed in law as a full-time teacher supervisor principal or other full-time member of the teaching and supervisory staff as the case may be and while on sabbatical leave he or she shall enjoy all the rights and privileges of an employe in regular full-time daily attendance in the position from which sabbatical leave of absence was granted and during the period of said leave the Commonwealth shall pay to the school district for each member of the teaching and supervisory staff thereof who is on sabbatical leave of absence the same per centum or share of salary provided for by law as if the employe was in regular daily full-time attendance in the position from which the sabbatical leave of absence was taken and in cases of employes of approved local or joint vocational industrial vocational home economics and vocational agricultural schools or departments who are on sabbatical leave the school district shall be reimbursed as provided by law for each of their full-time salaries just as though such employes were in daily attendance upon their respective duties

(l) The board of school directors or board or public education shall have the right to make such regulations as they may deem necessary to make sure that employes on leave as provided by this act shall utilize such leave properly for the purpose for which it was granted requiring reports from the employe or employes on leave in such manner as they may deem necessary

On the question,

Will the House agree to the section?

Mr. OMINSKY. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend sec. 1 (sec. 1216), page 3, line 21, by inserting after the word "leave" the following: "Provided, That the employe who is absent on sabbatical leave shall not receive more than one thousand six hundred dollars ($1,600) if the employe's absence on sabbatical leave is for a full year, and not more than eight hundred dollars ($800) if the employe's absence on sabbatical leave is for a half school year as defined in this act.

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

Mr. HARKINS. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend sec. 1 (sec. 1216), page 2, lines 17 and 18, by striking out the following: "the public school system" and inserting in lieu thereof: "any school district of the first class"

Amend sec. 1 (sec. 1216), page 2, line 20, by striking out the following: "in first class school districts"

Amend sec. 1 (sec. 1216), page 2, line 24, by striking out the following: "school directors" and inserting in lieu thereof: "public education"

Amend sec. 1 (sec. 1216), page 3, line 5, by inserting after the word "district" the following: "of the first class"

Amend sec. 1 (sec. 1216), page 4, line 1, by striking out the following: "school directors" and inserting in lieu thereof: "public education of the school district of the first class"

Amend sec. 1 (sec. 1216), page 4, line 3, by inserting after the word "district" the following: "of the first class"

Amend sec. 1 (sec. 1216), page 5, line 19, by striking out the following: "of school directors or board"

Amend sec. 1 (sec. 1216), page 5, line 20, by inserting after the word "education" the following: "of any school district of the first class"

On the question,

Will the House agree to the amendments?

Mr. BROWNFIELD. Mr. Speaker, I would like to interrogate the gentleman from Allegheny, Mr. Harkins.

The SPEAKER. Will the gentleman from Allegheny permit himself to be interrogated

Mr. HARKINS. I will, Mr. Speaker.

Mr. BROWNFIELD. Mr. Speaker, did I understand the amendments the gentleman from Allegheny offered, to eliminate the second, third and fourth class districts from this bill and thus leave only the first class districts?

Mr. HARKINS. Mr. Speaker, that is the purpose of the amendments and the gentleman's understanding is correct.

Mr. BROWNFIELD. Mr. Speaker, for what purpose does the gentleman offer such amendments?

Mr. HARKINS. Mr. Speaker, I offered the amendments to accomplished the purpose that I just answered, as expressed in my reply to the gentleman.

Mr. BROWNFIELD. Mr. Speaker, why does the gentleman want to omit those three classes of districts?

Mr. HARKINS. Mr. Speaker, in answer to that interrogation I would say that it is my opinion that this act if passed would be taken advantage of mostly by the

first class school districts. I feel that the passage of this act would not be beneficial to the second, third and fourth class school districts, and I do not feel that this act, in its present form, is desirable or is desired by the second, third and fourth class school districts, and I therefore offer the amendments.

Mr. BROWNFIELD. Mr. Speaker, I rise to oppose these amendments. This, I believe, is a good bill, and if it is good for the first class districts it is certainly good for all the others, and I would ask the members of the House to vote these amendments down.

QUESTION OF INFORMATION

Mr. OMINSKY. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman will state his question of information.

Mr. OMINSKY. Mr. Speaker, have the amendments which I offered been inserted in the bill?

The SPEAKER. The gentleman is informed that they have.

Mr. HARKINS. Mr. Speaker, the bill now up for consideration is known as the Sabbatical Leave Bill, which would provide for a leave of absence, and as I recollect the provisions of the bill, this leave of absence would be mandatory, and, Mr. Speaker—

POINT OF ORDER

Mr. BROWNFIELD. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Fayette will state his point of order.

Mr. BROWNFIELD. Mr. Speaker, I believe the gentleman is discussing the bill, and should not do so in offering the amendments.

The SPEAKER. The gentleman must confine his remarks to the amendments to Section 1.

QUESTION OF INFORMATION

Mr. HARKINS. Mr. Speaker, I rise to a question of information.

The SPEAKER. The gentleman from Allegheny will state his question of information.

Mr. HARKINS. Mr. Speaker, inasmuch as I have not a copy of the amendments here, and inasmuch as the whole purpose of the amendments will be obvious, the only thing I wish to speak of is that it is my thought to speak on all the amendments offered and not only one.

The SPEAKER. The gentleman may discuss the amendments to Section 1, which covers all the amendments.

Mr. HARKINS. Mr. Speaker, I wish to state for the benefit of the House that if these amendments are adopted they will change the provisions of this act so that the act will apply only to first class school districts which are large enough and rich enough to afford the cost that will be entailed, and if these amendments are adopted the second, third and fourth class districts will not be forced to pay out sums of money to school teachers who are not serving but who are away on leave of absence, who may be studying or may be traveling or may be away from the school district, and who will receive compensation for not being at school, teaching as they should be teaching. Mr. Speaker, I ask for the support of the House on these amendments.

Mr. HOLLAND. Mr. Speaker, I would like to correct the statement made by the gentleman from Allegheny, Mr. Harkins when he said that the first class school districts would have to stand the cost of this bill. There isn't any cost in this bill to any school district, whether it be first, second, third or fourth class. There would be no cost to the school districts whatsoever if this bill passed. I ask the House to vote down the amendments offered by the gentleman from Allegheny, Mr. Harkins.

Mr. HARKINS. Mr. Speaker, I wish to further state that I have offered these amendments because I view this bill as a bill that is destructive of labor standards, of professional standards among the teachers, and I feel that it will particularly be harmful to districts of the second, third and fourth class in our State.

On the question recurring,

Will the House agree to the amendments?

They were not agreed to.

On the question recurring,

Will the House agree to the section as amended?

Mr. TUMELTY. Mr. Speaker, I would like to interrogate someone who can give me some information on this bill.

The SPEAKER. The Chair is not in possession of the information requested by the gentleman.

POINT OF ORDER

Mr. TURNER. Mr. Speaker, I rise to a point of order.

The SPEAKER. The gentleman from Delaware will state his point of order.

Mr. TURNER. Mr. Speaker, there is nothing in order but the vote on the amendments.

The SPEAKER. The House did vote on the amendments, and they were defeated.

MOTION TO RECOMMIT

Mr. TUMELTY. Mr. Speaker, if there isn't anyone who can answer an interrogation on this bill, I would like to move, due to the fact that this bill requires somebody to work and somebody else to collect the money, that this bill be recommitted to the Committee on Aeronautics, because the bill seems to be up in the air.

The SPEAKER. Does the gentleman wish to have the bill pass second reading?

Mr. TUMELTY. I do not, Mr. Speaker; I do not think it should have passed first reading.

On the question,

Will the House agree to the motion?

Mr. BROWNFIELD. Mr. Speaker, I wish the gentleman from Philadelphia would recall his motion, because I was ready to answer any questions he had on the bill, if he will recall his motion.

MOTION WITHDRAWN

Mr. TUMELTY. Mr. Speaker, I will withdraw the motion for the purpose of interrogation.

Mr. Speaker, I would like to ask the gentleman from Fayette, Mr. Brownfield, if a teacher making $2,400 a year decides to take a leave of absence to make a trip around the world, supposedly to gain knowledge, and a substitute teacher goes in, who is rated at $1,000 a year, who gets the other $1,400?

Mr. BROWNFIELD. Mr. Speaker, there would be no such case as that. It would not be possible.

Mr. TRUMELTY. Mr. Speaker, what would prevent it from being possible?

Mr. BROWNFIELD. Mr. Speaker, because $1,000 is a very low minimum, if a teacher would receive $2,400 he would receive that because of increment. Who ever heard of increments amounting to more than the minimum salary would amount to?

Mr. TUMELTY. Mr. Speaker, I would like to ask what the minimum salaries would be?

Mr. BROWNFIELD. Mr. Speaker, the minimum in fourth class districts is $800 where they have an eight months term; $900 where they have a nine months term, $1,000 in the third class school districts and a different minimum in other classes.

Mr. TUMELTY. Mr. Speaker, what would the maximum in the third class school districts be?

Mr. BROWNFIELD. Mr. Speaker, the maximum might be anything that the Board saw fit to pay.

Mr. TUMELTY. Mr. Speaker, I do not know why the gentleman is evading the question.

Mr. BROWNFIELD. I am not, Mr. Speaker. I have answered every question that the gentleman has asked.

Mr. TUMELTY. Mr. Speaker, I would like the gentleman to answer what becomes of the difference in pay between the teacher who is running around Europe and the person who actually does the work?

Mr. BROWNFIELD. Mr. Speaker, if there is any difference, and there might be a difference sometimes but not frequently, the difference would go to the teacher who is away on leave, but it would not cost the school district a dollar.

Mr. TUMELTY. Mr. Speaker, I thank the gentleman from Fayette. Due to the fact that he has admitted that some one would be paid by some school districts for traveling around Europe, I renew my motion that the bill be recommitted to the Committee on Aeronautics.

On the question recurring,

Will the House agree to the motion?

The SPEAKER declared the "nays" appeared to have it.

Whereupon, a division was called for, thirty-three members having voted in the affirmative and seventy-four in the negative, the question was determined in the negative and the motion was not agreed to.

On the question recurring,

Will the House agree to the section as amended?

It was agreed to.

The title was read and agreed to as follows:

An Act to amend the act approved the eighteenth day of May one thousand nine hundred and eleven (Pamphlet Laws 309) entitled "An act to establish a public school system in the Commonwealth of Pennsylvania together with the provisions by which it shall be administered and prescribing penalties for the violation thereof providing revenue to establish and maintain the same and the method of collecting such revenue and repealing all laws general special or local or any parts thereof that are or may be inconsistent therewith" providing for sabbatical leaves of absence for certain employes of school districts

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

BILL ON SECOND READING

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2370, (Senate Bill No. 758), entitled:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred fifty-three) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility and further regulating insurance policies which may be accepted as proof of financial responsibility imposing further duties upon the Secretary of Revenue and the prothonotaries and clerks of the various courts of this Commonwealth imposing further duties upon owners and operators of vehicles providing exceptions imposing duties upon insurers and upon brokers agents or representatives of insurers providing for the payment of judgments in installments prescribing additional penalties and adding new sections

The first section was read as follows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That sections one two six seven eight ten eleven thirteen fifteen sixteen and seventeen of the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred fifty-three) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicles registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" are hereby amended to read as follows

Section 1. Definitions Throughout this act unless the context indicates a different intention the singular includes the plural and the masculine pronoun includes the feminine and the neuter

As used in this act

(a) "Secretary" means the Secretary of Revenue of this Commonwealth

(b) "Motor vehicle" means any self-propelled device in upon or by which any person or property is or may be transported or drawn upon a public highway except tractors power shovels road rollers agricultural machinery and vehicles which move upon or are guided by a track or trolley or travel through the air

(c) "Motor vehicle liability policy" means a policy of liability insurance designating by explicit description or appropriate reference all motor vehicles with respect to which coverage is intended to be granted by said policy and insuring to the amounts or limits hereinafter specified the person named therein and any other person using or responsible for the use of any such motor vehicles with the consent express or implied of such insured against loss from the liability imposed by law upon the insured or upon such other person for injury to or death of any person other than the insured and such persons as may be covered as respects such injury or death by any workmen's compensation law and for damage to property other than property of others in charge of the insured or of his employes or other agents arising out of the ownership maintenance use or operation of any such vehicle

within the continental limits of the United States of America or the Dominin of Canada or a binder pending the issuance of such a policy or an endorsement to an existing policy as hereinafter provided Within the meaning of this definition separate concurrent policies whether issued by one or several insurers covering respectively personal injury or death as aforesaid and property damage as aforesaid shall be deemed a "Motor Vehicle Liability Policy"

(d) "Motor vehicle operators' policy" means a policy of liability insurance insuring the person named therein to the amounts or limits hereinafter specified against loss from the liability imposed by law upon the insured for injury to or death of any person other than the insured and such persons as may be covered as respects such injury or death by any workmen's compensation law and for damage to property other than property of others in charge of the insured or of his employes or other agents arising out of the operation by the insured of any motor vehicle within the continental limits of the United States of America or the Dominion of Canada or a binder pending the issuance of any such policy or an endorsement to an existing policy as hereinafter provided Within the meaning of this definition separate concurrent policies whether issued by one or several insurers covering respectively personal injury or death as aforesaid and property damage as aforesaid shall be deemed a "Motor Vehicle Operators' Policy"

(e) "Operator" means the person including a chauffeur in actual physical control of a motor vehicle upon a highway

(f) "Operator's license" means the license issued to any person to operate a motor vehicle within this State

(g) "Owner" has the same meaning as in the laws requiring the registration of motor vehicles within this State

(h) "Person" means a natural person firm copartnership association or corporation

(i) "Proof of financial responsibility" means evidence in a form authorized by this act of ability to respond in damages resulting from the operation or ownership of a motor vehicle and arising by reason of personal injury to or death of any one person in the amount of at least five thousand dollars ($5,000) and subject to such limit for any one person injured or killed in an amount of at least ten thousand dollars ($10,000) for injury to or the death of two or more persons in any one accident and for damage to property in the amount of at least one thousand dollars ($1,000) resulting form any one accident

Section 2 Evidence of Ability to Respond in Damages For the purposes of this act the following will be deemed evidence of ability to respond in damages

(a) When proof of financial responsibility is required as a condition precedent to the granting of renewal of an operator's license or to the termination of the suspension thereof the written certificate of an insurer duly authorized to transact business within the state of residence of the person applying for such license or seeking to terminate the suspension thereof that it has issued to him or for his benefit a motor vehicle operator's policy or a motor vehicle liability policy which at the date of the certificate is in full force and effect and will so continue until the expiration of fifteen days after notice of expiration or cancellation shall first have been given to the secretary in writing

(b) When proof of financial responsibility is required of an owner of a motor vehicle as a condition precedent to the registration thereof or to the termination of the suspension of such registration the written certificate of an insurer duly authorized to transact business within the state of residence of the person applying for such registration or for the termination of the suspension thereof that it has issued to him or for his benefit a motor vehicle liability policy which at the date of the certificate is in full force and effect and will so continue until the expiration of fifteen days after notice of expiration or cancellation shall first have been given to the secretary in writing The secretary shall not accept any such certificate unless all motor vehicles registered in the name of the owner from whom proof is required are covered by the policies mentioned in such certificate or in it and other similar certicates furnished at the same time and an additional certificate shall be required as a condition precedent to the registration in the name of such owner of any motor vehicle not covered by the certificate or certificates on file

(c) In any case a bond conditioned for the payment of the amounts herein required for injury to or the death of persons and damage to property arising out of the ownership maintenance use or operation by the principal of a motor vehicle within the continental limits of the United States of America or the Dominion of Canada having as surety a corporation duly authorized to transact a surety business within the state of residence of the person applying for an operator's license the registration of a motor vehicle or the termination of the suspension of such license or registration Any such bond shall expressly provide that it shall not be cancellable until the expiration of fifteen days' written notice to the secretary and shall designate the State as obligee but shall expressly provide that suit may be brought against the principal or surety named therein by any person or persons who may have a cause of action against the principal obligor for damages resulting from a motor vehicle accident in the event that the principal obligor does not within fifteen days from the time the judgment becomes final pay within the limits hereinbefore specified any final judgment entered against him for damages sustained as the result of such accident

(d) In any case the deposit with the secretary of the sum of eleven thousand dollars ($11,000) in cash which the secretary shall turn over to the State Treasurer as custodian and which the secretary shall employ in paying within the limits hereinbefore specified any final judgment or judgments which may be entered against the depositor for injury to or the death of persons and damage to property arising out of the ownership maintenance use or operation by the positor subsequent to the date of the deposit of a motor vehicle within the continental limits of the United States of America or the Dominion of Canada Interest on money deposited hereunder shall be paid to the depositor at the highest rate which the State receives on its deposits payment to be made out of moneys from time to time appropriated for the purpose

Section 6 Insurance Policies Must Contain Certain Provisions to Constitute Proof of Financial Responsibility Binders Endorsements Insurance policies in order to constitute proof of financial responsibility under this act shall be subject to the provisions hereinafter stated and any insurance carrier which executes a certificate that it has issued a motor vehicle operator's policy or a motor vehicle liability policy for the purpose of enabling any person to furnish proof of financial responsibility hereunder shall be conclusively presumed to have issued the policy mentioned in such certificate subject to such provisions whether or not they are set forth therein

(a) Should an execution on a final judgment against the insured in an action covered by a motor vehicle operator's policy or motor vehicle liability policy be returned unsatisfied the judgment creditor shall have a right of action against the insurer to the same extent that the insured would have had had such insured paid such final judgment No such policy shall be cancelled or annulled as respects any loss or damage by any agreement between the insurer and the insured after such loss or damage has occurred and any such cancellation or annullment shall be void The policy may provide that the insured or any other person covered by the policy shall reimburse the insurer for payments made on account of any accident claim or suit involving a breach of the terms provisions or conditions of the policy and further if the policy shall provide for limits in excess of the limits designated in this act the insurer may plead against a judgment creditor of the insured with respect to the amount of such excess limits of liability and defenses which it may be entitled to plead against the insured Any such policy may further provide for the pro-

rating of the insurance thereunder with other applicable valid and collectible insurance

(b) The policy the written application therefor if any and any rider or endorsement which shall not conflict with the provisions of this act shall constitute the entire contract between the parties

(c) The insurer shall upon the request of the insured deliver to the insured for filing or at the request of the insured shall file direct with the secretary an appropriate certificate for the purpose of furnishing proof of the assured's financial responsibility as provided by this act

(d) Any insurer authorized to issue motor vehicle operator's policies or motor vehicle liability policies as provided in this act may pending the issuance of such a policy execute an agreement to be known as a binder or may in lieu of such a policy issue an endorsement to an existing policy each of which shall be construed to provide indemnity or protection in like manner and to the same extent as such a policy The provisions of this section shall apply to such binders and endorsements

(e) This act shall not be construed to prevent any insurance carrier from granting any lawful coverage in excess of or in addition to the coverage required by this act as proof of financial responsibility or from embodying in such policy any agreements provisions or stipulations not contrary to the provisions of this act and not otherwise unlawful

Section 7 Proof of Financial Responsibility Required When Operator's License or Operating Privilege Has Been Revoked or Suspended or Become Subject to Revocation or Suspension Whenever the Secretary shall revoke or suspend [an] the operator's license of a resident or shall suspend the operating privilege of a non-resident [for violation of the laws regulating the operation of motor vehicles on the highways as may now or hereafter be provided by law] under the mandatory provisions of any law now in effect or hereafter enacted such license or operating privilege shall not be renewed unless and until the former holder of the license or privilege has furnished proof of financial responsibility and whenever the secretary shall in the exercise of his discretion revoke or suspend the operator's license of a resident or the operating privilege of a non-resident or whenever the secretary [for any such violation] has the right in his discretion to revoke or suspend an operator's license of a resident or the operating privilege of a non-resident but is disposed in the exercise of his discretion not to do so [he may nevertheless suspend such license or operating privilege until the holder thereof has furnished proof of financial responsibility] he may require the former holder of the license or operating privilege to furnish proof of financial responsibility before such license or operating privilege shall be renewed or re-instated or continued

Section 8 Proof of Financial Responsibility Required as Condition Precedent to Issuance or Renewal of Operators' Licenses to Persons Having Certain Accident Record Penalty

(a) Until proof of financial responsibility has been furnished to the secretary an operator's license shall not be issued or renewed to a person who within any twelve months' period while operating a motor vehicle either within or outside of this State had [two] one or more accidents caused wholly or partially by his negligence which caused injury to persons or damage to property excluding injury to himself and damage to motor vehicles operated by such person amounting in the aggregate to more than [two] one hundred dollars [($200)] ($100) except that where an operator by his negligence has caused one (1) or more accidents within any twelve (12) months period resulting in injury to persons or damage to property excluding injury to himself and damage to motor vehicles operated by himself amounting in the aggregate to more than one hundred ($100) dollars and such operator or other person or insurer has paid all the claims arising from such accidents then such operator shall be exempt from the provisions of this section The amount of damages caused by accidents in which the applicant was involved will be deemed to have been the amounts paid in settlement of claims of other persons or judgments obtained by such other persons

Section 10 Penalty for Failure to Furnish Correct Accident Record Any person who [knowingly] fails to give correctly the information required of him by the secretary in connection with an application for the issuance or renewal of an operator's license shall be ineligible to operate a motor vehicle within this State for a period of two years from the date when the secretary ascertains that the information was not correctly given If such person at that date holds an operator's license it shall forthwith be revoked and shall not be renewed under any circumstances until the two-year period has expired If such person does not hold an operator's license such license shall not be issued to him until the expiration of the two-year period Upon the expiration of the two-year period such person shall not receive an operator's license until he has furnished proof of financial responsibility

Section 11 Proof of Financial Responsibility Required of Persons Who Fail to Satisfy Judgments Arising Out of Motor Vehicle Accidents Operator's License and Registration Certificates to Be Suspended Until Satisfaction of Judgment If within twenty days after it has been recorded any person fails to satisfy any judgment rendered against him by a court of competent jurisdiction in this or any other State or the District of Columbia or any province of the Dominion of Canada or by a District Court of the United States for damages on account of personal injury or of damage to property in excess of five dollars and thirty-three cents ($5.33) [two hundred dollars ($200)] resulting from the operation subsequent to the effective date of this act by him his agent or any other person with his express or implied consent of a motor vehicle owned by him or the operation by him or his agent of a motor vehicle not owned by him his operator's license and all of his registration certificates shall be forthwith suspended by the secretary upon receiving a certified copy of such final judgment from the court in which the same was rendered and shall remain suspended and shall not be renewed nor shall any other motor vehicle be thereafter registered in his name while such judgment remains unsatisfied and subsisting and until he has furnished proof of financial responsibility for future accidents

If such person is not a resident of this State he shall not be permitted to operate any motor vehicle in this State and it shall not be lawful for any other person knowing that such operation is not permitted to operate in this State any motor vehicle owned by such non-resident while such judgment remains unsatisfied and subsisting and until such non-resident has furnished proof of financial responsibility for future accidents

If after such person has satisfied such judgment within the meaning of this act and has furnished proof of financial responsibility any other such judgment shall be recovered against him for any accident occurring before such proof was furnished his operator's license and registration certificates shall again be and remain suspended while such other judgment remains unsatisfied and subsisting

Section 13 Courts to Certify Motor Vehicle Accident Judgments to Secretary of Revenue Secretary to Forward Certificates to Proper Officer of Other State if Debtor Is Non-resident Penalty

(a) It shall be the duty of the prothonotary or clerk of any court of this State in which any judgment for damages resulting from the operation of a motor vehicle is rendered to forward immediately to the secretary a certified copy of such judgment or a transcript thereof and the address of the judgment creditor and debtor

(b) In the event the defendant is a non-resident it shall be the duty of the secretary to transmit to the Commissioner of Motor Vehicles or other proper officer of the state of which the defendant is a resident a certified copy of such judgment

(c) Any person who violates any of the provisions of subsection (a) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than one hundred dollars ($100) and not more than five hundred dollars ($500) or by im-

prisonment of not less than six (6) months and not more than three (3) years or both in the discretion of the court

Section 15 Suspension of Operator's License or Registration Certificates upon Cancellation of Insurance or Surety Bond Whenever the secretary is notified of the cancellation of [a] any policy of insurance mentioned in a certificate furnished as evidence of ability to respond in damages or of a surety bond furnished as such evidence he shall forthwith suspend the operator's license and registration certificates if any in connection with the issuance continuance or renewal of which such evidence was furnished or policy of insurance continued and such cancellation shall remain effective until other proof of financial responsibility has been furnished to the secretary

Section 16 Proof of Financial Responsibility Once Required to Be Maintained

(a) Whenever in accordance with the provisions of this act a person has furnished proof of financial responsibility for the purpose of obtaining an operator's license or the registration of a motor vehicle owned by him it shall be obligatory upon such person thereafter to maintain such proof until he shall have been relieved by the secretary of the duty of maintaining such proof as hereinafter provided and in the event that such proof lapses or becomes diminished in security or amount it shall be the duty of the secretary to suspend the operator's license and certificates if any in connection with which such proof was furnished until proof sufficient in amount has again been furnished

(b) The secretary may relieve a person [who has previously been required to furnish proof of financial responsibility] of the duty of maintaining or furnishing such proof at any time after three years shall have elapsed since such proof was first required or furnished if during the three years' period immediately preceding such person shall not have committed any violation of the [laws regulating the operation of motor vehicles on the highways] law because of which the secretary revoked or suspended or would have had the right to revoke or suspend such person's operator's license and if within said three years' period such person shall not have had while operating a motor vehicle either within or outside of this State [two] one or more accidents caused wholly or partially by his negligence which resulted in injury to persons or damage to property excluding motor vehicles operated by such person amounting in the aggregate to more than [two] one hundred dollars [($200.00)] ($100.00) and if there shall not be any pending claim or unsatisfied judgment against such person for damages resulting from the operation or ownership of a motor vehicle by such person during the three years' period

Section 17 Penalty for Operating Motor Vehicle [Contrary to Provisions of this Act] After Suspension or Before Re-instatement of Operator's License or Operating Privilege Any person who operates a motor vehicle within this State after his operator's license or operating privilege has been suspended or withdrawn [under the provisions of this act and while such license remains suspended] and before such license or privilege has been reinstated and any person a non-resident of this State who operates a motor vehicle within this State [contrary to the provisions of this act] after his operating privilege has been suspended or withdrawn and before such operating privilege has been re-instated shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not more than one (1) year or by fine not exceeding one thousand dollars ($1000) or both in the discretion of the court

On the question,

Will the House agree to the section?

Mr. AUKERMAN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 1, page 12 (section 7) in line 6 by striking out the following: "former"

Amend section 1, page 13, (section 8) line 7 by striking out the following: "or judgments obtained by such other"

Amend section 1, page 13, (section 8) line 8 by striking out the following: "persons["

Amend section 1, page 13, (section 8) line 12 by inserting after the word "damage" the following: "or judgments obtained by such other persons"

Amend section 1, page 13, (section 8) line 13 by inserting between the word "section" and "the" the following: "where all claims have not been paid"

Amend section 1, page 13, (section 8) line 29 by striking out the following: "]"

Amend section 1, page 14, (section 9) in line 1 by striking out the following: "["

Amend section 1, page 14, (section 9) in line 3 by striking out before the word "the" the following: "["

Amend section 1, page 14, (section 9) in line 3 by striking out before the word "such" the following: "]"

Amend section 1, page 14, (section 9) in line 3 by inserting between the words "findings" and "such" the following: "or"

Amend section 1, page 14, (section 9) in line 12 by striking out after the word "court" the following: "]"

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second section was read as follows:

Section 2 That after section twenty-one of the said act the following new sections are hereby added

Section 22 Payment of Judgment in Installments A judgment debtor to whom this act applies may for the sole purpose of giving authority to the secretary to authorize the judgment debtor to operate a motor vehicle thereafter on due notice to the judgment creditor apply to the court in which the trial judgment was obtained for the privilege of paying such judgment in installments and the court in its discretion and without prejudice to any other legal remedies which the judgment creditor may have may so order fixing the amounts and times of payment of the installments While the judgment debtor is not in default in the payment of such installments the secretary upon his giving proof of ability to respond in damages for future accidents as hereinbefore provided may in his discretion restore or refrain from suspending his license and registration certificates but such license and certificates shall be suspended as hereinbefore provided if and when the secretary is satisfied that the judgment debtor has failed to comply with the terms of the court order

Section 23 Rates of Premium Shall be Uniform Penalty No insurer or corporate surety company or agent or officer thereof on its behalf shall because of the race or color of any person refuse to issue or execute a policy of insurance or bond establishing the financial responsibility of such person as required in this act and no insurer or corporate surety company or agent or officer thereof on its behalf shall because of the color or race of any person charge or receive from such person otherwise in the same risk classification a premium for a policy of insurance or bond at a rate in excess of the rate charged any other person

Any person violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine of not more than two hundred dollars ($200.00) or shall undergo imprisonment for not more than one (1) year or both in the discretion of the court

Section 24 Restrictions to Be Stated on Operator's Card Removal of Restrictions Penalty

(a) When a certificate of a motor vehicle liability policy of insurance has been furnished as compliance with the

requirements of proof of financial responsibility as prescribed in this act and such liability policy extends only to designated vehicles the operator shall surrender his operator's card to the secretary and the secretary shall designate by explicit description or appropriate reference the vehicle described or identified in such certificate of motor vehicle liability policy upon the operator's license card of the person whose operator's privilege is so limited and return such card to the operator

(b) In the event a person establishes proof of financial responsibility by means if a motor vehicle liability policy of insurance and during the time that such proof is required to be maintained desires to be relieved of the limitations prescribed in the policy and be permitted to operate any motor vehicle he may have such restrictions removed upon filing a certificate of the insurer showing that there has been issued to him a motor vehicle operator's policy

(c) No person who has furnished a motor vehicle liability policy of insurance or on whose behalf a certificate of Motor Vehicle Liability Policy of Insurance has been furnished as compliance with the requirements of this act or who has retained or received an operator's license under a motor vehicle liability policy of insurance shall operate in this Commonwealth any vehicle not covered by such insurance or shall operate a motor vehicle without having in his possession his operator's card designating by explicit description or appropriate reference such vehicle

(d) Whenever a Motor Vehicle Liability Policy for any vehicle explicitly described or identified by appropriate reference on an operator's card is cancelled or lapses such operator shall immediately return the operator's card to the Secretary and notify the Secretary of such cancellation or lapse and such operator shall not operate any vehicle on the highways of this Commonwealth until he has received from the Department a corrected operator's card

(e) No person who is an owner of or in possession or control of a vehicle shall permit or direct any other person required to establish proof of financial responsibility to operate such vehicle in violation of any of the provisions of this act

Penalty Any person who violates any of the provisions of sub-sections (a) (c) (d) or (e) of this section shall be guilty of a misdemeanor and upon conviction thereof shall be punished by imprisonment for not more than one (1) year or by a fine not exceeding one thousand ($1,000) dollars or both in the discretion of the court

Section 25 Reports Required of Insurance Companies Penalty

(a) Every insurer engaging in the business of writing insurance in this Commonwealth against automobile liability automobile property damage and automobile collision insurance risks in this Commonwealth shall within ten (10) days of paying any claim or judgment against an insured resident of this Commonwealth notify under oath or affirmation the secretary of the name and address of the insured and the amount of the claim or judgment that was paid and whether the insurance was issued under the provisions of this act

(b) Every insurer engaging in the business of writing insurance against automobile liability automobile property damage or automobile collision insurance risks in this Commonwealth shall under oath or affirmation on a form and in a manner prescribed by the secretary on or before the first day of every March notify the secretary of

1 The number of commercial vehicles and non-commercial vehicles registered in this Commonwealth in the previous calendar year for which policies of automobile insurance have been issued

2 The number of commercial vehicles and non-commercial vehicles for which policies of automobile insurance have been issued under the provisions of this act and the number of applications for such insurance that have been refused in the previous calendar year together with the name and address of the applicant for such insurance

(c) Every insurer engaging in the business of writing insurance against automobile liability automobile property damage or automobile collision insurance risks in this Commonwealth shall require each of its brokers or agents or representatives in this Commonwealth and it shall be the duty of such brokers agents or representatives upon refusing to accept an application for automobile insurance of any person required to establish proof of financial respnsibility to notify the insurer immediately of the name and address of such person

Any insurer who fails to comply with any of the provisions of this section or who makes a misstatement of fact shall be guilty of a misdemeanor and upon conviction thereof shall be sentenced to pay a fine not exceeding one thousand dollars ($1,000)

Any broker agent or representative in this Commonwealth of an insurer engaging in the business of writing insurance against automobile liability automobile property damage or automobile collision risks in this Commonwealth who violates any of the provisions of subsection (c) of this section shall upon summary conviction before a magistrate be sentenced to pay a fine of twenty-five dollars ($25) and costs of prosecution and in default of the payment thereof shall undergo imprisonment for not more than ten (10) days

On the question,

Will the House agree to the section?

Mr. AUKERMAN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 2, page 19, by inserting between lines 17 and 18 the following:

"Section 22. Right of Appeal to Court From Suspension or in Lieu of Suspension. Any person, whose motor vehicle registration, operator's license, or learner's permit has been suspended or revoked by the secretary under the provisions of this act, or any person who has been required to establish proof of financial responsibility in lieu of a suspension or revocation, shall have the right to file a petition, within thirty (30) days thereafter, for a hearing de novo in the matter in the Court of Common Pleas of the county in which the operator or permitee resides, or of the County of Dauphin in appeals filed by persons who are non-residents of this Commonwealth; and such court is hereby vested with jurisdiction, and it shall be its duty, to set the matter down for a hearing upon thirty (30) days written notice to the secretary, and thereupon to take testimony and examine into the facts of the case and to determine whether the petitioner is subject to suspension or revocation, or either of them, of motor vehicle registration, operator's license or learner's permit under the provisions of this act."

Amend section 2, page 19, in line 18 by striking out "22" and adding in lieu thereof the following: "23"

Amend section 2, page 20 in line 8 by striking out "23" and adding in lieu thereof the following: "24"

Amend section 2, page 20, line 26 by striking out "24" and adding in lieu thereof the following: "25"

Amend section 2, page 25, line 5 by striking out "25" and adding in lieu thereof the following: "26"

Amend section 2 (section 25), page 25, line 6 by striking out after the word "Penalty" the following: (a) "every insurer engaging" and all of lines 7, 8, 9, 10, 11, 12, 13, 14, 15.

Amend section 2 (section 25), page 25, line 16 by striking out (b) and inserting in lieu thereof "(a)"

Amend section 2 (section 25), page 25, line 22 by striking out after the word "every" and before the word "notify" the following: "March" and inserting in lieu thereof "September"

Amend section 2 (section 25), page 26, line 5, by striking out "(c)" and inserting in lieu thereof "(b)"

Amend section 2 (section 25), page 26, line 14 by inserting after the word "person" the following:

"Provided that where such broker agent or representa-

tive is employed by or represents more than one insurer the giving of a notice herein required to any one insurer and the transmittal of such notice by such insurer to the Department of Revenue shall be sufficient compliance with the requirements of this section."

Amend section 2 (section 25), page 27, between lines 2 and 3 the following:

"The provisions of this section shall continue in effect for a period of five years from the effective date of this act."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The third section was read as follows:

Section 3 That sections twenty-two twenty-three twenty-four twenty-five and twenty-six of the said act are hereby amended to read as follows

Section 26 The Secretary shall have the authority to make regulations not inconsistent with this act for the efficient administration and enforcement of this act

Section [22] 27 Constitutionality If any provisions of this act or the application thereof to any person or circumstances is held invalid such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provisions or application and to this end the provisions of this act are declared to be severable

Section [23] 28 Uniformity of Interpretation This act shall be so interpreted and construed as to effectuate its general purpose to make uniform the law of those states which enact it

Section [24] 29 Short Title This act may be cited as the "Uniform Automobile Liability Security Act"

Section [25] 30 Repeal All acts or parts of acts which are inconsistent with the provisions of this act are hereby repealed

Section [26] 31 Time of Taking Effect This act shall take effect on January first one thousand nine hundred and thirty-four

On the question,

Will the House agree to the section?

Mr. AUKERMAN. Mr. Speaker, I desire to offer the following amendments.

The SPEAKER. The amendments will be read by the Clerk.

The amendments were read by the Clerk as follows:

Amend section 3, page 27, in line 6 by striking out "26" and adding in lieu thereof the following: "27"

Amend section 3, page 27, in line 9 by striking out "27" and adding in lieu thereof the following: "28"

Amend section 3, page 27, in line 16 by striking out "28" and adding in lieu thereof the following: "29"

Amend sesction 3, page 27, in line 20 by striking out "29" and adding in lieu thereof the following: "30"

Amend section 3, page 27, in line 22 by striking out "30" and adding in lieu thereof the following: "31"

Amend section 3, page 27 by striking out all of lines 25, 26, 27.

Amend page 27 by inserting after line 27 the following:

"Section 4. The provisions of this act shall become effective immediately upon its final enactment."

On the question,

Will the House agree to the amendments?

They were agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The title was read as follows:

An Act to amend the act approved the fifteenth day of May one thousand nine hundred thirty-three (Pamphlet Laws five hundred fifty-three) entitled "An act relating to the financial responsibility of operators and owners of motor vehicles and to make uniform the law with reference thereto requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility as herein defined providing for the suspension of operators' licenses and motor vehicle registration certificates in certain cases regulating insurance policies which may be accepted as proof of financial responsibility imposing duties upon the Secretary of Revenue the State Treasurer and prothonotaries and prescribing penalties" by further requiring operators and owners of automobiles under certain circumstances to furnish proof of financial responsibility and further regulating insurance policies which may be accepted as proof of financial responsibility imposing further duties upon the Secretary of Revenue and the prothonotaries and clerks of the various courts of this Commonwealth imposing further duties upon owners and operators of vehicles providing exceptions imposing duties upon insurers and upon brokers agents or representatives of insurers providing for the payment of judgments in installments prescribing additional penalties and adding new sections

On the question,

Will the House agree to the section?

Mr. AUKERMAN. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend page 2 in line 5 of the title by inserting between the words "Commonwealth" and "imposing" the following: "providing for appeals in certain instances"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the title as amended?

It was agreed to.

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2254, (Senate Bill No. 771), as follows:

An Act relating to non-profit cooperative corporations organized to engage in rural electrification providing for the organization consolidation and dissolution of such corporations prescribing the qualification for membership therein conferring certain rights powers duties and immunities upon them and their officers and members prescribing the conditions on which such corporations may exercise their powers providing for the inclusion of certain existing cooperative or non-profit corporations and associations within the provisions of this act conferring powers and imposing duties on certain State departments commissions and officers fixing fees conferring the right of eminent domain prohibiting the use of certain terms in the corporate names of other corporations exempting such corporations from excise taxes imposing on them a license fee and exempting such corporations from the jurisdiction of the Pennsylvania Public Utility Commission and from the provisions of the Securities Act

Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same as follows

Section 1 Short Title This act may be cited as the "Electric Cooperative Corporation Act"

Section 2 Definitions In this act unless the context otherwise requires

(1) "Corporation" means a corporation organized pursuant to the provisions of this act

(2) "Board" means a board of directors of a corporation organized under this act

(3) "Member" means the incorporators of a corporation and each person thereafter lawfully admitted to membership therein

(4) "Federal agency" includes the United States of America and any department administration commission board bureau office establishment agency authority or instrumentality of the United States of America heretofore or hereafter created

(5) "Person" includes any natural person partnership association corporation business trust Federal agency State or political subdivision thereof or any body politic

(6) "Acquire" means and includes construct acquire by purchase lease devise gift or other mode of acquisition

(7) "Obligations" include bonds notes debentures interim certificates or receipts and all other evidences of indebtedness issued by a corporation

(8) "Rural area" means any area not included within the boundaries of any incorporated or unincorporated city town village or borough having a population in excess of twenty-five hundred inhabitants and includes both the farm and non-farm population thereof

Section 3 Purpose Non-profit cooperative corporations may be organized under this act for the purpose of engaging in rural electrification by any one or more of the following methods

(1) The furnishing of electric energy to persons in rural areas who are not receiving central station service

(2) Assisting in the wiring of the premises of persons in rural areas or the acquisition supply or installation of electrical or plumbing equipment therein

(3) The furnishing of electric energy wiring facilities electrical or plumbing equipment or services to any other corporations organized under this act or to the members thereof

Section 4 Powers of Corporation Each corporation shall have power

(1) To sue and be sued complain and defend in its corporate name

(2) To have perpetual succession unless a limited period of duration is stated in its articles of incorporation

(3) To adopt a corporate seal which may be altered at pleasure and to use it or a facsimile thereof as required by law

(4) To generate manufacture purchase acquire and accumulate electric energy and to transmit distribute sell furnish and dispose of such electric energy to its members only and to construct erect purchase lease as lessee and in any manner acquire own hold maintain operate sell dispose of lease as lessor exchange and mortgage plants building works machinery supplies equipment apparatus and transmission and distribution lines or systems necessary convenient or useful

(5) To assist its members only to wire their premises and install therein electrical and plumbing fixtures machinery supplies apparatus and equipment of any and all kinds and character and in connection therewith and for such purposes to purchase acquire lease sell distribute install and repair electrical and plumbing fixtures machinery supplies apparatus and equipment of any and all kinds and character and to receive acquire endorse pledge hypothecate and dispose of notes bonds and other evidences of indebtedness

(6) To furnish to other corporations organized under this act or to the members thereof electric energy wiring facilities electrical and plumbing equipment and services convenient or useful

(7) To acquire own hold use exercise and to the extent permitted by law to sell mortgage pledge hypothecate and in any manner dispose of franchises rights privileges licenses rights of way and easements necessary useful or appropriate

(8) To purchase receive lease as lessee or in any other manner acquire own hold maintain sell exchange and use any and all real and personal property or any interest therein

(9) To borrow money and otherwise contract indebtedness to issue its obligations therefor and to secure the payment thereof by mortgage pledge or deed of trust of all or any of its property assets franchises revenues or income Provided however That the indebtedness of the corporation other than in the usual course of business shall not be increased until the board of directors of the corporation shall adopt a resolution setting forth the desired increase and directing that the question of the proposed increase be submitted for the consent of the members at a meeting to be held after sixty days' notice which notice may be waived in writing and upon such consent the board of directors may proceed to increase the indebtedness

(10) To sell and convey mortgage pledge lease as lessor and otherwise dispose of all or any part of its property and assets

(11) In connection with the acquisition construction improvement operation or maintenance of its lines to use any highway or any right of way easement or other similar property right owned or held by the Commonwealth or any political subdivision thereof

(12) To have and exercise the power of eminent domain for the purpose and in the manner provided by the condemnation laws of this Commonwealth relating to public utility corporations for acquiring private property for public use such right to be paramount except as to property of the Commonwealth or of any political subdivision thereof

(13) To accept gifts or grants of money services or property real or personal

(14) To make any and all contracts necessary or convenient for the exercise of the powers granted in this act

(15) To fix regulate and collect rates fees rents or other charges for electric energy and any other facilities supplies equipment or services furnished by the corporation

(16) To conduct its business and have offices within or without this Commonwealth

(17) To elect or appoint officers agents and employes of the corporation and to define their duties and fix their compensation

(18) To make and alter by-laws not inconsistent with the articles of incorporation or with the laws of this Commonwealth for the administration and regulation of the affairs of the corporation

(19) To do and perform either for itself or its members or for any other corporation organized under this act or for the members thereof any and all acts and things and to have and exercise any and all powers as may be necessary convenient or appropriate to effectuate the purpose for which the corporation is organized

Section 5 Incorporators Any three or more natural persons of the age of twenty-one or more residents of this Commonwealth may act as incorporators of a corporation to be organized under this act by executing articles of incorporation as hereinafter provided in this act

Section 6 Articles of Incorporations

(a) The articles of incorporation shall state

(1) The name of the corporation which name shall include the words "Electric Cooperative" and the word "Corporation" "Incorporated" "Inc" or "Company" and the name shall be such as to distinguish it from any other corporation organized and existing under the laws of this Commonwealth

(2) The purpose for which the corporation is formed

(3) The names and addresses of the incorporators who shall serve as directors and manage the affairs of the corporation until its first annual meeting of members or until their successors are elected and qualify

(4) The number of directors not less than three to be elected at the annual meetings of members

(5) The address of its principal office and the name and address of its agent upon whom process may be served

(6) The period of duration of the corporation which may be perpetual

(7) The terms and conditions upon which persons shall

be admitted to membership and retain membership in the corporation but if expressly so stated the determination of such matters may be reserved to the directors by the by-laws

(8) Any provisions not inconsistent with law which the incorporators may choose to insert for the regulation of the business and the conduct of the affairs of the corporation

(b) It shall not be necessary to set forth in the articles of incorporation any of the corporate powers enumerated in this act

Section 7 Prohibition on Use of Words "Electric Cooperative" The words "Electric Cooperative" shall not be used in the corporate name of corporations organized under the laws of this Commonwealth or authorized to do business herein other than those organized pursuant to the provisions of this act

Section 8 Execution Filing and Recording of Articles of Incorporation

(a) The original copy of the articles of incorporation shall be signed by the incorporators and acknowledged before any officer authorized by the laws of this Commonwealth to acknowledge the execution of deeds and conveyances It shall be filed in the office of the Department of State If the Secretary of the Commonwealth finds that the articles of incorporation conform to law he shall when the fees prescribed by this act have been paid

(1) Endorse on the original copy the word "Filed" and the month day year of the filing thereof

(2) File the original in his office

(3) Issue a certificate of incorporation to the incorporators

(b) The incorporators shall file for recording a certified copy of the articles of incorporation in the office of the recorder of deeds in the county in which the principal office of the corporation in this Commonwealth is located

Section 9 Effect of Issuance of Certificate of Incorporation Upon the issuance of a certificate of incorporation by the Secretary of the Commonwealth the corporate existence of the corporation shall begin The certificate of incorporation shall be conclusive evidence except as against the Commonwealth that all conditions precedent required to be performed by the incorporators have been complied with and that the corporation has been incorporated under this act

Section 10 Organization Meeting After the issuance of the certificate of incorporation an organization meeting shall be held at the call of a majority of the incorporators for the purpose of adopting by-laws and electing officers and for the transaction of such other business as may properly come before the meeting The incorporators calling the meeting shall give at least three days' notice thereof by mail to each incorporator which notice shall state the time and place of the meeting but such notice may be waived in writing

Section 11 By-Laws The power to make alter amend or repeal the by-laws of the corporation shall be vested in the board of directors The by-laws may contain any provisions for the regulation and management of the affairs of the corporation not inconsistent with law or the articles of incorporation

Section 12 Exemption of Members from Liability for Debts of Corporation No member shall be liable for the debts of the corporation to an amount exceeding the sums remaining unpaid on his membership fee but nothing herein shall be construed to relieve any member from the payment of any debt due by him to the corporation

Section 13 Qualification of Members All persons in rural areas proposed to be served by a corporation who are not receiving central station service shall be eligible to membership in a corporation No person other than the incorporators shall be become or remain a member of a corporation unless such person shall use or agree to use electric energy or as the case may be the facilities supplies equipment and services furnished by a corporation A corporation organized under this act may become a member of another such corporation and may avail itself fully of the facilities and services thereof

Section 14 Meetings of Members

(a) Meetings of members may be held at such place as may be provided in the by-laws In the absence of any such provision all meetings shall be held in the principal office of the corporation in this Commonwealth

(b) An annual meeting of the members shall be held at such time as may be provided in the by-laws Failure to hold the annual meeting at the designated time shall not work forfeiture or dissolution of the corporation

(c) Special meetings of the members may be called by the president by the board of directors by a petition signed by not less than one-tenth of all the members or by such other officers or persons as may be provided in the articles of incorporation or the by-laws

Section 15 Notice of Members' Meetings Written or printed notice stating the place day and hour of the meetings of members and in the case of a special meeting the purpose or purposes for which the meeting is called shall except as otherwise provided in this act be delivered not less than ten nor more than thirty days before the date of the meeting either personally or by mail by or at the direction of the president or the secretary or the officers or persons calling the meeting to each member of record entitled to vote at such meeting If mailed such notice shall be deemed to be delivered when deposited in the United States mails in a sealed envelope addressed to the member at his address as it appears on the records of the corporation with postage thereon prepaid Notice of meeting of members may be waived in writing

Section 16 Voting by Members Each member present shall be entitled to one and only one vote on each matter submitted to a vote at a meeting of members but voting by proxy or by mail may be provided for in the by-laws

Section 17 Certificate of Membership When a member of a corporation has paid the membership fee in full a certificate of membership shall be issued to such member Memberships in the corporation and the certificates shall be non-transferable The certificate of membership shall be surrendered to the corporation upon the resignation expulsion or death of the member

Section 18 Quorum of Members Unless otherwise provided in the articles of incorporation a majority of the members present in person or represented by proxy shall constitute a quorum for the transaction of business at a meeting of members but if voting by mail is provided for in the by-laws members so voting shall be counted as if present

Section 19 Board of Directors The business and affairs of a corporation shall be managed by a board of directors not less than three in number which shall exercise all the powers of the corporation except such as are conferred upon the members by this act by the articles of incorporation or by the by-laws of the corporation The by-laws may prescribe qualifications for directors

Section 20 Election Qualification and Compensation of Directors The directors other than those named in the certificate of incorporation to serve until the first annual meeting of members shall be elected annually or as otherwise provided in the by-laws by the members The directors shall be members of the corporation and shall be entitled to such compensation and reimbursement for expenses actually and necessarily incurred by them as may be provided in the by-laws

Section 21 Vacancies Any vacancy occurring in the board and any directorship to be filled shall be filled as provided in the by-laws by persons who shall serve until directors may be regularly elected as provided for in this act

Section 22 Quorum of Directors A majority of the board shall constitute a quorum for the transaction of business unless a greater number is required by the articles of incorporation or the by-laws The act of the majority of the directors present at a meeting at which a quorum is present shall be the act of the board unless the act of a greater number is required by the articles of incorporation or the by-laws

Section 23 Directors' Meetings Meetings of the board regular or special shall be held at such place and upon such notice as the by-laws may prescribe Attendance of a director at any meeting shall constitute a waiver of notice of such meeting except where a director attends a meeting for the express purpose of objecting to the transaction of

any business because the meeting is not lawfully called or convened Neither the business to be transacted at nor the purpose of any regular or special meeting of the board of directors need be specified in the notice or waiver of notice of such meeting

Section 24 Officers Agents and Employes

(a) The board shall elect from its number a president a vice-president a secretary and a treasurer but the same person may be elected to the office of secretary and treasurer The powers and duties of the foregoing officers as well as their term of office and compensation shall be provided for in the by-laws

(b) The board shall appoint such other officers agents and employes as it deems necessary and fix their powers duties and compensation

(c) Any officer agent or employe elected or appointed by the board may be removed by it whenever in its judgment the best interests of the corporation will be served

Section 25 Executive Committee Any corporation may by its by-laws provide for an executive committee to be elected from and by its board of directors To such committee may be delegated the management of the current and ordinary business of the corporation and such other duties as the by-laws may prescribe but the designation of such committee and the delegation thereto of authority shall not operate to relieve the board of directors or any member thereof of any responsibility imposed upon it or him by this act

Section 26 Non-profit Operation

(a) Each corporation shall be operated without profit to its members but the rates fees rents or other charges for electric energy and any other facilities supplies equipment or services furnished by the corporation shall be sufficient at all times

(1) To pay all operating and maintenance expenses necessary or desirable for the prudent conduct of its business and the principal of and interest on the obligations issued or assumed by the corporation in the performance of the purpose for which it was organized and

(2) For the creation of reserves

(b) The revenues of the corporation shall be devoted first to the payment of operating and maintenance expenses and the principal and interest on outstanding obligations and thereafter to such reserves for improvement new construction depreciation and contingencies as the board may from time to time prescribe

(c) Revenues not required for the purposes set forth in subsection (b) of this section shall be returned from time to time to the members on a pro rata basis according to the amount of business done with each during the period either in cash in abatement of current charges for electric energy or otherwise as the board determines but such return may be made by way of general rate reduction to members if the board so elects

Section 27 Amendment of Articles of Incorporation A corporation may amend its articles of incorporation by a majority vote of the members present in person or by proxy at any regular meeting or at any special meeting of its members called for that purpose The power to amend shall include the power to accomplish any desired change in the provisions of its articles of incorporation and to include any purpose power or provision which would be authorized to be included in original articles of incorporation if executed at the time the amendment is made Articles of amendment signed by the president or vice-president and attested by the secretary certifying to such amendment and its lawful adoption shall be executed acknowledged filed and recorded in the same manner as the original articles of incorporation of a corporation organized under this act and as soon as the Secretary of the Commonwealth shall have accepted the articles of amendment for filing and recording and issued a certificate of amendment the amendment or amendments shall be in effect

Section 28 Consolidation

(a) Any two or more corporations may enter into an agreement for the consolidation of such corporations The agreement shall set forth the terms and conditions of the consolidation the name of the proposed consolidated corporation the number of its directors not less than three the time of the annual meeting and election and the name of at least three persons to be directors until the first annual meeting. If such agreement is approved by the votes of a majority of the members of each corporation present in person or by proxy at any regular meeting or at any special meeting of its members called for that purpose the directors named in the agreement shall sign and acknowledge as incorporators articles of consolidation conforming substantially to original articles of incorporation of a corporation organized under this act

(b) The articles of consolidation shall be executed acknowledged filed and recorded in the same manner as the original articles of incorporation of a corporation organized under this act As soon as the Secretary of the Commonwealth shall have accepted the articles of consolidation for filing and recording and issued a certificate of consolidation the proposed consolidated corporation described in the articles under its designated name shall be and become a body corporate with all of the powers of a corporation as originally organized hereunder

Section 29 Dissolution

(a) Any corporation may dissolve by majority vote of the members present in person or by proxy at any regular meeting or at any special meeting of its members called for that purpose A certificate of dissolution shall be signed by the president or vice-president and attested by the secretary certifying to such dissolution and stating that they have been authorized to execute and file such certificate by votes cast in person or by proxy by a majority of the members of the corporation. A certificate of dissolution shall be executed acknowledged filed and recorded in the same manner as the original articles of incorporation of a corporation organized under this act and as soon as the Secretary of the Commonwealth shall have accepted the certificate of dissolution for filing and recording and issued a certificate of dissolution the corporation shall be deemed to be dissolved

(b) Such corporation shall however continue for the purpose of paying satisfying and discharging any existing liabilities or obligations and collecting or liquidating its assets and doing all other acts required to adjust and wind up its business and affairs and may sue and be sued in its corporate name Any assets remaining after all liabilities or obligations of the corporation have been satisfied or discharged shall be distributed pro rata among the members of the corporation at the time of the filing of the certificate of dissolution

(c) Any corporation which purports to have been incorporated or re-incorporated under this act but which has not complied with all of the requirements for legal corporate existence may nevertheless file a certificate of dissolution in the same manner as a validly existing corporation The certificate of dissolution in such case may be authorized by a majority of the incorporators or directors at a meeting called by any incorporator upon ten days notice mailed to the last known post office address of each incorporator or director and held at the principal office of the corporation named in the articles of incorporation

Section 30 Fees The Department of State shall charge and collect the same fees as in the case of other corporations for similar services

Section 31 Exemption from Excise Taxes License Fee Corporations formed hereunder shall pay annually on or before July first to the Department of Revenue a fee of ten dollars ($10) for each one hundred members or fraction thereof but shall be exempt from all other State taxes of whatsoever kind or nature

Section 32 Exemption from Jurisdiction of the Pennsylvania Public Utility Commission All corporations organized under this act shall be exempt in any and all respects from the jurisdiction and control of the Pennsylvania Public Utility Commission of this Commonwealth

Section 33 Limited Exemption from Securities Act Whenever any corporation organized under this act shall have borrowed money from any Federal agency the obligations issued to secure the payment of such money shall be exempt from the provisions of the act approved the thirteenth day of April one thousand nine hundred twenty-seven (Pamphlet Laws two hundred seventy-three) com-

monly known as "The Securities Act" nor shall the provisions of said act apply to the issuance of membership certificates

Section 34 Defectively Organized Corporations In the event any corporation has filed defective articles of incorporation or has failed to do all things necessary to perfect its corporate organization it may nevertheless file corrected articles of incorporation or amend the original articles and do and perform all acts and things necessary in the premises for the correction of such defects The action so taken shall be valid and binding upon all persons concerned and the capacity of such corporation to file corrected articles of incorporation or amendments to the original articles or to do and perform all acts and things necessary in the premises shall not be questioned

Section 35 Act Extended to Existing Corporations Any existing cooperative or non-profit corporation or associatin organized under any other law of this Commonwealth for the purpose of engaging in rural electrification may by a majority vote of the members present in person or by proxy at a meeting called for that purpose amend its articles of incorporation so as to comply with this act

Section 36 Construction of Act This act shall be construed liberally The enumeration of any object purpose power manner method or thing shall not be deemed to exclude like or similar objects purposes powers manners methods or things

Section 37 Separability of Provisions If any provision of this act or the application of such provision to any person or circumstance is held invalid the remainder of the act and the application of such provisions to other persons or circumstances shall not be affected thereby

Section 38 Act Complete in Itself This act is complete in itself and shall be controlling The provisions of any other law of this Commonwealth except as provided in this act shall not apply to a corporation organized under this act

Section 39 Effective Date This act shall become effective immediately upon its final enactment

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2355, (Senate Bill No. 1119), as follows:

An Act providing for the qualifications examination appointment term of office and removal of Anthracite Mine Inspectors conferring powers and imposing duties in connection therewith upon the Governor the Anthracite Mine Inspectors' Examining Board the Department of Mines and the courts and imposing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Anthracite Mine Inspectors' Examining Board shall meet upon the call of the chairman thereof at such times and places as the chairman shall designate and at such times and places as the board may by rule designate

Section 2 The said examining board shall prepare questions and formulate rules to be used in conducting and governing the examinations given to applicants for the office of Anthracite Mine Inspector the members of the board upon assuming office shall each take and subscribe to before any officer authorized to administer the same the following oath namely

"I do solemnly swear that I will perform the duties of exmainer of applicants for the office of mine inspector to the best of my ability and that in recomending or rejecting said applicants I will be governed by the evidence of their qualifications to fill the position and not by any consideration of political or personal favor and that I will certify all applicants who may be found qualified and no others according to the true intent and meaning of the law"

The oaths of the members of the examining board shall be filed in the Department of Mines

Section 3 Public notice of an examination shall be given at least two weeks prior thereto in a newspaper published in each of the following counties Luzerne Lackawanna Schuylkill and Northumberland The board shall meet at the time and place set forth in said notice and examine the applicants for the office of Anthracite Mine Inspector The qualifications of applicants shall be certified to the board and be as follows

(a) They shall be citizens of this Commonwealth and residents of the anthracite region of temperate habits of good repute of personal integrity in good physical condition and not under thirty or over fifty years of age Every applicant shall furnish to the examining board a service statement Such statement shall show the length of time served at each class of work at which the applicant has been employed in and about the mines and be certified to by the superintendent or other responsible official under whom such applicant was employed The owner operator or superintendent of every mine or colliery is hereby required to furnish such a statement to every applicant

(b) They shall give to the board satisfactory evidence of having had at least ten (10) years of practical experience in the anthracite coal mines of this Commonwealth five (5) years of which they shall have served as qualified coal miners possessing miners' certificates engaged in the actual practice of cutting and blasting coal or rock at the face of a gangway airway breast pillar or other working place in a mine and in performing such other work in such working places as is necessary for the extraction of coal

(c) They shall give to the board satisfactory evidence of having had practical experience with explosive gases and other dangerous and noxious gases found in coal mines

(d) They shall give to the board satisfactory evidence of having a general practical knowledge of mines mining and machinery

(e) They shall give to the board satisfactory evidence of having a general practical and comprehensive knowledge of the chemistry of gases generally found in coal mines

(f) They shall give to the board satisfactory evidence of having a knowledge of the methods of administering first aid to the injured and of the work and requirements of rescue corps

(g) They shall give to the board satisfactory evidence of having knowledge of the science of electricity as applied to coal mining and they shall in addition give evidence of having a sufficient knowledge of the science of mining engineering to enable them to read and understand the mine workings of any mine as shown on mine maps which may be presented at such examinations and they shall be able to make a cross section of a mine from said maps

(h) They shall give to the board satisfactory evidence of having a theoretical and practical knowledge of the different systems of mining and ventilating anthracite coal mines and of their fitness and capability to perform the duties of the office of a mine inspector

Section 4 The examination shall be in writing and the applicants who have attained an average of at least eighty per cent including proper allowances for experience shall be deemed successful but in no case shall the allowances for experience be more than twenty-five per cent

Section 5 The manuscripts and all other papers of the applicants in the examination together with the tally sheets and the correct solution of each question as prepared by the board shall be filed in the Department of Public Instruction The board or at least four members thereof shall certify to the Governor and also to the Secretary of Mines the names and percentages of all successful applicants who are properly qualified under the provisions of this act to fill the office of Anthracite Mine Inspector A certificate of gualification shall be issued to each successful applicant A certificate so issued shall remain in force for a period of four years only unless the holder thereof has received an appointment as Anthracite Mine

Inspector and has served as such for a period of four (4) years in which case the certificate shall become permanent

Section 6 The Anthracite Mine Inspectors holding office on the date this act becomes effective shall continue to serve until the expiration of their respective terms and such persons shall thereafter be eligible for re-appointment as Anthracite Mine Inspectors without examination provided that they served as Anthracite Mine Inspectors for a period of four (4) years or longer Such re-appointment shall not be governed by the provisions of section seven of this act

Section 7 When a vacancy occurs in the office of Anthracite Mine Inspector by death or otherwise the Governor shall appoint from the list of successful applicants certified to him by the Anthracite Mine Inspectors' Examining Board a person to fill such vacancy

Section 8 When there remain upon the list of successful applicants certified to the Governor less than three names as a result of appointments made therefrom or as a result of the expiration of the certificates of qualication of persons named therein or from any other cause the Governor shall call the Anthracite Mine Inspectors' Examining Board to meet and proceed to conduct an examination for the purpose of supplying a new list of eligible applicants

Section 9 The tenure of office of Anthracite Mine Inspectors appointed under this act shall be during good behavior subject to the provisions of section twelve of this act and the Constitution of this Commonwealth

Section 10 In case an inspector becomes incapacitated to perform the duties of his office or is granted a leave of absence by the Secretary of Mines for sixty (60) days or more it shall be the duty of the Governor at the request of the Secretary of Mines to appoint temporarily to the office a person on the eligible list of applicants The temporary inspector shall act until the regular inspector is able to resume the duties of his office and shall be paid in the same manner as provided for the payment of regular inspectors

Section 11 No Anthracite Mine Inspector under this act shall act as manager of any anthracite coal mine or be interested in the operation of any anthracite coal mines in this Commonwealth

Section 12 Upon a petition signed by not fewer than fifteen reputable citizens who shall be miners or operators of mines and with the afidavit of one or more of said petitioners attached setting forth that any inspector of mines is holding office illegally or is neglectful or is incompetent or unable to perform the duties of his office or that he is guilty of malfeasance in office or upon petition of the Secretary of Mines setting forth any of the above charges the Court of Common Pleas of the county in which the inspector is acting and is a resident shall issue a citation in the name of the Commonwealth to the said inspector to appear at not less than ten (10) days' notice on a day fixed before said court and the court shall then proceed to inquire into and investigate the allegations of the petitioners If said charges are sustained the court shall declare the office of said inspector vacant and shall so certify to the Governor who shall proceed in compliance with the provisions of this act to fill the vacancy If said charges are not sustained and the court believes there was sufficient ground for said charges the costs shall be placed on the county

Section 13 Any Anthracite Mine Inspector violating the provisions of section eleven of this act shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) or undergo imprisonment in the county jail for a period of not less than ninety (90) days or both at the discretion of the court

Any person or persons who shall give any false or forged evidence of any kind to the Anthracite Mine Inspectors' Examining Board or to any member there of in obtaining a certificate of qualification shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than three hundred dollars ($300.00) or to undergo imprisonment in the county jail for a period of not less than three (3) months or both at the discretion of the court

Any person or persons found to be in collusion with any member or members of such examining board or who shall use any undue influence or attempt to bribe any member or members of such board for the purpose of procuring certificates for applicants or who shall violate any of the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction shall be sentenced to pay a fine of not less than five hundred dollars ($500.00) or undergo imprisonment in the county jail for a period of not less than six (6) months or both at the discretion of the court

Section 14 This act shall become effective immediately upon its final enactment

Section 15 The act approved the seventeenth day of May one thousand nine hundred twenty-one (Pamphlet Laws eight hundred thirty-one) entitled "An act providing for the appointment of a board of examiners to examine applicants for the office of inspector for the anthracite mines of this Commonwealth prescribing the qualifications defining the powers and duties and fixing the compensation of such examiners providing for the appointment and removal of inspectors of anthracite mines prescribing their qualifications and regulating their salaries and terms of office and abolishing the terms of office of the present mine inspectors of the anthracite mines" is hereby repealed

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2167, (Senate Bill No. 611), entitled:

An Act to amend section five of the act, approved the twenty-ninth day of November, one thousand nine hundred thirty-three (1933-1934 P. L. 13), entitled "An act creating and dependent administrative board to be known as the Pennsylvania Liquor Control Board," by making further provision with respect to the fidelity bonds of the members, secretary and employes of the board.

And said bill having been read at length the second time and agreed to.

Ordered, To be transcribed for a third reading.

Agreeably to order,

The rule requiring bills to be considered in Committee of the Whole being in this case dispensed with,

The House proceeded to the second reading and consideration of House Bill No. 2426, (Senate Bill No. 1304), entitled:

An Act for the conveyance to the United States of America of title in and to certain lands in the Township of Fairview County of York and ceding to the United States jurisdiction over said lands

The first section was read as folows:

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That the Secretary of Property and Supplies with the approval of the Governor of the Commonwealth of Pennsylvania is hereby authorized to convey to the United States of America title to the following described lands this conveyance being made pursuant to an agreement between the Secretary of War of the United States of America and the Commonwealth of Pennsylvania dated May 29 1936

On the question,

Will the House agree to the section?

Mr. OSTROFF. Mr. Speaker, I desire to offer the following amendment.

The SPEAKER. The amendment will be read by the Clerk.

The amendment was read by the Clerk as follows:

Amend page 1, section 1, line 7 by inserting after the word "land", and before the word "this" the following "all that certain plot of ground situate in the Township of Fairview and County of York beginning at a point at the intersection of the lands owned by the Commonwealth of Pennsylvania and the lands owned by W. J. Stonesifer thence north 57° 27 minutes west for a distance of 911.47 feet along the lands of W. J. Stonesifer thence along the lands of the Newton Ryder tract following four courses north 40° 09½ minutes east a distance of 115.95 feet north 58° 55½ minutes west a distance of 674.90 feet thence north 40° 05½ minutes east a distance of 219.42 feet thence north 54° 19 minutes west a distance of 809.25 feet to the lands owned by the United States Government thence along the lands of the United States Government north 34° 22 minutes east a distance of 910.90 feet to a point in the Marsh Run Road thence along the said Marsh Run Road and along the lands owned by the United States Government the following nine courses south 55° 06 minutes east a distance of 291.38 feet thence south 53° 59 minutes east a distance of 624.47 feet thence south 58° 27 minutes east a distance of 925.00 feet thence south 55° 54½ minutes east a distance of 173.30 feet thence south 40° 20½ minutes east a distance of 143.24 feet thence south 15° 56½ minutes east a distance of 403.83 feet thence south 23° 57 minutes east a distance of 700.00 feet thence south 40° 11½ minutes east a distance of 260.00 feet thence south 48° 28½ minutes east a distance of 150.00 feet to a point in Marsh Run Road thence along the lands of the United States Government south 41° 31½ minutes west a distance of 280.00 feet to a point at the intersection of the lands of the United States Government and the lands of the Commonwealth of Pennsylvania thence along the lands of the Commonwealth of Pennsylvania north 65° 53 minutes 08 seconds west a distance of 1078.88 feet to the point of beginning comprising a tract of 72.96 acres neat measure"

On the question,

Will the House agree to the amendment?

It was agreed to.

On the question,

Will the House agree to the section as amended?

It was agreed to.

The second to the fifth sections inclusive and title were separately read and agreed to as follows:

Section 2 The Governor of the Commonwealth of Pennsylvania is authorized to furnish the Attorney General of the United States without cost to the United States such evidences of a valid title to the aforesaid lands as may be necessary to permit the said Attorney General to approve said title

Section 3 The consent of the Commonwealth of Pennsylvania is hereby given in accordance with the seventeenth clause eighth section of the first Article of the Constitution of the United States to the acquisition by the United States of the aforesaid lands and exclusive jurisdiction in and over the aforesaid lands when acquired by the United States is hereby ceded to the United States for all purposes except the service thereon of all civil and criminal processes of the courts of this Commonwealth but the jurisdiction so ceded shall continue no longer than the said United States shall own such lands and so long as the said lands shall remain the property of the United States and no longer the same shall be and continue exempt and exonerated from all State county and municipal assessment taxation or other charges which may be levied or imposed under the authority of this Commonwealth

Section 4 All acts or parts of acts in conflict herewith are hereby repealed

Section 5 This act shall be effective immediately upon its approval by the Governor

An Act for the conveyance to the United States of America of title in and to certain lands in the Township of Fairview County of York and ceding to the United States jurisdiction over said lands

And said bill having been read at length the second time and agreed to as amended.

Ordered, To be transcribed for a third reading.

APPROPRIATION BILLS MADE SPECIAL ORDER

Mr. HERBERT B. COHEN. Mr. Speaker, I move that all appropriation bills on third reading be made a special order of business in their order, on third reading and final passage immediately upon the adoption of this motion.

The motion was agreed to.

BILLS ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 844, entitled:

An Act making an appropriation to the Department of Public Instruction for the use of the Pennsylvania Historical Commission for the purpose of rehabilitating repairing restoring maintaining and reconditioning the property at Ambridge Beaver County Pennsylvania formerly owned and occupied by the Harmony Society and known as "Old Economy"

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution, the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Vallbus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,

Dougherty,	Lopresti,	Schor,	Wilson.
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 143, entitled:

An Act making an appropriation to the Johnson Industrial School of Scranton Pennsylvania

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1237, as follows:

An Act authorizing and empowering the officers of the Commonwealth to refund the license moneys paid under the act of July seventeen one thousand nine hundred and nineteen (Pamphlet Laws 1003) entitled "An act requiring licenses to sell steamship tickets or orders for transportation to or from foreign countries and providing penalties" as amended providing for the method of reimbursement to such licensees and making an appropriation therefor

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That where any person corporation or copartnership during the years one thousand nine hundred and nineteen one thousand nine hundred and twenty one thousand nine hundred and twenty-one one thousand nine hundred and twenty-two one thousand nine hundred and twenty-three one thousand nine hundred and twenty-four one thousand nine hundred and twenty-five one thousand nine hundred and twenty-six and one thousand nine hundred and twenty-seven paid to the Commissioner of Banking and thus into the State Treasury the license fee of fifty dollars ($50) per annum required by the act of July seventeen one thousand nine hundred and nineteen (Pamphlet Laws 1003) entitled "An act requiring licenses to sell steamship tickets or orders for transportation to or from foreign countries and providing penalties" and its amendments the Board of Finance and Revenue upon due proof that such money has been paid to the Commonwealth of which the books of the Secretary of Banking shall be evidence shall repay to every such person corporation or copartnership the moneys which have been paid by said licensees

Section 2 When the books of the Secretary of Banking shall show to the satisfaction of the said Board of Finance and Revenue upon a hearing duly had that such moneys was paid into the State Treasury in the manner above mentioned the Board of Finance and Revenue shall settle an account in the manner now provided for the settlement of accounts and shall thereupon draw their warrant on the State Treasurer in favor of every such person corporation or copartnership who shall have been shown to have paid in such money or to their agent or attorney in fact or to their heirs

Section 3 For the purpose of refunding said moneys the sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby specifically appropriated

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—153

Achterman,	Elpern,	McArdle,	Sarraf,
Alexander,	Falkenstein,	McCullough,	Scanlon,
Allen,	Finnerty,	McDermott,	Schor,
Allmond,	Fitch,	McElroy,	Schrope,
Arnold,	Flanagan,	McFall,	Shaw,
Aukerman,	Flannery,	McGee,	Shea,
Baine,	Flinchbaugh,	McShane,	Shepard,
Baker, J. J.,	Ganser,	Melchiorre,	Shoemaker,
Balthaser,	Gerard,	Mellott,	Shugarts,
Bierly,	Gorski,	Mihm,	Siegel,

Blank,	Haberlen,	Moomaw,	Simon,
Bohn,	Hagerty,	Mooney,	Skale,
Bois,	Hamilton, F. P.,	Moran,	Smith, James A.,
Boltz,	Harkins,	Moul,	Smith, John A.,
Bradley,	Harmuth,	Munley,	Spengler,
Brancato,	Hays,	Murrin,	Stank,
Brigerman,	Hering,	Nagel,	Thomas,
Broad,	Hess,	O'Brien,	Thompson,
Brown,	Hetrick,	O'Connor,	Toole,
Brownfield,	Hindman,	O'Keefe,	Tronzo,
Burrows,	Hirsch,	Ominsky,	Tumelty,
Caesar,	Holland,	O'Neill,	Valibus,
Caputo,	Holmes,	Ostroff,	VanSickle,
Chervenak,	Holstrom,	Patterson, C. S.,	Vogt,
Coakley,	Hontz,	Patterson, J. W.,	Wagner,
Cohen, H. B.,	Horting,	Pearson,	Walsh,
Cohen, R. E.,	Jirolanio,	Pershing,	Weiss, D. H.,
Coleman,	Keenan,	Piole,	Weiss, S. A.,
Coolahan,	Kelso,	Powers,	Welliver,
Corrigan,	Kilroy,	Preston,	Welsh,
Costanzo,	Kroll,	Readinger,	Westrick,
Decker,	LaRue,	Reese,	Whalen,
DeNote,	Levy,	Reising,	Whitenight,
Dickinson,	Lewis,	Richter,	Wright,
Donohoe,	Long,	Robinson,	Yanoshat,
Dougherty,	Lopresti,	Rothenberger,	Yourishin,
Downey,	Lovett,	Ruffennach,	Zappala,
Dubbs,	Marino,	Rush,	Furman,
Dyson,			

NAYS—51

Atkins,	Imbrie,	Schrock,	Turner,
Baker, F. T.,	Kane,	Schumacher,	Van Allsburg,
Boose,	Kline,	Serrill,	Wall,
Boyer,	Leisey,	Sloan,	Wampole,
Cadwalader,	Longaker,	Snyder,	Watkins,
Davies,	Lyons,	Sollenberger,	Webster,
Eckels,	Matthews, J. F.,	Sproul,	Weidemann,
Fiss,	McDevitt,	Stackpole,	Wilson,
Gillette,	McKinney,	Stewart,	Winner,
Habbyshaw,	Muir,	Stockham,	Wood,
Hall,	Peale,	Strode,	Woodside,
Hamilton, R. S.	Perry,	Terry,	Yeakel,
Huntley,	Royer,	Trout,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1135, entitled:

An Act making an appropriation to the Department of Property and Supplies for the restoration preservation development and maintenance of the Ephrata Cloisters Park

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 2402, entitled:

An Act making an appropriation to the Flagship Niagara Commission

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.,
Atkins,	Gillette,	Mellott,	Smith, John A.,
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg,
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,

Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

Mr. HERBERT B. COHEN. Mr. Speaker, I desire to call up House Bill No. 865, Printer's No. 1135, on page 21 of today's calendar, bills on second reading. This bill erroneously appears on the second reading calendar. It should be on third reading.

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 865, as follows:

An Act making an appropriation to the Elwyn Training School at Elwyn in the County of Delaware Commonwealth of Pennsylvania and prescribing certain conditions upon which the appropriation will be available to the school

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That an appropriation be made to the Elwyn Training School of Elwyn in the County of Delaware and Commonwealth of Pennsylvania for the maintenance of wards of the State at three hundred and fifty dollars per capita per annum and that the sum of four hundred and twenty thousand dollars ($420,000) or so much thereof as may be necessary is hereby specifically appropriated to the said institution for the purpose stated to cover the two fiscal years beginning June first one thousand nine hundred and thirty-seven

Section 2 The appropriation made by section one of this act is made on the condition that each and every mental defective admitted to the Elwyn Training School after the effective date of this act as a ward of the Commonwealth shall have been previously investigated by the Department of Revenue for the purpose of determining the extent if any such mental defective or those legally liable for his or her support may be financially able to pay the cost of the maintenance of such person in the school

And said bill having been read at length the third time, considered and agreed to.

On the question,

Shall the bill pass finally?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—204

Achterman,	Flanagan,	McFall,	Siegel,
Alexander,	Flannery,	McGee,	Simon,
Allen,	Flinchbaugh,	McKinney,	Skale,
Allmond,	Ganser,	McShane,	Sloan,
Arnold,	Gerard,	Melchiorre,	Smith, James A.
Atkins,	Gillette,	Mellott,	Smith, John A.
Aukerman,	Gorski,	Mihm,	Snyder,
Baine,	Habbyshaw,	Moomaw,	Sollenberger,
Baker, F. T.,	Haberlen,	Mooney,	Spengler,
Baker, J. J.,	Hagerty,	Moran,	Sproul,
Balthaser,	Hall,	Moul,	Stackpole,
Bierly,	Hamilton, F. P.,	Muir,	Stank,
Blank,	Hamilton, R. S.	Munley,	Stewart,
Bohn,	Harkins,	Murrin,	Stockham,
Bois,	Harmuth,	Nagel,	Strode,
Boltz,	Hays,	O'Brien,	Terry,
Boose,	Hering,	O'Connor,	Thomas,
Boyer,	Hess,	O'Keefe,	Thompson,
Bradley,	Hetrick,	Ominsky,	Toole,
Brancato,	Hindman,	O'Neill,	Tronzo,
Brigerman,	Hirsch,	Ostroff,	Trout,
Broad,	Holland,	Patterson, C. S.,	Tumelty,
Brown,	Holmes,	Patterson, J. W.,	Turner,
Brownfield,	Holstrom,	Peale,	Valibus,
Burrows,	Hontz,	Pearson,	Van Allsburg
Cadwalader,	Horting,	Perry,	VanSickle,
Caesar,	Huntley,	Pershing,	Vogt,
Caputo,	Imbrie,	Piole,	Wagner,
Chervenak,	Jirolanio,	Powers,	Wall,
Coakley,	Kane,	Preston,	Walsh,
Cohen, H. B.,	Keenan,	Readinger,	Wampole,
Cohen, R. E.,	Kelso,	Reese,	Watkins,
Coleman,	Kilroy,	Reising,	Webster,
Coolahan,	Kline,	Richter,	Weidemann,
Corrigan,	Kroll,	Robinson,	Weiss, D. H.,
Costanzo,	LaRue,	Rothenberger,	Weiss, S. A.,
Davies,	Leisey,	Royer,	Welliver,
Decker,	Levy,	Ruffennach,	Welsh,
DeNote,	Lewis,	Rush,	Westrick,
Dickinson,	Long,	Sarraf,	Whalen,
Donohoe,	Longaker,	Scanlon,	Whitenight,
Dougherty,	Lopresti,	Schor,	Wilson,
Downey,	Lovett,	Schrock,	Winner,
Dubbs,	Lyons,	Schrope,	Wood,
Dyson,	Marino,	Schumacher,	Woodside,
Eckels,	Matthews, J. F.,	Serrill,	Wright,
Elpern,	McArdle,	Shaw,	Yanoshat,
Falkenstein,	McCullough,	Shea,	Yeakel,
Finnerty,	McDermott,	Shepard,	Yourishin,
Fiss,	McDevitt,	Shoemaker,	Zappala,
Fitch,	McElroy,	Shugarts,	Furman,

NAYS—0

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative.

Ordered, That the Clerk present the same to the Senate for concurrence.

BILL TAKEN FROM TABLE

Mr. ALEXANDER. Mr. Speaker, I move that House Bill No. 1400, Printer's No. 952, together with the message from the Governor, which was laid upon the table be taken from the table.

The motion was agreed to.

COMMUNICATION FROM THE GOVERNOR

The Secretary to the Governor being introduced, presented a communication in writing from His Excellenc the Governor, which was read as follows:

APPROVAL OF RESOLUTION RECALLING HOUSE BILL No. 1400.

Commonwealth of Pennsylvania.
Governor's Office, Harrisburg, May 25, 1937.

To the Honorable, the House of Representatives of the Commonwealth of Pennsylvania:

I have the honor to inform you that I have this day

approved and signed a resolution of the House of Representatives and Senate recalling from the Governor House Bill No. 1400, Printer's No. 952, for the purpose of amendment.

Accordingly, the original bill is herewith returned.

GEORGE H. EARLE.

RECONSIDERATION OF VOTE

Mr. ALEXANDER. Mr. Speaker, I move that the vote by which this bill passed finally be reconsidered.

Mr. YOURISHIN. Mr. Speaker, I second the motion.

The SPEAKER. How did the gentleman from Mifflin, Mr. Alexander, vote on the final passage of this bill?

Mr. ALEXANDER. Mr. Speaker, I voted in the majority.

The SPEAKER. How did the gentleman from Luzerne, Mr. Yourishin, vote on final passage of this bill?

Mr. YOURISHIN. Mr. Speaker, I voted in the majority.

On the question,

Will the House agree to the motion?

It was agreed to.

Mr. ALEXANDER. Mr. Speaker, I move that the vote by which this bill passed third reading be reconsidered.

The motion was agreed to.

On the question,

Will the House agree to the bill on third reading?

Mr. ALEXANDER. Mr. Speaker, I ask unanimous consent to offer amendments at this time.

The SPEAKER. The amendments will be read by the Clerk for information.

The Clerk read the amendments as follows:

Amend section 1, page 3, line 19, by striking out after the word "by" and before the word "twenty-eight" the word "[section]" and inserting in lieu thereof the following: "sections twenty-seven and"

Amend section 1, page 3, line 23, by striking out at the end of the line the following: "[As amended by Act Number 355]"

Amend section 1, page 3, line 24, by striking out at the beginning of the line the following: "[approved July 16 1935)]"

Amend section 2, page 6, line 2, by striking out at the end of the line the word "[is]" and inserting in lieu thereof the following: "as last amended by section twenty-nine of the act approved the sixteenth day of July, one thousand nine hundred thirty-five (Pamphlet Laws 1056) are."

Amend section 2, page 6, line 3, by inserting after the word "hereby" and before the word "amended" the word "further"

Amend section 2, page 6, line 4, by striking out after "1002" and before "[Twenty" the following: "[(b) 3] and inserting in lieu thereof the following: "Restrictions as to Speed (b) Subject to the provisions of sub-section (a) of this section speeds in excess of the maximum limits hereinafter provided shall be unlawful

1. Ten (10) miles an hour speed limit

All vehicles when passing any interurban or street car taking on or discharging passengers at an intersection where a safety zone has been established or where traffic is controlled by a peace or traffic signal

2. Fifteen (15) miles an hour speed limit

All vehicles except those restricted by this act to lower maximum speeds when passing a school building during school recess or while children are going to or leaving school during opening or closing hours"

Amend section 16, page 24, line 14, by striking out after the word "the" and before the word "and" the word "[secretary]" and inserting in lieu thereof the following: "Secretary of Highways"

Amend section 16, page 24, line 18, by striking out after the word "the" and before the word "one" the word: "[secretary]" and inserting in lieu thereof the following: "Secretary of Highways"

Amend section 16, page 24, line 20, by striking out at the end of the line the word "[secretary]" and inserting in lieu thereof the following: "Secretary of Highways"

Amend section 16, page 24, line 25, by striking out at the end of the line the word "[secretary]" and inserting in lieu thereof th following: "Secretary of Highways"

Amend section 16, page 24, line 27, by striking out after the word "the" and before the word "may" the word "[secretary]" and inserting in lieu thereof the following: "Secretary of Highways"

Amend section 16, page 24, line 29, by striking out at the end of the line the following: "[sec-]"

Amend section 16, page 25, line 1, by striking out at the beginning of the line the following: "[retary]" and inserting in lieu thereof the following: "Secretary of Highways"

Amend section 16, page 25, line 1, by striking out after the word "The" and before the word "is" the word: "[secretary]" and inserting in lieu thereof the following: "Secretary of Highways"

Amend section 16, page 25, line 3, by striking out after the word" the" and before the word "determines" the word: "[secretary]" and inserting in lieu thereof the following: "Secretary of Highways"

Amend section 16, page 25, line 6, by striking out at the end of the line the word '[secretary]" and inserting in lieu thereof the following: "Secretary of Highways"

Amend section 16, page 25, line 7, by striking out after the word "The" and before the word "shall" the word: "[secretary]' and inserting in lieu thereof the following: "Secretary of Highways"

Amend section 16, page 25, line 8, by striking out at the end of the line the word "[secretary]" and inserting and inserting in lieu thereof the following: "Secretary of Highways"

Amend section 16, page 25, line 13, by striking out after the word "the" and before the word "to" the word '[secretary]" and inserting in lieu thereof the following: "Secretary of Highways"

The SPEAKER. Will the House give unanimous consent to the insertion of the amendments at this time? Is there objection? The Chair hears none and the amendments will be inserted in accordance with the instructions of the House.

On the question,

Will the House agree to the bill on third reading as amended?

It was agreed to.

Ordered, That the bill as amended lie over for printing.

SENATE MESSAGE

AMENDED HOUSE BILL RETURNED FOR CONCURRENCE

The Clerk of the Senate being introduced, returned bill from the House of Representatives numbered and entitled as follows:

HOUSE BILL No. 1792.

An Act concerning elections including general municipal special and primary elections the nomination of candidates primary and election expenses and election contests creating and defining membership of county boards of elections imposing duties upon the Secretary of the Commonwealth courts county boards of elections county commissioners imposing penalties for violation of the act and codifying revising and consolidating the laws relating thereto and repealing certain acts and parts of acts relating to elections

With the information that the Senate has passed the

same with amendments, in which the concurrence of the House of Representatives is requested.

The SPEAKER. The Clerk will read the amendments.

The Clerk read the amendments as follows:

Amend Article III, section 301, page 11, line 4, by striking out the words "Powers and Duties"; also by striking out in lines 12 and 13 the words "except as herein otherwise provided" and inserting in lieu thereof the words "or any officials or board who are performing or may perform the duties of the county commissioners"; also section 305, page 16, by striking out at the end of line 22 the words "members counsel"; also at the beginning of line 23 by striking out the word "and."

Amend Article IV, section 403, page 23, by inserting after the word "inspector" in line 24 the words "The county board shall be notified immediately upon the determination of any such tie vote"; also section 405, page 24, line 17, by striking out the word "occuring" and inserting in lieu thereof the word "occurring"; also section 412, page 29, line 4, by inserting after the numerals "($2.50)" the words "and $.03 per mile for mileage"; also section 417, page 32, line 22, by striking out the word "November" and inserting in lieu thereof the words "general municipal or special"; also line 24, by striking out the words "be appointed" and inserting in lieu thereof the word "serve"; also at the end of line 29 by striking out the word "November" and inserting in lieu thereof the words "general municipal or special"; also page 33, line 7, by striking out the heavy-faced bracket before the word "watcher"; also line 10, by striking out the heavy-faced bracket after the word "represents"; also by striking out in lines 10 to 16 inclusive the following: "Candidate political party or political body entitled to appoint watchers shall upon request receive from the county board the number of watcher's certificates to which he or they are entitled Said certificates shall be delivered by the county board in blank and the candidate political party or political body shall insert therein the watchers name and the name of the candidate party or body he represents."

Amend Article V, section 503, page 34, line 28, by inserting after the word "twenty" the word "registered"; also page 35, line 10, by inserting after the word "its" the words "findings and"; also section 526, page 37, line 22, by inserting after the word "qualified" the word registered"; also in line 23 by striking out"Except" and inserting in lieu thereof the word "Except."

Amend Article VI, section 627, page 45, line 9, by inserting after the word "exist" the words "at a time when the members of the General Assembly shall be required to meet."

Amend Article IX, section 906, page 63, line 24, by striking out the words "at least"; also section 912, page 69, by striking out in lines 12 to 14 inclusive the words "to be filled by a vote of the electors of a Congressional district"; also section 913, page 72, by striking out in lines 3 and 4 the words "or for the office of alderman or justice of the peace or constable" and inserting in lieu thereof the words "not therwise provided for"; also line 10, by striking out the words and figures "one dollar ($1.00)" and inserting in lieu thereof the words and figures "fifty cents (.50)"; also lines 15 and 16 by striking out the words and figures "one dollar ($1.00)" and inserting in lieu thereof the words and figures "fifty cents (50)"; also by inserting after line 16 the following paragraphs:

"8 If for the office of alderman justice of the peace or constable the sum of two dollars ($2.00)

9 If for the office of township auditor or road supervisor the sum of one dollar ($1.00)";

Also section 951, page 78, line 28, by inserting after the word "officer" the words "except a judge of a court of record"; also same section, page 79, by striking out in lines 25 to 27 inclusive the words "electors of the same political district or are qualified electors of each political district for which the several nominations are made" and inserting in lieu thereof the words "to vote for all the candidates nominated therein"; also same section, page 80, by striking out in lines 26 to 28 inclusive the following: "(4) that the nomination paper to which it is appended contains a sufficient number of genuine signatures as required by this act (5)" and inserting in lieu thereof the figure "(4)"; also same section, page 81, line 2, by striking out the figure "(6)" and inserting in lieu thereof the figure "(5)"; also at the end of same line by striking out the word "he" and inserting in lieu thereof the words "his name"; also line 3, by striking out the word "nominated" and inserting in lieu thereof the words "presented as a candidate by nomination petitions"; also line 3 and 4 by striking out the words "by a political party at the next preceding primary or" and inserting in lieu thereof the words "to be voted for at the ensuing primary election nor has he been nominated"; also by striking out in lines 5 to 28 inclusive the following: "Provided however That in any case where the candidate is unable to make the affidavit required by subsection (e) (6) herein by reason of the fact that any return board or recount board has not at the time of the presentation of said papers completed and certified its returns or that the candidate is involved in undetermined litigation concerning his candidacy he shall make in lieu of the affidavit required in subsection (e) (6) affidavit of either of these facts as the case may be In such case the Secretary of the Commonwealth or the county board as the case may be shall accept such papers conditionally pending the completion and certification of the tabulation of votes cast or the determination of the litigation involving the said candidate Upon receipt of the certification of the tabulation of the votes cast at the primary in any such case or upon receipt from the court of a certified copy of its order adjudicating said litigation as provided in section 1774 herein the Secretary of the Commonwealth or the county board as the case may be if said candidate shall not appear to have been nominated at said primary shall file his nomination papers but if said candidate shall appear to have been nominated at said primary his nomination paper shall be rejected and returned to him forthwith"; also section 952, page 83, by striking out in lines 2 to 8 inclusive the following: "The Secretary of the Commonwealth or the county board as the case may be shall have the authority to determine whether the appellation set forth in any nomination paper is identical with or deceptively similar to the words used by any existing political party or by any political body which has already filed nomination papers for the same office"; also section 953, page 84, by striking out in lines 8 to 10 inclusive as follows: "All nomination papers shall be filed at least seventy-five days prior to the general election and at least thirty-two days prior to the municipal election" and inserting in lieu thereof the following: "No nomination paper shall be circulated prior to thirty days before the last day on which such paper may be filed and no signature shall be counted unless it bears a date within thirty (30) days of the last day of filing the same

(c) All nomination papers must be filed at least twenty (20) days prior to the date of the primary election";

Also section 954, page 84, by striking out in lines 11 to 28 inclusive the following: "Certified Checks to Accompany Nomination Papers Amounts For each candidate nominated by nomination papers (all of the candidates of a political body for presidential elector being counted as two candidates) a certified check containing the name of the candidate for whom drawn and also the address of the drawer shall accompany the nomination papers in the amounts hereinafter specified made payable to the Commonwealth of Pennsylvania or to the county as the case may be Said checks shall be held in escrow by the Secretary of the Commonwealth or by the County Election Board and shall be return to the drawer thereof if the candidate named in the nomination papers or any substituted candidate thereof receives a total vote equal to two per-centum of the largest entire vote received by the candidate elected to said office if said office is one voted for by the electors of the State at large or if the candidate named in the nomination papers receives a total vote equal to"; also page 85, by striking out all of lines 1 to 28 inclusive as follows: "five percentum of the larget entire vote received by the candidate elected to said office if said office is one not voted for by the electors of the State at large or said check shall be returned to the drawer thereof

in case the candidate files a withdrawal certificate in accordance with the provisions of law governing the filing of such certificates before the election and no substituted nomination is made therefor Upon the failure of the candidate named in said nomination papers or a candidate substituted therefor to receive the required percentage of votes the check shall be forfeited to the Commonwealth or to the county as the case may be and shall be transmitted by the Secretary of the Commonwealth or the County Board to the State Treasurer or County Treasurer as the case may be Said checks shall be drawn in the following amounts for the following offices

(1) For groups of presidential electors one thousand dollars ($1,000.00)

(2) For United States Senator Governor Lieutenant-Governor State Treasurer Auditor General Secretary of Internal Affairs Judges of the Supreme and Superior Courts seven hundred fifty dollars ($750.00)

(3) For representative in congress and Judges of Courts of Record except in Supreme Superior and Associate Judges three hundred fifty dollars ($350.00)

(5) For senator and representative in the General Assembly or any office to be filled by the electors of an"; also page 86, by striking out all of lines 1 to 6 inclusive as follows: "entire county or city two hundred dollars ($200.00)"; (5) For the office of associate judge or any borough town township school district or poor district office or the office of alderman justice of the peace or constable fifty dollars ($50.00)"; and inserting in lieu thereof the following:

"Filing Fee Each nomination paper nominating a candidate or a group of candidates for office shall be accompanied by a certified check or money order drawn in the sum of five dollars ($5.00) and payable to the Commonwealth of Pennsylvania or to the county as the case may be All fees so received by the Secretary of the Commonwealth or the county election board shall be transmitted to the State Treasurer or to the county treasurer as the case may be and shall become part of the general fund"; also section 976, page 87, by striking out in lines 5 and 6 the words "if the examining officer shall determine that"; also section 977, page 88, line 25, by insesrting after the word "aside" the following: "on the day fixed for said hearing the court shall proceed without delay to hear said objections and shall give such hearing precedence over any other business before it and shall finally determine said matter not later than fifteen (15) days after the last day for filing said nomination petitions or papers"; also section 979, page 90, line 25, by inserting after the word "ticket" the following: "provided however that no substitute nomination certificate shall nominate any person who has already been nominated by any political party or by any other political body for the same office"; also section 980, page 92, by inserting at the end of line 7, after the word "certified" the following: "provided however that no substitute nomination certificate shall nominate any person who has already been nominated by any political party or by any other political body for the same office"; also section 984, page 93, line 8, by striking out the word "twenty" and inserting in lieu thereof the word "fifteen."

Amend Article X, section 1003, page 103, by striking out in lines 1 and 2 the words "and other questions"; also lines 3 and 4 by striking out the words "in the case of constitutional amendments"; also line 7 by striking out the words "constitutional amendments and other"; also Section 1004, page 104, line 14, by inserting after the word "number" the words "and initial or abbreviation"; also section 1005, page 104, line 27, by striking out the word "occupations" and inserting in lieu thereof the word "occupation"; also same line by striking out the word "residences" and inserting in lieu thereof the word "residence"; also at the end of same line by striking out the word "all" and inserting in lieu thereof the word "any"; also at the beginning of line 28, by inserting after the word "such" the words "candidate so filing a request"; also same line by striking out the words "candidates having the same or similar surnames"; also at the end of line 29 by striking out the words "their names" and inserting in lieu thereof the words "his name"; also section 1008, page 106, by striking out in lines 26 and 27 the words "for the use of such candidate and the watchers whom he may appoint as provided by this act" and inserting in lieu thereof the words "and the candidate may at his own expense have printed on different colored paper as many copies as he requires for conducting his campaign"; also page 107, by striking out in lines 6 to 8 inclusive the words "for the use of such party or political body and the watchers appointed by it as provided by this act" and inserting in lieu thereof the words "and such political party or political body may at its own expense have printed on different colored paper as many copies as it requires for conducting its campaign."

Amend Article XI, section 1101, page 108, line 17, by striking out the word "statesments" and inserting in lieu thereof the word "statements"; also line 18, by striking out the words "together with the voting devices therefor"; also section 1104, page 114, line 1, by striking out the words "five hundred" and inserting in lieu thereof the words "three hundred and fifty"; also section 1105, page 118, line 14, by inserting after the word "having" the word "between"; also same line by inserting after the word "hundred" the words "and eight hundred"; also section 1110, page 126, line 11, by inserting after the word "party" the following: "his position in such rows or columns to be determined by the number of votes he received at the primary in the party entitled to priority on the ballot as determined by the votes obtained in the State at the last Presidential election by the candidates for Presidential electors"; also page 127, line 3, by inserting after the word "for" and before the word "The" the following: "the names of such candidates shall be arranged under or opposite the title of the office for which they are candidates and shall appear in the order of the votes obtained by the Presidential electors of the party nominated at the last Presidential election beginning with the party obtaining the highest number of votes provided however that in the case of parties or bodies not represented on the ballot at the last Presidential election the names of the candidates of such parties shall be arranged alphabetically according to the party or body name"; also same page, line 24, by inserting after the word "parties" the following: "the priority of such political parties on the ballot labels to be determined in the same manner as provided for determining priority on paper ballots in section 1003 (f) herein"; also section 1111, page 129, line 14, by striking out the word "thirtieth" and inserting in lieu thereof the word "fortieth"; also same page, line 24, by striking out the word and figures "forty (40)" and inserting in lieu thereof the word and figures "fifty (50)"; also page 130, line 12, by striking out the heavy-faced brackets before and after the word "custodian"; also same line by striking out before the word "and" the word "custodians"; also same line by striking out after the word "deputy" the word "custodian" and inserting in lieu thereof the word "custodians".

Amend Article XII, section 1205, page 140, line 17, by striking out the figure "9" and inserting in lieu thereof the figure "8"; also section 1207, page 141, line 17, by striking out after the word "officers" the word "of" and inserting in lieu thereof the word "or"; also section 1208, page 142, line 13, by striking out the word "fifteen" and inserting in lieu thereof the word "thirty"; also section 1210, page 150, line 23, by inserting after the word "certificate" the word "and"; also same page, line 24, by inserting after the word "employe" the words 'who has registered under any registration act without declaring his residence by street and number he shall"; also section 1218, page 164, line 11, by inserting after the word "subpoenaed" the following: "and provided further that the county election board shall permit any registration commission to examine any records of assisted voters without a court order in order that the registration commission may ascertain whether electors who have declared at the time of registration their need for assistance actually did receive assistance when voting at any election"; also section 1219, page 164, line 16, by striking out the heavy-faced brackets before and after the word "an"; also same line by striking out before the word "election" the word "any"; also section 1227, page 174, line 14 by insert-

ing after the word "election" the words "and the majority inspector"; also same line by striking out the word "two" and inserting in lieu thereof the word "majority"; also line 15, by inserting after the word "election" the words "the clerk appointed by the minority inspector".

Amend Article XIV, section 1401, page 197, by striking out at the end of line 16 the word "second" and inserting in lieu thereof the word 'third"; also page 205, by striking out at the end of line 17 the word "ten" and inserting in lieu thereof the word "five"; also same page, line 18, by inserting after the word "days" the words "after the completion of the computation of votes"; also same page, line 21, by striking out the word "ten" and inserting in lieu thereof the word "five"; also same line by inserting after the word "days" the words "after the completion of the computation of votes".

Amend Article XVI, section 1601, page 218, by striking out in lines 26 to 28 inclusive the following: "The words 'election expenses' shall also include all expenditures of money or other valuable things made and liabilities incurred in"; also page 219, by striking out all of lines 1 to 8 inclusive as follows: "furtherance of in opposition to in respect to a vote on any proposed constitutional amendment or on any other question to be voted on by the electors of the State at large or by the electors of any county city borough township poor district or school district whether said question is voted on at any primary general municipal or special election and whether or not such expenditures are made before during or after said election".

Amend Article XVII, section 1701, page 232, line 27, by striking out the word "marketing" and inserting in lieu thereof the word "marking".

Amend Article XVIII, section 1847, page 287, line 24, by striking out after the word "employes" the word "is" and inserting in lieu thereof the word "shall".

On the question.

Will the House concur in the amendments made by the Senate?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—153.

Achterman,	Elpern,	McArdle,	Sarraf,
Alexander,	Falkenstein,	McCullough,	Scanlon,
Allen,	Finnerty,	McDermott,	Schor,
Allmond,	Fitch,	McElroy,	Schrope,
Arnold,	Flanagan,	McFall,	Shaw,
Aukerman,	Flannery,	McGee,	Shea,
Baine,	Flinchbaugh,	McShane,	Shepard,
Baker, J. J.,	Ganser,	Melchiorre,	Shoemaker,
Balthaser,	Gerard,	Mellott,	Shugarts,
Bierly,	Gorski,	Mihm,	Siegel,
Blank,	Haberlen,	Moomaw,	Simon,
Bohn,	Hagerty,	Mooney,	Skale,
Bois,	Hamilton, F. P.,	Moran,	Smith, James A.,
Boltz,	Harkins,	Moul,	Smith, John A.
Bradley,	Harmuth,	Munley,	Spengler,
Brancato,	Hays,	Murrin,	Stank,
Brigerman,	Hering,	Nagel,	Thomas,
Broad,	Hess,	O'Brien,	Thompson,
Brown,	Hetrick,	O'Connor,	Toole,
Brownfield,	Hindman,	O'Keefe,	Tronzo,
Burrows,	Hirsch,	Ominsky,	Tumelty,
Caesar,	Holland,	O'Neill,	Valibus,
Caputo,	Holmes,	Ostroff,	VanSickle,
Chervenak,	Holstrom,	Patterson, C. S.,	Vogt,
Coakley,	Hontz,	Patterson, J. W.,	Wagner,
Cohen, H. B.,	Horting,	Pearson,	Walsh,
Cohen, R. E.,	Jirolanio,	Pershing,	Weiss, D. H.,
Coleman,	Keenan,	Piole,	Weiss, S. A.,
Coolahan,	Kelso,	Powers,	Welliver,
Corrigan,	Kilroy,	Preston,	Welsh,
Costanzo,	Kroll,	Readinger,	Westrick,
Decker,	LaRue,	Reese,	Whalen,
DeNote,	Levy,	Reising,	Whitenight,
Dickinson,	Lewis,	Richter,	Wright,
Donohoe,	Long,	Robinson,	Yanoshat,
Dougherty,	Lopresti,	Rothenberger,	Yourishin,
Downey,	Lovett,	Ruffennach,	Zappala,
Dubbs,	Marino,	Rush,	Furman
Dyson,			

NAYS—51.

Atkins,	Imbrie,	Schrock,	Turner,
Baker, F. T.,	Kane,	Schumacher,	Van Allsburg,
Boose,	Kline,	Serrill,	Wall,
Boyer,	Leisey,	Sloan,	Wampole,
Cadwalader,	Longaker,	Snyder,	Watkins,
Davies,	Lyons,	Sollenberger,	Webster,
Eckels,	Matthews, J. F.,	Sproul,	Weidemann,
Fiss,	McDevitt,	Stackpole,	Wilson,
Gillette,	McKinney,	Stewart,	Winner,
Habbyshaw,	Muir,	Stockham,	Wood,
Hall,	Peale,	Strode,	Woodside,
Hamilton, R. S.	Perry,	Terry,	Yeakel,
Huntley,	Royer,	Trout,	

The majority required by the Constitution having voted in the affirmative, the question was determined in the affirmative and the amendments were concurred in.

Ordered, That the Clerk inform the Senate accordingly.

REPORT OF COMMITTEE OF CONFERENCE ON HOUSE BILL No. 1161.

Mr. BLANK. Mr. Speaker, I desire to call up at this time the report of the Commitee of Conference on House Bill No. 1161, Printer's No. 1143.

The report was read by the Clerk as follows:

To the Members of the Senate and House of Representatives:

We, the undersigned. Committee of Conference on the part of the Senate and House of Representatives for the purpose of considering House Bill No. 1161, entitled: "An Act to amend section four hundred six of the act approved the ninth day of April, one thousand nine hundred twenty-nine (P. L. 343), entitled "An act relating to the finances of the State government; providing for the settlement, assessment, collection and lien of taxes, bonus and all other accounts due the Commonwealth; the collection and recovery of fees and other moneys or property due or belonging to the Commonwealth, * * *,' by making further provision for the appointment of mercantile appraisers," respectfully submit the following bill as our report·

GEORGE RANKIN, JR.
GEORGE KUNKEL,
Committee on the part of the Senate.

SAMUEL A. BLANK,
JAMES F. WALSH.
Committee on the part of the House of Representatives.

An Act to amend section four hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due tht Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belong to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth the resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" by making further provision for the appointment of mercantile appraisers

Section 1 Be it enacted by the Senate and House of

Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That section four hundred six of the act approved the ninth day of April one thousand nine hundred twenty-nine (P. L. 343) entitled "An act relating to the finances of the State government providing for the settlement assessment collection and lien of taxes bonus and all other accounts due the Commonwealth the collection and recovery of fees and other money or property due or belonging to the Commonwealth or any agency thereof including escheated property and the proceeds of its sale the custody and disbursement or other disposition of funds and securities belong to or in the possession of the Commonwealth and the settlement of claims against the Commonwealth and resettlement of accounts and appeals to the courts refunds of moneys erroneously paid to the Commonwealth auditing the accounts of the Commonwealth and all agencies thereof of all public officers collecting moneys payable to the Commonwealth or any agency thereof and all receipts of appropriations from the Commonwealth and imposing penalties affecting every department board commission and officer of the State government every political subdivision of the State and certain officers of such subdivisions every person association and corporation required to pay assess or collect taxes or to make returns or reports under the laws imposing taxes for State purposes or to pay license fees or other moneys to the Commonwealth or any agency thereof every State depository and every debtor or creditor of the Commonwealth" is hereby amended to read as follows

Section 406 Appointment of Mercantile Appraisers and Their Clerks The Auditor General [and the city treasurer] shall [continue to] appoint mercantile appraisers [in cities of the first class and the Auditor General shall continue to appoint them] in all counties [not containing a city of the first class] as [now] provided by law

The Auditor General shall also approve or disapprove all expense accounts of mercantile appraisers or their clerks or assistants and the number and compensation of clerks or other assistants appointed by mercantile appraisers to assist them in the performance of their duties

The Auditor General shall from time to time certify to the Department of Revenue the names of mercantile appraisers appointed by him [in conjunction with the city treasurer in cities of the first class and by him in other counties] the salaries or rates of salary payable to such appraisers the number names and compensation of clerks or assistants approved by him for appointment by mercantile appraisers and all expense accounts which he has approved

On the question,

Will the House adopt the report of the Committee of Conference?

QUESTION OF INQUIRY

Mr. TURNER. Mr. Speaker, I rise to a question of inquiry.

The SPEAKER. The gentleman from Delaware will state his question of inquiry.

Mr. TURNER. Mr. Speaker, why does not the name of the other member and the other Senator appear on this report? Why is it that only four names appear?

The SPEAKER. The gentleman will have to interrogate one of the members of the Conference Committee from the House. Will the gentleman from Philadelphia, Mr. Blank, permit himself to be interrogated?

Mr. BLANK. I will, Mr. Speaker.

Mr. TURNER. Mr. Speaker, I would like to ask the gentleman why this report was made with only two members of the Senate and two members of the House signing it.

Mr. BLANK. Mr. Speaker, in answer to the gentleman from Delaware, the bill is a partisan measure, and for that reason the Republican Conferees did not desire to sign the report, consequently it is only signed by the majority members of the House and Senate.

Mr. TURNER. Mr. Speaker, in other words, as I understand it, the two Republican members of the conference, one in the Senate and one in the House, refused to sign the report, is that correct?

Mr. BLANK. Mr. Speaker, I wouldn't say that. I would say rather they asked to be excused from signing it.

Mr. TURNER. Mr. Speaker, that is a good enough reason.

On the question recurring.

Will the House adopt the report of the Committee of Conference?

Agreeably to the provisions of the Constitution the yeas and nays were taken and were as follows, viz:

YEAS—153.

Achterman,	Elpern,	McArdle,	Sarraf,
Alexander,	Falkenstein,	McCullough,	Scanlon,
Allen,	Finnerty,	McDermott,	Schor,
Allmond,	Fitch,	McElroy,	Schrope,
Arnold,	Flanagan,	McFall,	Shaw,
Aukerman,	Flannery,	McGee,	Shea,
Baine,	Flinchbaugh,	McShane,	Shepard,
Baker, J. J.	Ganser,	Melchiorre,	Shoemaker,
Balthaser,	Gerard,	Mellott,	Shugarts,
Bierly,	Gorski,	Mihm,	Siegel,
Blank,	Haberlen,	Moomaw,	Simon,
Bohn,	Hagerty,	Mooney,	Skale,
Bois,	Hamilton, F. P.,	Moran,	Smith, James A.,
Boltz,	Harkins,	Moul,	Smith, John A.,
Bradley,	Harmuth,	Munley,	Spengler,
Brancato,	Hays,	Murrin,	Stank,
Brigerman,	Hering,	Nagel,	Thomas,
Broad,	Hess,	O'Brien,	Thompson,
Brown,	Hetrick,	O'Connor,	Toole,
Brownfield,	Hindman,	O'Keefe,	Tronzo,
Burrows,	Hirsch,	Ominsky,	Tumelty,
Caesar,	Holland,	O'Neill,	Valibus,
Caputo,	Holmes,	Ostroff,	VanSickle,
Chervenak,	Holstrom,	Patterson, C. S.,	Vogt,
Coakley,	Hontz,	Patterson, J. W.,	Wagner,
Cohen, H. B.,	Horting,	Pearson,	Walsh,
Cohen, R. E.,	Jirolanio,	Pershing,	Weiss, D. H.,
Coleman,	Keenan,	Piole,	Weiss, S. A.,
Coolahan,	Kelso,	Powers,	Welliver,
Corrigan,	Kilroy,	Preston,	Welsh,
Costanzo,	Kroll,	Readinger,	Westrick,
Decker,	LaRue,	Reese,	Whalen,
DeNote,	Levy,	Reising,	Whitenight,
Dickinson,	Lewis,	Richter,	Wright,
Donohoe,	Long,	Robinson,	Yanoshat,
Dougherty,	Lopresti,	Rothenberger,	Yourishin,
Downey,	Lovett,	Ruffennach,	Zappala,
Dubbs,	Marino,	Rush,	Furman,
Dyson.			

NAYS—51.

Atkins,	Imbrie,	Schrock,	Turner,
Baker, F. T.,	Kane,	Schumacher,	Van Allsburg,
Boose,	Kline,	Serrill,	Wall,
Boyer,	Leisey,	Sloan,	Wampole,
Cadwalader,	Longaker,	Snyder,	Watkins,
Davies,	Lyons,	Sollenberger,	Webster,
Eckels,	Matthews, J. F.,	Sproul,	Weidemann,
Fiss,	McDevitt,	Stackpole,	Wilson,
Gillette,	McKinney,	Stewart,	Winner,
Habbyshaw,	Muir,	Stockham,	Wood,
Hall,	Peale,	Strode,	Woodside,
Hamilton, R. S.	Perry,	Terry,	Yeakel,
Huntley,	Royer,	Trout,	

The majority required by the Constitution having voted affirmative and the report of the Committee of Conference was adopted.

Ordered, That the Clerk inform the Senate accordingly.

SENATE MESSAGE

SENATE BILLS FOR CONCURRENCE.

The Clerk of the Senate being introduced, presented for concurrence bills numbered and entitled as follows:

SENATE BILL No. 856. (HOUSE BILL No. 2501).

An Act to amend the act approved the eighteenth day of April one thousand nine hundred and twenty-nine (P. L. 549) entitled "An act to permit the use of voting machines for recording and computing the vote at all elections including primaries in any county city borough or township of the Commonwealth at the option of the electors thereof prescribing regulations with reference to the adoption requirements examination purchase installation preparation custody and demonstration of use of voting machines providing rules and regulations for the conduct of elections held with voting machines prescribing the qualifications number and duties of election officers in election districts in which voting machines may be used placing duties upon county commissioners and the Secretary of the Commonwealth providing for re-division of wards of cities and boroughs into election districts and the consolidation of election districts providing for the payment of expenses incident to the purchase and use of voting machines by the counties in which they are used and providing penalties for violation of the provisions of this act" by adding a new section thereto 11-A providing that in counties of the first class all appointments shall be equally divided between majority and minority commissioners.

Referred to the Committee on Cities.

SENATE BILL No. 1259. (HOUSE BILL No. 2502).

An Act to amend sections one and four of the act approved the ninth day of March one thousand nine hundred and thirty-seven (Act No. 11) entitled "A Joint Resolution authorizing the appointment of a commission to make a fair and impartial investigation of the general practice and procedure in the courts of Oyer and Terminer General Jail Delivery and Quarter Sessions of the Peace in the various counties of the Commonwealth and the Municipal Court in the City and County of Philadelphia with special reference to the prosecution trial and disposition of all criminal cases and the probation and parole of persons guilty of crime conferring upon the commission full power to issue subpoenas requiring the commission if possible to make a report of its findings to the present sesssion of the General Assembly together with its recommendations as to such legislation as may be necesary or desirable otherwise to make such report and recommendations to the Governor authorizing the commission to employ counsel and employes and making an appropriation" by empowering the commission to sit after the adjournment of the General Assembly and increasing the amount of the appropriation.

Referred to the Committee on Appropriations.

REPORT FROM COMMITTEE

Mr. SIMON, from the Committee on Ways and Means, reported as committed, House Bill No. 2467, (Senate Bill No. 1144), entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and others interested in real estate and from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled "An act to provide for the incorporation and regulation of certain corporations" approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by providing that certain companies shall not be subject to the tax.

BILL ON FIRST READING

Agreeably to order,

The House proceeded to the first reading and consideration of House Bill No. 2467, (Senate Bill No. 1144), entitled:

An Act to further amend section one of the act approved the thirteenth day of June one thousand nine hundred seven (Pamphlet Laws six hundred forty) entitled "An act to provide revenue by levying a tax upon the shares of stock of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth one thousand eight hundred and seventy-four and the supplements thereto for the insurance of owners of real estate mortgages and other interested in real estate from loss by reason of defective titles liens and encumbrances and of companies entitled to the benefits of and of companies having any of the powers of companies entitled to the benefits of an act entitled 'An act conferring upon certain fidelity insurance safety deposit trust and savings companies the powers and privileges of companies incorporated under the provisions of section twenty-nine of an act entitled 'An act to provide for the incorporation and regulation of certain corporations' approved April twenty-ninth Anno Domini one thousand eight hundred and seventy-four and of the supplements thereto' approved June twenty-seventh one thousand eight hundred and ninety-five commonly known as title insurance or trust companies" by providing that certain companies shall not be subject to the tax.

And said bill having been read at length the first time, Ordered, To be laid aside for second reading.

RESOLUTION

Mr. MURRIN offered a resolution which was filed with Clerk under the Rules.

STATEMENT BY MR. SCANLON

Mr. SCANLON asked and obtained unanimous consent to make the following statement:

Mr. Speaker and members of the House, with reference to the bill which I am going to report, I would like to read the following letter:

3517 Kipp Street,
Philadelphia, Pa.
May 22, 1937.

Friend Marshall:—

I take this opportunity of writing you on behalf of the forty-four hour bill. There are 8,500 people on strike at the Philco Corporation who have told me this bill an outrage.

These people are on strike against a forty hour week. They have been working thirty-six hours for the last four years, and cannot understand a Democratic House and Senate proposing a forty-four hour week when they are fighting against a forty hour week.

I think this bill should be given grave consideration and be amended to appease these people, for if it goes through in its present form I fear it will do our party

no end of harm. So, Marshall try your utmost in behalf of these people.

Good luck. See you later.

BILL CRAWFORD
Democratic Committeeman
27th Div., 33rd Ward.

REPORT FROM COMMITTEE

Mr. SCANLON, from the Committee on Labor, re-reported as committed, House Bill No. 1393, entitled:

An Act to protect the public health and welfare by regulating the employment of persons in certain establishments with respect to their hours of labor and the conditions of their employment by establishing certain sanitary regulations in the establishments in which they work by requiring certain abstracts and notices to be posted by providing for the enforcement of this act by the Department of Labor and Industry and others by prescribing penalties for violations thereof by defining the procedure in prosecutions and by repealing all acts and parts of acts inconsistent with the provisions thereof.

BILL ON THIRD READING

Agreeably to order,

The House proceeded to the third reading and consideration of House Bill No. 1301, as follows:

An Act authorizing vaudeville exhibitions in conjunction with moving picture exhibitions in certain cities boroughs towns or townships where the voters have approved the exhibition of moving pictures on Sundays providing for a referendum to ascertain the will of the electors and providing penalties

Section 1 Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met and it is hereby enacted by the authority of the same That if the voters of any city borough town or township shall have voted in favor of motion picture exhibitions on Sundays under the provisions of any act of this Commonwealth then in such city borough town or township any person copartnership association or corporation engaged in conducting staging managing or operating a motion picture exhibition may in conjunction therewith conduct and stage a vaudeville exhibit providing such exhibit does not exceed the length of time given to the exhibition of motion pictures and that such vaudeville exhibition shall be given alternately with motion pictures during each and every performance Provided That a majority of the voters of the city borough town or township shall have first voted in favor of vaudeville exhibitions on Sundays as hereinafter provided

Section 2 At the primary election in the year one thousand nine hundred and thirty-seven there shall be submitted in the manner provided by the election laws of the Commonwealth upon petition to the county commissioners by the city or borough council or by the township commissioners or supervisors or upon petition to county commissioners by electors equal to at least five per centum of the highest vote cast for any candidate in the municipality at the last preceding general election a question to determine the will of the electors of each municipality in this Commonwealth so petitioning with respect to vaudeville exhibitions Such question shall be in the following form

Do you favor the conducting staging operating and exhibiting of vaudeville regardless of whether an admission charge is made or incidental thereto or whether labor or business is necessary to conduct stage operate or exhibit the same after two 'oclock postmeridan on Sunday	YES NO

The said question shall be printed on separate official ballots in bound form by the county commissioners of each county and sufficient number of ballots shall be furnished to the election officers in each election district of each municipality so that one ballot may be supplied to each voter at such election In districts where voting machines are used such question shall appear on the face of the machine where the machine is properly equipped for such purposes

Section 3 The votes cast on such question shall be counted by the election officers and returns thereof made by them and by election officers where voting machines are used to the prothonotary of the county who shall lay the same before the return board for computation at the same time and in the same manner as other returns Such election shall be governed by the election laws of the Commonwealth and all penalties provided by said laws shall apply to such elections The return board shall compute the said returns by municipalities and certify the results of the vote cast on the question to the acting chief executive officer of each municipality affected

If at the election in the year one thousand nine hundred and thirty-seven where any such election was held as herein provided a majority of the electors in any municipality voting at said election vote in favor of vaudeville exhibitions on Sunday after the hour of two o'clock post meridian then upon the certification of such election return to the acting chief executive officer of such municipality as is provided in this section it shall thereafter be lawful to conduct stage manage operate or engage in vaudeville exhibitions from and after the hour of two o'clock post meridian on Sunday

The right to conduct stage manage operate or engage in such vaudeville exhibitions shall be subject only to those rules and regulations which govern vaudeville exhibitions on days of the week other than Sunday

If the vote of the electors in the municipality was not in favor of vaudeville exhibitions or if no such election was held then it shall be unlawful to conduct stage manage operate or engage in such vaudeville exhibitions to which an admission charge is made or is incidental after two o'clock post meridian on Sunday

Section 4 In any municipality the will of the electors with respect to the conducting staging and exhibiting of vaudeville on Sunday may after the year one thousand nine hundred and thirty-seven but not oftener than once in five years be ascertained and the question as provided in section two of this act shall be submitted to the electors of any municipality upon demand in writing of petitioners equal to at least five per centum of the highest vote cast for any candidate in the municipality at the last preceding general or municipal election Such petition shall be filed with the corporate authorities at least thirty (30) days before the day of any primary general or municipal election at which the question is to be submitted and if the petition is signed by the requisite number of petitioners it shall thereupon be certified to the county commissioners who shall cause such question to be submitted in the same manner as is provided in this act for the primary election in the year one thousand nine hundred and thirty-seven

If the majority of the voters in any municipality are not in favor of such exhibitions then upon the certification of such election return to the acting chief executive officer of such municipality as is provided in section three of this act it shall thereafter be unlawful to conduct stage manage operate or engage in such exhibitions after two o'clock post meridan on Sunday but if a majority of the electors in any such municipality which has not heretofore permitted such vaudeville exhibitions after two o'clock post meridian on Sunday or which has not theretofore voted on such question are in favor of such exhibitions then upon the certification of such fact to the acting chief executive officer of such municipality as is provided in section three of this act such exhibitions shall thereafter be lawful

Section 5 It is the intent of this act to provide a method whereby the will of the electors of each municipality

with respect to vaudeville exhibitions together with orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto after two o'clock post meridian on Sunday may be ascertained

Section 6 The provisions of this act are severable and if any of the provisions hereof are held to be unconstitutional the decision shall not be construed to impair any other provision of this act It is hereby declared as the legislative intent that this act would have been adopted had such unconstitutional provision not been included herein

Section 7 Section one of the act approved the twenty-second day of April one thousand seven hundred and ninety-four (3 Smith Laws 177) entitled "An act for the prevention of vice and immorality and of unlawful gaming and to restrain disorderly sports and dissipation" be and the same is hereby repealed in so far as it prohibits vaudeville exhibitions and any orchestral or other instrumental musical or mechanical musical accompaniment prelude playing or selection in connection with or incidental thereto All acts and parts of acts inconsistent herewith be and the same are hereby repealed

Section 8 This act shall become effective immediately upon its final enactment

On the question,

Will the House agree to the bill on third reading?

BILL RECOMMITTED

Mr. REUBEN E. COHEN. Mr. Speaker, I move that this bill be recommitted to the Committee on Aeronautics.

The motion was agreed to.

QUESTION OF PERSONAL PRIVILEGE

Mr. SARRAF. Mr. Speaker, I rise to a question of personal privilege.

The SPEAKER. The gentleman will state his question of personal privilege.

Mr. SARRAF. Mr. Speaker, I know it is very late but with your kind indulgence if you will just permit me one hour and fifteen minutes I would like to make a brief statement.

The SPEAKER. The Chair hears no objection and the gentleman will speak on the Chiropractor's bill.

Mr. SARRAF. Mr. Speaker, I wish to yield to my colleague from Allegheny, Mr. Weiss.

Mr. SAMUEL A. WEISS. Mr. Speaker, I just want to make a brief statement this evening concerning the Bendicts and the Freelancers:

In a closely played game today, the Shackled team of the House administered a severe drubbing to the Freelancers by the score of 22 to 19.—

The game was featured by the continuous beefing of "Pop" Elpern,—the vicious slugging of the victors,—and the alleged fielding of the Freelancers. Constanzo was particularly difficult to retire, inasmuch as the umpire was a co-committeeman of his from Philadelphia. "Hot-seat" Falkenstein, who had the only uniform on the field, electrified the crowd by muffing the first ball hit to him. "Long Elmer" Holland was in Dutch several times, complaining about the bread basket catches made by "Rabbit" Thomas. By the time the sixth inning rolled around the Freelancers outfield looked like a wooded glen. However, the fact that they had about twenty-nine outfielders only added to the general confusion and the Shackled team profited. "Deacon" Decker cavorted like a veteran in the outfield, and contributed the star catch of the game, much to the disgust of pinch-hitter number three hundred and twenty-four of the Freelancers. "Killer" O'Keefe stood up well at third base,—that was the trouble, he stood there. Before the game was over, "Hefty" Haberlen, who caught for the Freelancers, looked like a sewer inspector from the land of Sewers, Delaware County. "Six to one" Marino still wants to know why three strikes makes an out—he feels a resolution should be adopted to reconsider the vote by which he struck out in the fourth inning. He wants the vote to be unanimous in the future.

A challenge has been issued by the Freelancers for a return game in 1947. They feel that the Shackled men will be easier to beat by that time.

The score is as follows:

		Runs	Hits	Errors
Freelancers	0 4 2 0 0 0 0 4 9	19	1	342
Shackled Men	6 0 0 0 1 12 0 3 x	22	13/4	341

ANNOUNCEMENT

There will be a meeting of the Committee on Insurance at 2:30 p. m. this afternoon in Room 334.

There will be a meeting of the Committee on Judiciary General at 3:00 p. m. in Room 325.

ADJOURNMENT

Mr. HERBERT B. COHEN. Mr. Speaker, I move that this House do now adjourn until tomorrow at 3:30, p. m.

The motion was agreed to, and (at 4:33 a. m.) the House adjourned until Wednesday, May 26, 1937, at 3:30 p. m.

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